

**MINUTES OF THE PROCEEDINGS  
OF THE  
COMMON COUNCIL**

**CITY OF TERRE HAUTE, INDIANA**

**REGULAR SESSION, THURSDAY, MARCH 9, 2023**

**The City Council met in Regular Session Thursday, March 9, 2023 at 6:00 P.M. in the City Hall Courtroom with Mr. DeBaun presiding and Michelle L. Edwards in the City Clerk's desk.**

**Moment of Silence and Pledge of Allegiance to the Flag  
Calling Of the Roll**

PRESENT: Amy Auler, George Azar, Tammy Boland, Martha Crossen, Curtis DeBaun IV, O. Earl Elliott, Neil Garrison, Cheryl Loudermilk, Todd Nation

**Public Comment on Items Not on the Agenda**

- a. Donald Hyde concerning candidates on the ballot this year and their positions on current topics.
- b. John Crowley concerning sewage bills and landlords.
- c. Mike Southwood concerning the condition of Lombardi Street.
- d. Mayor Duke Bennett responded to Mr. Southwood's comments. He also responded to Councilperson Azar's question on deposits for sewage users.
- e. Councilperson George Azar requested information on deposits for sewage users.

**No Corrections to the Journal of the Preceding Meeting**

**Communication from the Mayor**

- a. Mayor Duke Bennett presented an update on ARPA funds. He stated he anticipated the appropriation would be filed in May and responded to Councilperson Crossen's question on a special meeting. He replied to Councilpersons Azar and Nation's statements. Mayor Bennett responded to Councilperson Loudermilk's questions.
- b. Councilperson Martha Crossen requested access to the ARPA plan and fund usage prior to the voting meeting. She also requested a special meeting for Council discussion with the mayor.
- c. Councilperson Earl Elliott stated he would like more details prior to the meeting to vote on the appropriation. He stated a separate meeting should be held, rather than prior to a regular meeting. He also stated he would need to review his schedule concerning the special meeting.
- d. Councilperson George Azar stated he would prefer Council to discuss the proposed appropriation prior to voting. He suggest Mayor Bennett and Council President DeBaun work together to determine a meeting date. He asked if the special meeting had to be requested in the form of a motion. He also stated the meeting did not need to be held on a Thursday. He stated the meeting was tentatively set for Monday, May 22, 2023 at 5:00 p.m.
- e. Councilperson Todd Nation requested the appropriation to be submitted in April. He also commented on the recent news article on how the County Council will act on their ARPA funds. He requested a special meeting in May for discussion. He asked about holding the meeting the third Thursday in May. He then asked for the fourth Thursday in May.
- f. Councilperson Cheryl Loudermilk asked Mayor Bennett about the funds set aside for the housing projects and if West Central Indiana Economic Development will be overseeing the fund disbursement.

f. Council President Curtis DeBaun asked for Council input on a meeting date and if public comment should be allowed. He requested the mayor confirm if he is available on the fourth Thursday in May. He confirmed the Council understood the meeting was for Council and mayor discussion only.

g. City Clerk Michelle Edwards commented on the procedure for holding a special meeting. She also commented on a meeting conflict for the third Thursday in May. She also stated the president of the Council could call the special meeting.

h. Councilperson Neil Garrison commented on allowing public comment at a later date rather than the special meeting.

i. Councilperson Amy Auler commented the fourth Thursday in May was close to the holiday weekend.

**Reports from City Officials**

a. Darrell Felling II, City Attorney, requested City Clerk Michelle Edwards state the information for Board of Zoning Appeals is on the website under the Engineering Department's page.

**No Reports from Board of Public Works and Safety**

**No Reports from Standing Committees**

**No Reports from Non-Standing Committees**

**No Items Previously Tabled**

**No Tax Abatements for Confirmation**

**No Items on Second Reading**

**ITEMS ON FIRST READING**

**APPROPRIATION 1, 2023 - \$94,262.00 from Abandoned Vehicle N/R #0228-0024 to Police PS/LIT Purchase of Vehicles, #0751-0017-04-444080 for \$73,786.00, to Police PS/LIT Purchase of Equip, #0751-0017-04-444010 for \$15,691.00 and to Police PS/LIT Services Contractual, #0751-0017-03-432010 for \$3,885.00 <Elliott>**

APPROPRIATION 1, 2023 was read by digest. Motion was made by Councilperson Nation and seconded by Councilperson Auler to take action on APPROPRIATION 1, 2023. Motion carried unanimously. Motion was made by Councilperson Nation and seconded by Councilperson Auler to pass APPROPRIATION 1, 2023. Motion carried.

APPROPRIATION NO. 1, 2023

AN ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF MONEY FOR EXPENSES INCURRED DURING THE YEAR 2023.

