

REGULAR MEETING OF THE TERRE HAUTE CITY COUNCIL
6:00 PM, THURSDAY, JULY 13, 2017
CITY HALL COURTROOM
AGENDA

Meetings of the Terre Haute City Council are recorded and broadcast on Time Warner Cable Television. City Council meeting videos may also be available for viewing on the City's website. Your attendance at this public meeting may result in the recording and broadcast of your image and/or voice. By remaining in the room, you are giving your permission to be recorded and televised.

1. Moment of Silence and Pledge of Allegiance
2. Rollcall
3. Comment on non-agenda items.
 - a. Vicky Cain concerning the need for the City to maintain sewer lines and that the sewer bills are too high.
 - b. Councilwoman Amy Auler asked Mrs. Cain about her current address.
 - c. Councilman Neil Garrison asked Chuck Ennis, City Engineer, to update him concerning Mrs. Cain's comments. He also asked Mayor Bennett if the City can remove a tree from a citizen's property. Councilman Garrison asked if there were any other steps a citizen could take for situations like this. He responded to Ms. Smith's question that the neighbors should try to discuss the matter with the neighbor.
 - d. Chuck Ennis, City Engineer, stated he would need to review the records.
 - e. Kelly Dumas commented on a long standing problem with their neighbor's property, Bob Clary. Mrs. Dumas stated she had been contacting various City agencies without any results.
 - f. Bob Dumas commented on his neighbor, Robert Clary, and mental as well as health issues Mr. Clary faces. Mr. Dumas also stated Mr. Clary has had confrontations with many of the neighbors.
 - g. Judy Pruitt commented on a broken water main caused by the streets not being cleaned. She also commented on a dead tree in her neighbor's yard that the City will not remove.
 - h. Council President Karrum Nasser asked Mayor Duke Bennett to explain the Bob Clary situation. He responded to Ms. Smith's question to contact the legislators.
 - i. Mayor Duke Bennett commented that he was aware of the complaints against Mr. Clary and there were various agencies working on the problem. He responded to Councilman Nation's question that the City cannot enter private property without a court order. Mayor Bennett responded to Councilwoman Crossen's questions that Adult Protective Services were not part of the Prosecutor's Office. He also commented that it would depend on the situation if a health problem was involved. Mayor Bennett responded to Councilman DeBaun's question that the answer depends on which particular utility is involved. He also stated a court order may be required. Mayor Bennett responded to Councilman Nation's question that he had been discussing the situation with Judge Wrede. Mayor Bennett responded to Councilman Garrison's question that the City could not remove a tree unless it was in the tree row. He further stated the State would need to allow a local jurisdiction more authority in situations like this. Mayor Bennett responded to Councilman Elliott's comments that it would be a help to have the Council contact the legislators about amending State Code.
 - j. Councilman Todd Nation asked if the City can clean up property. He also asked if Mayor Bennett was working with Judge Chris Wrede on city court cases.
 - k. Councilwoman Martha Crossen asked if Adult Protective Services was part of the prosecutor's office. She also asked if the process for having Adult Protective Services become involved was faster if there were health issues.

1. Councilman Curtis DeBaun IV asked if the utilities were turned off at Mr. Clary's property would that escalate the situation.
- m. Councilman Earl Elliott asked if Mayor Bennett had been in discussions with the State to allow local authorities more jurisdiction over situations such as the fallen tree. He also asked if the State would not clean up the property. Councilman Elliott stated he would be happy to contact the legislators to discuss amending State Code to allow more authority to local jurisdictions.
- n. Sara Smith commented the Mr. Clary's house has problems and asked what the neighbors could do to help him.
4. No Corrections to journal.
5. No Communications.
6. Reports from Governmental Agencies/
 - a. Councilman Earl Elliott commented on his correspondence concerning the City's finances. He stated he wanted to discuss with Mayor Bennett the May 2017 bank statements and reconciliation reports. Councilman Elliott also stated the current financial situation is better than it had been in the past. He also commented that the increase for the sewer rates may have been premature.
 - b. Mayor Duke Bennett commented that many of the funds that Councilman Elliott's correspondence are in a separate bank account. He also stated bond funds are in an account in New York. Mayor Bennett stated Umbaugh will be giving a presentation to update the Council on the status of the long term control plan.
 - c. Councilwoman Amy Auler asked about the board that was created last year to review tax assessments and government finances.
 - d. Council President Karrum Nasser stated he asked Councilman Todd Nation to continue serving on the board. He also commented on financing the long-term control plan.
 - e. Councilman Todd Nation stated he had given the board names of individuals to contact for discussion and one of the names he gave was Councilwoman Amy Auler.
 - f. Chuck Ennis, City Engineer, stated it is a two-phase approach to bonding

