

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

CITY OF TERRE HAUTE, INDIANA

REGULAR SESSION, THURSDAY, MAY 4, 2023

The City Council met in Regular Session Thursday, May 4, 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 commented on the need for a party for the citizens of Terre Haute.
- b. Keri Yousef commented on General Ordinance 2, 2023, ARPA funds and notifying citizens of upcoming meetings.
- c. Councilperson Todd Nation commented concerning upcoming local events and the upcoming special meeting on 5/22/2023 concerning ARPA funds.
- d. Councilperson Todd Nation made a motion to reaffirm the special meeting scheduled for 5/22/2023 and Martha Crossen seconds the motion. Motion carried.
- e. Councilperson Earl Elliott commented on the special meeting scheduled for 5/11/2023.
- f. Councilperson Cheryl Loudermilk commented on the special meeting on 5/11/2023.
- g. Councilperson Martha Crossen commented there may need to be additional meetings concerning ARPA funds.

No Corrections to the Journal of the Preceding Meeting

No Communication from the Mayor

No Reports from City Officials

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

Special Ordinances

SPECIAL ORDINANCE 7, 2023 – Rezoning of property located at 2001 Crawford Street <Crossen>

SPECIAL ORDINANCE 7, 2023 was read by digest. Area Plan Commission certified this ordinance to the City Council with a Favorable With Conditions Recommendation on May 3, 2023. Motion was made by Councilperson Crossen and seconded by Councilperson Boland to take action on SPECIAL ORDINANCE 7, 2023. Motion carried unanimously. Motion was made by Councilperson Crossen and seconded by Councilperson Boland to pass SPECIAL ORDINANCE 7, 2023. Motion carried.

SPECIAL ORDINANCE FOR A REZONING
SPECIAL ORDINANCE NO. 4, 2023

An Ordinance Amending Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for Terre Haute Indiana."

SECTION 1. BE IT ORDANED BY THE COMMON COUNCIL of the City of Terre Haute, Vigo County, State of Indiana, that Chapter 10, Article 2 of the City Code of Terre Haute, designated as the "Comprehensive Zoning Ordinance for Terre Haute" and Division 4, Section 10.121 thereof, District Maps, be, and the same is hereby amended to include as follows:

"That the following described real estate situated in the City of Terre Haute, County of Vi go, State of Indiana, to-wit:

Parcel 1: 430 N. 14 ½ St., Terre Haute. Indiana 47807

Lot 1, 2, 3, and 4 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision 100 acres off North side of Northeast Quarter of Section 22, Township 12 North, Range 9 West.

ALSO,

Lots 13, 14, 15, 16, 17, 18, and 19 in Biel and Frederick's Subdivision of Lots I I and 29 and 33 to 39 inclusive, in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of 100 acres off North side of Northeast Quartet of Section 22, Township 12 North, Range 9 West.

ALSO,

That part of an alley vacated by Declaratory Resolution No. I of the Board of Public Works of the City of Terre Haute, Indiana, running North-South, North of Liberty Avenue in said City described as follows, to wit:

Beginning at a point 16 feet North of the South line of Lot 15 in Biel and Frederick's Subdivision and running thence North to the right of way of the Terre Haute and Indianapolis Railroad, thence in an Easterly direction between said railroad and North line of Lot 13 said subdivision to the west line of 14 %l Street. Adopted March 15, 1911. Confirmed April 6, 1911.

ALSO,

All of North 14 ½ Street lying North of the North line of Spruce Street and South of the right of way of the Pennsylvania Railroad Company and all of an alley 15.5. feet wide lying adjacent and parallel to said railroad right of way and immediately North of Lot 12 in Biel and Frederick's Subdivision, vacated by order of the Vigo Circuit Court, entered December 16, 1960, in Cause Number 42252, appearing in Order Book 128, page 112 ½ of said court.

Parcel 2: 410 N. 14 ½ St., Terre Haute. Indiana 47807

Lot Number 20 in Biel and Fredrick's Subdivision of Lots No. 11 to 29 and 33 to 39 inclusive of Baiersdorf's Subdivision of Lots No. II and 18 of Chase's Subdivision of 100 acres off the North end of the Northeast Quarter of Section 22, Township 12 North, Range 9 West, in Terre Haute, Indiana, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, records of Recorder's Office of Vi go County, Indiana.