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; now, therefore:

BE IT ORDAINED by the Common Council of the City of Terre Haute, Vigo County, Indiana, that for the expenses of said municipal corporation the following additional sum of money is hereby appropriated and ordered set apart out of the fund herein named and for the purposes herein specified, subject to the laws governing the same:

		<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROPRIATED</u>
FROM:	Abandoned Vehicles N/R #0228-0024	\$94,262.00	\$94,262.00
TO:	Police PS/LIT Purchase of Vehicles #0751-0017-04-444080	\$73,786.00	\$73,786.00

Police PS/LIT Purchase of Equip #0751-0017-04-444010	\$15,691.00	\$15,691.00
Police PS/LIT Services Contractual #0751-0017-03-432010	\$ 3,885.00	\$ 3,885.00
<b>TOTAL</b>	<b>\$94,262.00</b>	<b>\$94,262.00</b>

Introduced by: O. Earl Elliott, Councilperson  
 Passed in open Council this 9<sup>th</sup> day of March, 2023.  
 Curtis DeBaun, President  
 ATTEST: Michelle L. Edwards, City Clerk  
 Presented by me to the Mayor this 9<sup>th</sup> day of March, 2023.  
 Michelle L. Edwards, City Clerk  
 Approved by me, the Mayor, this 9<sup>th</sup> day of March, 2023.  
 Duke A. Bennett, Mayor  
 ATTEST: Michelle L. Edwards, City Clerk

**Motion was made by Councilperson Azar and seconded by Councilperson Auler to take action on APPROPRIATIONS 2 – 4, 2023. Motion carried unanimously.**

**APPROPRIATION 2, 2023 - \$2,000.00 from THPD Donations/Auctions #0715-0068 to Police / EPD Officers, #0101-0041-01-412158 <Elliott>**

APPROPRIATION 2, 2023 was read by digest. Motion was made by Councilperson Azar and seconded by Councilperson Auler to pass APPROPRIATION 2, 2023. Motion carried.

APPROPRIATION NO. 2, 2023

AN ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF MONEY FOR EXPENSES INCURRED DURING THE YEAR 2023.

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; now, therefore:

BE IT ORDAINED by the Common Council of the City of Terre Haute, Vigo County, Indiana, that for the expenses of said municipal corporation the following additional sum of money is hereby appropriated and ordered set apart out of the fund herein named and for the purposes herein specified, subject to the laws governing the same:

		<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROPRIATED</u>
FROM:	THPD Donations / Auctions #0715-0068	\$2,000.00	\$2,000.00
TO:	Police / EPD Officers #0101-0041-01-412158	\$2,000.00	\$2,000.00
	<b>TOTAL</b>	<b>\$2,000.00</b>	<b>\$2,000.00</b>

Introduced by: O. Earl Elliott, Councilperson  
 Passed in open Council this 9<sup>th</sup> day of March, 2023.  
 Curtis DeBaun, President  
 ATTEST: Michelle L. Edwards, City Clerk  
 Presented by me to the Mayor this 9<sup>th</sup> day of March, 2023.  
 Michelle L. Edwards, City Clerk

Approved by me, the Mayor, this 9<sup>th</sup> day of March, 2023.  
Duke A. Bennett, Mayor  
ATTEST: Michelle L. Edwards, City Clerk

**APPROPRIATION 3, 2023 - \$1,910.00 from EDIT #0404-0096 to Demo of Unsafe Buildings, #0404-0096-03-432018 <Elliott>**

APPROPRIATION 3, 2023 was read by digest. Motion was made by Councilperson Nation and seconded by Councilperson Crossen to pass APPROPRIATION 3, 2023. Motion carried.

APPROPRIATION NO. 3, 2023

AN ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF MONEY FOR EXPENSES INCURRED DURING THE YEAR 2023.

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; now, therefore:

BE IT ORDAINED by the Common Council of the City of Terre Haute, Vigo County, Indiana, that for the expenses of said municipal corporation the following additional sum of money is hereby appropriated and ordered set apart out of the fund herein named and for the purposes herein specified, subject to the laws governing the same:

		<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROPRIATED</u>
FROM:	EDIT #0404-0096	\$1,910.00	\$1,910.00
TO:	Demo of Unsafe Buildings #0404-0096-03-432018	\$1,910.00	\$1,910.00
	<b>TOTAL</b>	<b>\$1,910.00</b>	<b>\$1,910.00</b>

Introduced by: O. Earl Elliott, Councilperson  
Passed in open Council this 9<sup>th</sup> day of March, 2023.  
Curtis DeBaun, President  
ATTEST: Michelle L. Edwards, City Clerk  
Presented by me to the Mayor this 9<sup>th</sup> day of March, 2023.  
Michelle L. Edwards, City Clerk  
Approved by me, the Mayor, this 9<sup>th</sup> day of March, 2023.  
Duke A. Bennett, Mayor  
ATTEST: Michelle L. Edwards, City Clerk

**APPROPRIATION 4, 2023 - \$112,963.83 from EDIT #0404-0096 to Brittlebank Park, #0404-0096-04-450800 <Elliott>**

APPROPRIATION 4, 2023 was read by digest. Motion was made by Councilperson Auler and seconded by Councilperson Boland to pass APPROPRIATION 4, 2023. Motion carried.

APPROPRIATION NO. 4, 2023

AN ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF MONEY FOR EXPENSES INCURRED DURING THE YEAR 2023.