Old Business

APPROPRIATION 3, 2017 - Passed

\$1,283,513.02 from LOIT Special Fund #0257 to Services Contractual, #432.010 <Elliott>

GENERAL ORDINANCE 6, 2017 - Passed

Amending City Code, Chapter 8, Article 1, Section 8-34, Specific Maximum Speeds, Church Drive, Ferndale Drive, Lakeview Drive, Mayflower Court, Mayflower Drive and Terra Vista Drive <Elliott>

GENERAL ORDINANCE 7, 2017 – Tabled until August

Amending City Code, Chapter 2, Article 9, Section 2-117, Police Pension Fund <Azar>

SPECIAL ORDINANCE 27, 2017 - Passed

Rezoning of property located at 1225 North 8th Street <Garrison>

SPECIAL ORDINANCE 30, 2017 – Passed As Amended

Vacating a portion of a North-South Public Alley located between 622-650 Lafayette Avenue and 921-1017 North 6th Street <DeBaun>

SPECIAL ORDINANCE 31, 2017 - Passed

Vacating a portion of a North-South Public Alley located between 431 North 14th Street and 430 North 14 ½ Street <Crossen>

SPECIAL ORDINANCE 32, 2017 - Passed

Rezoning of property located at 430 North 14 ½ Street and Portion of Vacated Alley West of 430 North 14 ½ Street <Crossen>

RESOLUTION 11, 2017 – Passed 5 Yes Votes 3 No Votes

Authorizing the Extension of a Temporary Revolving Loan from Redevelopment <Elliott>

DADC CF-1 Form for Resolution 3, 2008 – Not In Substantial Compliance
DADC CF-1 Form for Resolution 4, 2008 – Not In Substantial Compliance
DADC CF-1 Form for Resolution 6, 2007 – Not In Substantial Compliance
DADC CF-1 Form for Resolution 6, 2011 – Not In Substantial Compliance
DADC CF-1 Form for Resolution 7, 2009 – Not In Substantial Compliance
DADC CF-1 Form for Resolution 8, 2009 – Not In Substantial Compliance
DADC CF-1 Form for Resolution 12, 2010 – Not In Substantial Compliance
DADC CF-1 Form for Resolution 13, 2010 – Not In Substantial Compliance

Hearing set for 8/3/2017 at 5:30pm

New Business

GENERAL ORDINANCE 8, 2017 - Finance

Amending City Code, Chapter 9, Article 5, Section 9-112, Leak Adjustments <Nasser>

APPROPRIATION 4, 2017 - Finance

\$85,851.53 from EMS N/R #0270 to Training Academy #0511 <Elliott>

APPROPRIATION 5, 2017 - Finance

\$392,352.64 from EDIT #0404 to Margaret Ave. Corridor, #450.521 <Elliott>

SPECIAL ORDINANCE 28, 2017 - Zoning

Rezoning of property located at 1120 Beech Street <Auler>

Charles P. Hanley, City Clerk

ATTENDANCE		
	Present	Absent
Auler	X	
Azar	X	
Crossen	X	
DeBaun	X	
Elliott	X	
Garrison	X	
Morris		X
Nasser	X	
Nation	X	
TOTAL:	8	1

AP 3, 2017		
	YES	NO
Auler		
Azar		
Crossen		
DeBaun		
Elliott		
Garrison		
Morris		
Nation		
Nasser		
TOTAL:	VOICE	
Motion to Pass: Auler		
Second:	DeBaun	

GO 6, 2017		
	YES	NO
Auler		
Azar		
Crossen		
DeBaun		
Elliott		
Garrison		
Morris		
Nation		X
Nasser		
TOTAL:	VOICE	
Motion to Pass: Elliot		
Second:	Auler	

GO 7, 0217		
	YES	NO
Auler		
Azar		
Crossen		
DeBaun		
Elliott		
Garrison		
Morris		
Nation		
Nasser		
TOTAL:	VOICE	
Motion to Table Until August: Auler		
Second:	Garrison	

SO 27, 2017		
	YES	NO
Auler		
Azar		
Crossen		
DeBaun		
Elliott		
Garrison		
Morris		
Nation		
Nasser		
TOTAL:	VOICE	
Motion to Pass: Garrison		
Second:	Nation	

SO 30, 2017		
	YES	NO
Auler		
Azar		
Crossen		
DeBaun		
Elliott		
Garrison		
Morris		
Nation		
Nasser		
TOTAL:	VOICE	
Motion to Amend: Garrison		
Second:	DeBaun	