Parcel 3:

406 N. 14 ½ St., Terre Haute, Indiana 47807

Lot Number 21 in Biel and Fredrick's Subdivision in the city of Terre Haute and the County of Vigo, as shown in the plat recorded August 16, 1 gg8 .at 'Plat Record 4, page 60, Vigo County, Indiana.

Except that part described as follows: Commencing at the Southwest corner of Lot 21, thence North 21 feet, thence East 39.5 feet, thence South 21 feet, thence West 39.5 feet to the point of beginning in Biel and Fredrick's Subdivision of Section 22, Township 12 North; Range 9 West, as shown in the plat recorded August 16. 1888 at Plat Record 4, page 60, Vigo County, Indiana

Parcel 4: 1426 Liberty Ave, Terre Haute, Indiana 47807

Commencing at the Southeast corner of Lot 21, thence North 4.5 feet, thence West 90.5 feet, thence South 4.5 feet, thence East 90.5 feet to the point of beginning in Biel and Fredrick's Subdivision of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana,

Parcel 5: 1420 Liberty Ave., Terre Haute. Indiana 47807 (Parcel ID 84~6-22-252-012.000-002)

Commencing at the Southwest corner of Lot 21, thence North 21 feet, thence East 39.5 feet, thence South 21 feet, thence West 39.5 feet to the point of beginning 'in Biel and Fredrick's Subdivision of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana

Parcel 6: 1420 Liberty Ave, Terre Haute, Indiana 47807 (South Parcel)
(Parcel ID 84-06-22-252-013 .000-002)

Thirty-nine and One half feet off the West end of Lot 10 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of One Hundred acres off the North side of the Northeast Quarter of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded July 13, 1877 at Plat Record 3, page 93, in the city of Terre Haute, and the County of Vigo in Indiana.

Parcel 7:
1428 Liberty Ave., Terre Haute, Indiana 47807

Lot Number 10 in Baiersdorf's Subdivision, as shown in the plat recorded July 13, 1877 at Plat Record 3, Page 93, in Vigo County, Indiana.

Except that part described as follows: Thirty-nine and One half feet off the West end of Lot 10 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of One Hundred acres off the North side of the Northeast Quarter of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded July 13, 1877 at Plat Record 3, page 93, in the city of Terre Haute and the County of Vigo in Indiana.

Commonly known as;

1. 430 N. 14 ½ St., Terre Haute, Indiana 47807
2. 410 N, 14 ½ St., Terre Haute, Indiana 47807
3. 406 N. 14 121 St., Terre Haute, Indiana 47807
4. 1426 Liberty Ave., Terre Haute, Indiana 47807
5. 1420 Liberty Ave., Terre Haute, Indiana 47807
6. 1428 Liberty Ave., Terre Haute, Indiana 47807

Be and the same is hereby established as a M-1 Light Industry District, together with all rights and privileges that may insure to said real estate and the owners thereof by virtue of the law in such cases provided, subject to all limitations and restrictions imposed thereon by deed or otherwise. "

SECTION II, WHEREAS, an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of Terre Haute, and its approval by the Mayor and publication as required by law.

Presented by Council Member, Neil Garrison, Councilman

Passed in Open Council this 2nd day of March, 2023.

Curtis DeBaun IV – President

ATTEST: Michelle Edwards, City Clerk

Presented by me to the Mayor of the City of Terre Haute this 6th day of March, 2023.

Michelle Edwards, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this 6th day of March, 2023.

Duke A. Bennett, Mayor

ATTEST: Michelle Edwards, City Clerk

This instrument prepared by: Paul Carroll, 13 N. State St., Ste. 241, Greenfield, IN-46140. 317-460-2095

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

Paul J. Carroll

REVIEW OF CF1 FORM FILINGS

Review of Priser CF1 Form for Resolution 18, 2017

Motion was made by Councilperson Azar and seconded by Councilperson Boland to find Priser Resolution 18, 2017 in substantial compliance. Motion carried.

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

Kelley Duggins
Chief Deputy City Clerk

Curtis DeBaun IV, President

Michelle L. Edwards, City Clerk