

REGULAR MEETING OF THE TERRE HAUTE CITY COUNCIL
6:00 PM, THURSDAY, OCTOBER 4, 2018
CITY HALL COURTROOM
AGENDA

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- 1. Moment Of Silence And Pledge Of Allegiance To The Flag**
- 2. Calling Of The Roll**
- 3. Thirty (30) Minutes Of Time For Public To Comment On Items Not On The Agenda**
 - a. Charlie Williams concerning RiverScape, River Front Lofts, the County Commissioners and the proposed new jail.
 - b. Pat Goodwin concerning the proposed new jail and the need for the property to be rezoned.
 - c. Councilperson Amy Auler concerning the lack of communication from the Commissioners concerning the proposed site for the new jail. She commented on the neighborhood has concerns that are not being addressed. Ms. Auler also commented on the County not having the names of the members of the Board of Zoning Appeals listed and that no communication outside of a meeting can occur with their membership. She stated the neighborhood had been ignored to many times.
 - d. Councilperson Todd Nation questions Eddie Felling, City Attorney, concerning the proposed site for the new jail not being rezoned. He also asked which zoning classification would be used for a jail. He asked if Michelle Edwards, City Clerk, would contact the petitioners to see if their attorney would attend the next City Council meeting. He stated the Commissioners need to follow the rules and a site does not need to be selected immediately.
 - e. Eddie Felling, City Attorney, responded to Councilperson Nation's questions. Mr. Felling further stated the process for building a new jail would require a building permit that the City's Engineering Department would need to review a site plan. He stated that if the Engineering Department denied a permit, the Commissioners would appeal to the Board of Zoning Appeals. Mr. Felling responded to Councilperson Nasser's question that the Indiana Statutes regulated the appeal process. He responded to Councilperson Azar's question that the project could move forward in the permitting process without the variance.
 - f. Councilperson Martha Crossen asked Mr. Felling why the Board of Zoning Appeals would review the proposed jail permit if denied by the Engineering Department. She stated her concerns the Commissioners are not bringing a rezoning ordinance to the Council. She commented that the Council President should contact the petitioners to request a representative attend the City Council's next meeting, not the City Clerk. Councilperson Crossen responded to Ms. Spence's question that the Commissioners are making their own determination.

g. Councilperson Neil Garrison commented on being a member of RiverScape and the amazing job they have been doing. He stated the jail should not be located on the proposed site. He responded to Councilperson Elliott's comment that the City Council is following the rules and hopes the other boards, commissions, and councils are doing so as well.

h. Councilperson Karrum Nasser commented he did not support the first rezoning ordinance for the jail. He asked how the rules for the Board of Zoning Appeals were created.

i. Councilperson George Azar commented on how concerned Councilperson Auler was for her district. He asked if the Board of Zoning Appeals denies the variance, will this stop the project?

j. Council President Curtis DeBaun IV commented the Commissioners originally requested a rezoning but that was withdrawn. He stated it was not right how they are proceeding now. He responded to Mr. Hyde's comments that the City has no authority over the Commissioners.

k. Donald Hyde commented on the proposed jail, the lack of communication from the Commissioners, and that the City was not asking enough questions.

l. Lisa Spence asked who made the determination of the definition of accessory use.

m. Councilperson O. Earl Elliott commented that there has been much discussion on transparency, the City's active posting and publishing of notices and ordinances. He also stated that some boards and commissions are not held to this standard. Councilperson Elliott stated there is much scrutiny over the Council's actions that prevent them from resolving issues. He also stated that if it is not listed on the agenda, the public will not know the Council is discussing it.

4. Correcting The Journal Of The Preceding Meeting If Needed - NONE

5. Communication From The Mayor- NONE

6. Reports From City Officials- NONE

7. Reports From Board Of Public Works And Safety - NONE

8. Reports From Standing Committees- NONE

9. Reports From Non-Standing Committees - NONE

10. Items Previously Tabled - NONE

11. TAX ABATEMENTS FOR CONFIRMATION - NONE

12. ITEMS ON SECOND READING

a. Appropriations - NONE

b. General Ordinances - NONE

c. Special Ordinances - NONE

d. Resolutions - NONE

13. ITEMS ON FIRST READING

a. Appropriations - NONE

b. General Ordinances - NONE

c. Special Ordinances

1) **SPECIAL ORDINANCE 12, 2018** – Rezoning of property located at 2102 and 2118 Chestnut Street <Garrison> - **Withdrawn**

Council President DeBaun IV stated that Special Ordinance 33, 2018 would be discussed next.

2) **SPECIAL ORDINANCE 33, 2018** - Rezoning of property located at 2102 and 2118 Chestnut Street <Garrison>

No Action Taken

2) **SPECIAL ORDINANCE 31, 2018** – Rezoning of property located at 1608 North 9th Street <Garrison> - **PASSED**

Motion was made by Councilperson Nation and seconded by Councilperson Nasser that action be taken on SPECIAL ORDINANCE 31, 2018. Motion carried with Councilperson Garrison abstaining.

3) **SPECIAL ORDINANCE 32, 2018** - Vacating a portion of a North-South Public Alley and an East-West Public Alley all located between Beech Street to the North, 8th Avenue to the South, 9th Street to the East and 8th Street to the West <Garrison>

NO ACTION TAKEN

d. Resolutions - NONE

Michelle L. Edwards, City Clerk

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

SO 12, 2018		
	YES	NO
Auler		
Azar		
Crossen		
Elliott		
Garrison		
Morris		
Nation		
Nasser		
DeBaun		
TOTAL:	VOICE	
Motion to Withdraw: Auler		
Second: Garrison		

SO 31, 2018		
	YES	NO
Auler		
Azar		
Crossen		
Elliott		
Garrison	-ABSTAIN-	
Morris		
Nation		
Nasser		
DeBaun		
TOTAL:	VOICE	
Motion to Take Action: Nation		
Second: Nasser		

SO 31, 2018		
	YES	NO
Auler		
Azar		
Crossen		
Elliott		
Garrison	-ABSTAIN-	
Morris		
Nation		
Nasser		
DeBaun		
TOTAL:	VOICE	
Motion to Pass: Nation		
Second: Nasser		

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

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