

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

CITY OF TERRE HAUTE, INDIANA

REGULAR SESSION, THURSDAY, OCTOBER 3, 2024

The City Council met in Regular Session Thursday, October 3, 2024 at 6:00 P.M. in the City Hall Courtroom with Mrs. Boland presiding and Michelle L. Edwards in the City Clerk's desk.

**Moment of Silence and Pledge of Allegiance to the Flag by Fire Chief Darrick Scott
Calling Of the Roll**

PRESENT: Tammy Boland, Curtis DeBaun IV, Anthony Dinkel, Kandace Hinton, Cheryl Loudermilk, Todd Nation, Amanda Thompson

ABSENT: George Azar, James Chalos

Public Comment on Items Not on the Agenda

a. Presentation by Vigo County CEO

b. Donald Hyde commented on local school history

Corrections to the Journal of the Preceding Meeting

a. General Ordinance 12, 2024 was not listed on the agenda for the 9-12-2024 meeting. This item has been corrected.

Communication from the Mayor

a. Mayor Brandon Sakbun discussed located universities and their projects. NCAA Division 1 Cross Country Track will return to Terre Haute. Rose Hulman broke ground on a new venture project. Fundraising projects for park improvements by Mayors Student Council.

Reports from City Officials

a. Report from Jesse Tohill concerning update on Cemetery department.

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 34 2024 – Rezoning of property located at 2 and 50 East Margaret Avenue, 2901 and 2929 South 1st Street, and 2900 and 2914 Arleth Street <Hinton>

SPECIAL ORDINANCE 34, 2024 was read by digest. Area Plan Commission certified this ordinance to the City Council on October 2, 2024 with a Favorable With Conditions Recommendation. Motion was made by Councilperson Nation and seconded by Councilperson Hinton to take action on SPECIAL ORDINANCE 34, 2024. Motion carried unanimously. Motion was made by Councilperson and seconded by Councilperson to pass SPECIAL ORDINANCE 34, 2024. Motion carried.

SPECIAL ORDINANCE FOR A REZONING
SPECIAL ORDINANCE NO. 34, 2024

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

SECTION I. 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 Vigo, State of Indiana, to-wit:

The Land is described as follow:

The following described real estate In the County of Vigo, State of Indiana:

Parcel 1

Lot Number 6, 7, 8 and 9 in Axtell Park, being it subdivision of part of the Southwest Quarter (Southwest 1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, In accordance with the recorded plat thereof, dated April 30, 1923 and recorded June 27, 1923 at Plat Record 13, Page 47, In records of the Recorder's Office of Vigo County, Indiana.

For Informational Purpose Only:

Parcel No. 84-06-33-382-007.000-002

Commonly known as: 50 E. Margaret Drive, Terre Haute, IN 47802

Parcel 2

Lot Number 18 In Axtell Park, being a subdivision of part of the Southwest Quarter (Southwest 1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, in accordance with the recorded plat thereof, dated April 30,1923 and recorded June 27,1923 at Plat Record 13, Page 47, in records of the Recorder's Office of Vigo County, Indiana.

For Informational Purposes Only:

Parcel No. 84-06-33-382-005.000-002

Commonly known as: 2 E. Margaret Drive, Terre Haute, IN 47802

Parcel 3

Lot Number 17 in Axtell Park, being a subdivision of part of the Southwest Quarter (Southwest 1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, In accordance with the recorded plat thereof, dated April 30, 1923 and recorded June 27, 1923 at Plat Record 13, Page 47, in records of the Recorder's Office of Vigo County, Indiana.

For Informational Purposes Only:

Parcel No. 84-06-33-382-004.000-00342

Commonly known as: 2929 South 1st Street, Terre Haute, IN 47802

Parcel 4

Eighty (80) feet of even width off the North side of Lot Number 15 in Axtell Park, being a subdivision of part of the Southwest Quarter (Southwest 1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, in accordance with the recorded plat thereof, dated April 30, 1923 and recorded June 27, 1923 at Plat Record 13, Page 47, In records of the Recorder's Office of Vigo County, Indiana.

For Informational Purposes Only:

Parcel No. 84-06-33-382-002.000-002

Commonly known as 2929 South 1st Street, Terre Haute, IN 47802

Parcel 5

Lot Number 15 in Axtell Parke except 80 feet of even width off the North side and Lot Number 16 in Axtell Park, being a subdivision of part of the Southwest Quarter (Southwest 1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, in accordance with the recorded plat thereof, dated April 30, 1923 and recorded June 27, 1923 at Plat Record 13, Page 47, in record of the Recorder's Office of Vigo County, Indiana.