SO 30, 2017 AS AMENDED		
	YES	NO
Auler		
Azar		
Crossen		
DeBaun		
Elliott		
Garrison		
Morris		
Nation		
Nasser		
TOTAL:		
Motion to Pass: Garrison		
Second:	DeBaun	

SO 31, 2017		
	YES	NO
Auler		
Azar		
Crossen		
DeBaun		
Elliott		
Garrison		
Morris		
Nation		
Nasser		
TOTAL:	VOICE	
Motion to Pass: Auler		
Second:	Crossen	

SO 32, 2017		
	YES	NO
Auler		
Azar		
Crossen		
DeBaun		
Elliott		
Garrison		
Morris		
Nation		
Nasser		
TOTAL:	Voice	
Motion: Crossen		
Second: Auler		

RS 11, 2017		
	YES	NO
Auler	X	
Azar	X	
Crossen		X
DeBaun	X	
Elliott	X	
Garrison	X	
Morris		
Nation		X
Nasser		X
TOTAL:	5	3
Motion to Pass: Elliott		
Second:	Auler	

DADC CF1 RS 3-08		
	YES	NO
Auler		
Azar		
Crossen		
DeBaun		
Elliott		X
Garrison		
Morris		
Nation		
Nasser		
TOTAL:	VOICE	
Motion Not In Sub. Comp. : Nation		
Second:	Auler	

DADC CF1 RS 4-08		
	YES	NO
Auler		
Azar		X
Crossen		
DeBaun		
Elliott		X
Garrison		
Morris		
Nation		
Nasser		
TOTAL:	VOICE	
Motion Not In Sub. Comp.: Nation		
Second:	Auler	

DADC CF1 RS 6-07		
	YES	NO
Auler		
Azar		X
Crossen		
DeBaun		
Elliott		X
Garrison		
Morris		
Nation		
Nasser		
TOTAL:	VOICE	
Motion Not In Sub. Comp.: Nation		
Second:	DeBaun	

DADC CF1 RS 6-11		
	YES	NO
Auler		
Azar		X
Crossen		
DeBaun		
Elliott		X
Garrison		
Morris		
Nation		
Nasser		
TOTAL:	VOICE	
Motion Not In Sub. Comp.: Nation		
Second:	Auler	

DADC CF1 RS 7-09		
	YES	NO
Auler		
Azar		X
Crossen		
DeBaun		
Elliott		
Garrison		
Morris		
Nation		
Nasser		
TOTAL:	VOICE	
Motion Not In Sub. Comp. : Nation		
Second:	Auler	

DADC CF1 RS 8-09		
	YES	NO
Auler		
Azar		X
Crossen		
DeBaun		
Elliott		X
Garrison		
Morris		
Nation		
Nasser		
TOTAL:	VOICE	
Motion Not In Sub. Comp. : DeBaun		
Second:	Crossen	

DADC CF1 RS 12-10		
	YES	NO
Auler		
Azar		X
Crossen		
DeBaun		
Elliott		X
Garrison		
Morris		
Nation		
Nasser		
TOTAL:	VOICE	
Motion Not In Sub. Comp. : DeBaun		
Second:	Crossen	

DADC CF1 RS 13-10		
	YES	NO
Auler		
Azar		X
Crossen		
DeBaun		
Elliott		X
Garrison		
Morris		
Nation		
Nasser		
TOTAL:	VOICE	
Motion Not In Sub. Comp. : DeBaun		
Second:	Crossen	

HEARING 8-13-17 5:30 P.M.		
	YES	NO
Auler		
Azar		
Crossen		
DeBaun		
Elliott		
Garrison		
Morris		
Nation		
Nasser		
TOTAL:	VOICE	
Motion: Auler		
Second: Crossen		

	YES	NO
Auler		
Azar		
Crossen		
DeBaun		
Elliott		
Garrison		
Morris		
Nation		
Nasser		
TOTAL:		
Motion:		
Second:		

	YES	NO
Auler		
Azar		
Crossen		
DeBaun		
Elliott		
Garrison		
Morris		
Nation		
Nasser		
TOTAL:		
Motion:		
Second:		

	YES	NO
Auler		
Azar		
Crossen		
DeBaun		
Elliott		
Garrison		
Morris		
Nation		
Nasser		
TOTAL:		
Motion:		
Second:		

	YES	NO
Auler		
Azar		
Crossen		
DeBaun		
Elliott		
Garrison		
Morris		
Nation		
Nasser		
TOTAL:		
Motion:		
Second:		

ADJOURN		
	YES	NO
Auler		
Azar		
Crossen		
DeBaun		
Elliott		
Garrison		
Morris		
Nation		
Nasser		
TOTAL:	VOICE	
Motion: AZAR		
Second: AULER		