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; now, therefore:

BE IT ORDAINED by the Common Council of the City of Terre Haute, Vigo County, Indiana, that for the expenses of said municipal corporation the following additional sum of money is hereby appropriated and ordered set apart out of the fund herein named and for the purposes herein specified, subject to the laws governing the same:

		<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROPRIATED</u>
FROM:	EDIT #0404-0096	\$112,963.83	\$112,963.83
TO:	Brittlebank Park #0404-0096-04-450800	\$112,963.83	\$112,963.83
	<b>TOTAL</b>	<b>\$112,963.83</b>	<b>\$112,963.83</b>

Introduced by: O. Earl Elliott, Councilperson  
 Passed in open Council this 9<sup>th</sup> day of March, 2023.  
 Curtis DeBaun, President  
 ATTEST: Michelle L. Edwards, City Clerk  
 Presented by me to the Mayor this 9<sup>th</sup> day of March, 2023.  
 Michelle L. Edwards, City Clerk  
 Approved by me, the Mayor, this 9<sup>th</sup> day of March, 2023.  
 Duke A. Bennett, Mayor  
 ATTEST: Michelle L. Edwards, City Clerk

**Special Ordinances**

**SPECIAL ORDINANCE 5, 2023 - Amending Special Ordinance 27, 2022, City Hall Salaries, Police Department Civilians <Elliott>**

SPECIAL ORDINANCE 5, 2023 was read by digest. Motion was made by Councilperson Azar and Seconded by Councilperson Garrison to take action on SPECIAL ORDINANCE 5, 2023. Motion carried unanimously. Motion was made by Councilperson Azar and seconded by Councilperson Garrison to pass SPECIAL ORDINANCE 5, 2023. Motion carried.

SPECIAL ORDINANCE NO. 5, 2023

AN ORDINANCE TO AMEND SPECIAL ORDINANCE 27, 2022, SETTING THE MAXIMUM SALARIES OF ALL EMPLOYEES OF THE CITY OF TERRE HAUTE, INDIANA, EXCEPTING SOME MEMBERS OF THE TERRE HAUTE FIRE DEPARTMENT, THE TERRE HAUTE POLICE DEPARTMENT, THE TERRE HAUTE STREET DEPARTMENT, THE TERRE HAUTE CEMETERY DEPARTMENT, THE TERRE HAUTE WASTEWATER UTILITY, THE TERRE HAUTE TRANSPORTATION UTILITY, THE TERRE HAUTE PARK AND RECREATION DEPARTMENT, AND EXCLUDING ELECTED OFFICIALS AND IN SOME INSTANCES ESTABLISHING CERTAIN BENEFITS FOR THE ABOVE MENTIONED INCLUDED EMPLOYEES, EFFECTIVE JANUARY 1, 2023.

BE IT ORDAINED by the Common Council of the City of Terre Haute:

SECTION 1. Commencing January 1, 2023, the following salary schedule, not to exceed the amounts listed, shall be in full force and effect for the designated Municipal Employees of the City of Terre Haute by Department, as follows:

<b>DEPARTMENT/POSITION</b>	<b>AMOUNT</b>
...	

**POLICE DEPARTMENT - CIVILIANS:**

Merit Commissioners	3 @ \$3,000	\$ 9,000
Environmental Protection Director		\$ 44,578
<u>Environmental Protection Assistant Director</u>		<u>\$ 40,632</u>
Environmental Protection Officer	<u>65</u> @ \$38,632	\$231,792
Clerk/Typist		\$ 36,877
Groundskeeper	<del>\$ 31,200</del> <u>\$ 32,448</u>	
Seasonal Maintenance (Part-time)	not to exceed @ \$13/hr.	\$ 63,360

...

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and shall be effective as in the salaries provided on and for January 1, 2023.

Introduced by: O. Earl Elliott, Councilperson  
Passed in open Council this 9<sup>th</sup> day of March, 2023.  
Curtis DeBaun, President  
ATTEST: Michelle L. Edwards, City Clerk  
Presented by me to the Mayor this 9<sup>th</sup> day of March, 2023.  
Michelle L. Edwards, City Clerk  
Approved by me, the Mayor, this 9<sup>th</sup> day of March, 2023.  
Duke A. Bennett, Mayor  
ATTEST: Michelle L. Edwards, City Clerk

**Resolutions**

**RESOLUTION 3, 2023 – Commending Mental Health America of West Central Indiana Inc for its Mullen Flats project <Boland>**

RESOLUTION 3, 2023 was read by digest. Motion was made by Councilperson Boland and seconded by Councilperson Crossen to table until 4-13-2023 RESOLUTION 3, 2023. Motion carried.

**Council President Curtis DeBaun IV stated the April 6, 2023 meeting was cancelled. The next regular meeting will be held on April 13, 2023.**

**Motion was made by Councilperson Azar and seconded by Councilperson Auler that the meeting be adjourned. Motion carried.**

Kelley Duggins  
Chief Deputy City Clerk

Curtis DeBaun IV, President  
Michelle L. Edwards, City Clerk