For Informational Purposes Only:

Parcel No. 84-06-33-382-003.000-002

Commonly known as 2914 Arleth Street, Terre Haute, IN 47802

Parcel 6

Lot Number 14 in Axtell Park being a subdivision of part of the Southwest Quarter (Southwest 1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, in accordance with the recorded plat thereof dated April 30, 1923 and recorded June 27, 1923 at Plat Record 13, Page 47, in records of the Recorder's Office of Vigo County, Indiana.

For Informational Purposes Only:

Parcel No. 84-06-33-382-001.000-002

Commonly known as: 2900 Arleth Street, Terre Haute, TN 47802

Parcel 7

Lot Number 5 in Axtell Park, being a subdivision of part of the Southwest Quarter (Southwest 1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, in accordance with the recorded plat thereof, dated April 30, 1923 and recorded June 27, 1923 at Plat Record 13, Page 47, in records of the Recorder's Office of Vigo County, Indiana.

For Informational Purposes Only:

Parcel 0.84-06-33-382-006.000-002

Commonly known as: 2901 South 1st Street, Terre Haute, IN 47802

Be and the same is hereby established as a R-3 General Residence 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 case 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, Kandace Hinton, Councilperson

Passed in open Council this 3rd day of October, 2024.

Tammy Boland, President

ATTEST: Michelle Edwards, City Clerk

Presented by me, to the Mayor of the City of Terre Haute, this 7th day of October, 2024, at 10:46 a.m.

Michelle Edwards, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this 7th day of October, 2024.

Brandon Sakbun, Mayor

ATTEST: Michelle Edwards, City Clerk

This instrument prepared by; Cole Caress, TWG Development LLC, 1301 E Washington St Indianapolis, IN, 46202, (317) 590-3616.

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.

Cole Caress

SPECIAL ORDINANCE 35, 2024 – Rezoning of property located at 231 Blakely Avenue <Loudermilk>

SPECIAL ORDINANCE 35, 2024 was read by digest. Area Plan Commission certified this ordinance to the City Council on October 2, 2024 with a Favorable With Conditions Recommendation. Motion was made by Councilperson Loudermilk and seconded by Councilperson DeBaun to take action on SPECIAL ORDINANCE 35, 2024. Motion carried unanimously. Motion was made by Councilperson and seconded by Councilperson to pass SPECIAL ORDINANCE 35, 2024. Motion carried

SPECIAL ORDINANCE NO. 35, 2024

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

SECTION 1. BE IT ORDAINED 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 Vigo, State of Indiana, to-wit:

Lots Numbers 44, 45, 46 and 47 in Blakely, being a subdivision of part of the Northeast Quarter (1/4) of Section Twenty-four (24), Township Twelve (12) North, Range Nine (9) West, as shown by the recorded plat thereof in Plat Record 7, Page 25 of records of Recorder's Office of Vigo County, Indiana.

Except the West 3.0 feet of Lots 45, 46 and 47 and the following described part of Lot 44, all in Blakely, a subdivision in the Northeast Quarter of Section 24, Township 12 North, Range 9 West, as recorded in Plat Book 7, Page 25 in the Office of the Recorder of Vigo County, Indiana, beginning at the Northwest corner of said Lot 44; thence Easterly 20.00 feet along the North line of said Lot 44; thence South 47 degrees 37 minutes 59 seconds West 22.98 feet; thence Southerly 32.20 feet parallel with the West line of said Lot 44 to the South line of said Lot 44; thence Westerly 3.00 feet along the South line of said Lot 44 to the Southwest corner of said Lot 44; thence Northerly 48.00 feet along the West line of said Lot 44 to the point of beginning and containing 278 square feet, and containing in all 710 square feet, more or less.

All located in Harrison Township, Vigo County, State of Indiana.

PARCEL# 84-06-24-202-002.000-002

Commonly known as: 231 Blakely Avenue, Terre Haute, Indiana

be and the same is, hereby established as R-3 General Residence District, together with all rights and privileges that may inure 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 by law provided.

Introduced by Council Member, Cheryl Loudermilk, Councilperson

Passed in open Council this 3rd day of October, 2024.

Tammy Boland, President

ATTEST: Michelle Edwards, City Clerk

Presented by me, to the Mayor of the City of Terre Haute, this 7th day of October, 2024, at 10:46 a.m.

Michelle Edwards, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this 7th day of October, 2024.

Brandon Sakbun, Mayor

ATTEST: Michelle Edwards, City Clerk

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.

Darrell E. Felling II

This instrument prepared by Darrell E. Felling II, Lind & Felling Law Offices, 400 Ohio Street, Terre Haute, Indiana 47807.

SPECIAL ORDINANCE 36, 2024 – Rezoning of property located at 145 Voorhees Street <Hinton>

SPECIAL ORDINANCE 36, 2024 was read by digest. Area Plan Commission certified this ordinance to the City Council on October 2, 2024 with a Favorable With Conditions Recommendation. Motion was made by Councilperson Nation and seconded by Councilperson DeBaun to take action on SPECIAL ORDINANCE 36, 2024. Motion carried unanimously. Motion was made by Councilperson and seconded by Councilperson to pass SPECIAL ORDINANCE 36, 2024. Motion carried

**SPECIAL ORDINANCE FOR A REZONING
SPECIAL ORDINANCE NO. 36, 2024**

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

SECTION I. 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:

TRACT I

Lots Numbered 0, 1 and 2 in George R. Preston's Subdivision of Krumbhaar's Subdivision of the North West Quarter of the South East Quarter of Section 33, Township 12 North, Range 9 West, Vigo County, Indiana.

TRACT II

Lots Numbered Three (3) and Four (4) in Krumbhaar Subdivision of the Northwest Quarter (1/4) of the Southeast Quarter (1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West

ALSO

Part of a vacated alley in the Northwest Quarter (1/4) of the Southeast Quarter (1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, more particularly described as follows: Beginning at the Northeast corner of Lot 0 in George R. Preston Subdivision of Krumbhaar Subdivision; thence South along the East line of Lots 0, 1 and 2 in George R. Preston Subdivision of Krumbhaar Subdivision to the Southeast corner of Lot 2 in George R. Preston Subdivision of Krumbhaar Subdivision; thence South along the East line of Lots 3 and 4 in George R. Preston Subdivision of Krumbhaar Subdivision of the Southeast corner of Lot 4; thence Southeasterly to the Southwest corner of Lot 43 in George R. Preston Subdivision of Krumbhaar

Subdivision; thence North along the West line of Lots 43, 44 and 45 in George R. Preston Subdivision of Krumbhaar Subdivision to the Northwest corner of Lot 45 in George R. Preston Subdivision of Krumbhaar Subdivision; thence North 180 feet to the South line of Voorhees Street; thence West 16 feet to the place of beginning.

TRACT III

Lots Numbers Forty-three (43), Forty-four (44), and Forty-five (45) in George R. Prestons Subdivision of Lots Numbers One (1) Two (2) and Seven (7) to Sixteen (16) inclusive and Nineteen (19) Twenty (20) and Twenty-five (25) and part of Lots Numbers Seventeen (17), Eighteen (18), Twenty-one (21), Twenty-two (22) and Twenty-four (24) and part of Block "A" of Krumbhaar's Subdivision of the Northwest Quarter (1/4) of the Southeast Quarter (1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, Also Commencing at the Northeast corner of Lot Number Forty-five (45) in George R. Prestons Subdivision aforesaid; running thence North One Hundred and Eighty (180) feet to the South line of Voorhees Street as now located; thence running West along the South line of Voorhees Street One Hundred and Forty- two (142) feet to the East line of an alley as platted in George R. Prestons Subdivision thence South along the East line of said alley to the North West Corner of said Lot Number Forty-five (45) of George R. Prestons Subdivision; thence East to the place of beginning.

ALSO

Commencing at the Southwest corner of Lot 43 in George R. Prestons Subdivision, thence North along the West Line of Lots 43, 44, and 45 in George R. Prestons Subdivision extending 180 feet North of the Northeast corner of Lot 45 in George R. Prestons Subdivision to the South line of Voorhees Street, thence West 8 feet to the centerline of the alley, thence South along the centerline of the alley to a point 8 feet West of the Southwest corner of Lot 43 in George R. Prestons Subdivision, thence East 8 feet to the Southwest corner of Lot 43 George R. Prestons Subdivision, the point of beginning.

Commonly known as: 145 Vorhees St., Terre Haute, Indiana 47802

Parcel No. 84-06-33-401-001.000-002

Parcel No. 84-06-33-401-002.000-002

Parcel No. 84-06-33-401-007.000-002

Parcel No. 84-06-33-401-008.000.002

Be and the same is hereby established as a C-4 Restricted Central Business 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, Kandace Hinton, Councilperson

Passed in open Council this 3rd day of October, 2024.

Tammy Boland, President

ATTEST: Michelle Edwards, City Clerk

Presented by me, to the Mayor of the City of Terre Haute, this 7th day of October, 2024, at 10:46 a.m.

Michelle Edwards, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this 7th day of October, 2024.

Brandon Sakbun, Mayor

ATTEST: Michelle Edwards, City Clerk

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.

Richard J. Shagley II

This instrument prepared by Richard J. Shagley II, Attorney-at-Law, WRIGHT, SHAGLEY & LOWERY, P.C., 500 Ohio Street, P.O. Box 9849, Terre Haute, Indiana 47807

Motion was made by Councilperson Nation and seconded by Councilperson Hinton that the meeting be adjourned. Motion carried.

Kelley Duggins
Chief Deputy City Clerk

Tammy Boland, President

Michelle L. Edwards, City Clerk