

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

**CITY OF TERRE HAUTE, INDIANA**

**REGULAR SESSION, THURSDAY, JANUARY 4, 2024**

**The City Council met in Regular Session Thursday, January 4, 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  
Calling Of the Roll**

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

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

- a. Herb Rukes commented on the new council and his hopes they will be receptive to meeting with citizens. He responded to Councilperson Loudermilk's questions.
- b. Councilperson Cheryl Loudermilk asked Mr. Rukes where he lives and if he knows who his councilperson is.. She also commented that she does not perform council duties while at her job.
- c. Donald Hyde commented on the new council and how busy they will be this year.
- d. Jared Hawker, Social Worker with Terre Haute Police Department, introduced himself and provide his contact information.
- e. Councilperson Kandace Hinton asked Mr. Hawker how to reach him.
- f. Council President Tammy Boland asked for his business card.

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

**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**

**Communication from the Mayor**

- a. Brandon Sakbun, mayor, commented on ARPA money, his immediate plans and introduced some of the department heads.
- b. Councilperson Jim Chalos asked for the contact information for the department heads.

**ITEMS ON FIRST READING**

**Special Ordinances**

**SPECIAL ORDINANCE 47, 2023 – Rezoning of property located on State Road 46, Parcel 84-07-29-400-001.000-009 <Elliott>**

SPECIAL ORDINANCE 47, 2023 was read by digest. Area Plan Commission certified this ordinance to the City Council with a Favorable with Conditions Recommendation on January 3, 2024. Motion was made by Councilperson Azar and Councilperson Loudermilk to take action on SPECIAL ORDINANCE 47, 2023. Motion carried unanimously. Motion was made by Councilperson Azar and seconded by Councilperson Loudermilk to pass SPECIAL ORDINANCE 47, 2023. Motion carried.

SPECIAL ORDINANCE FOR A REZONING  
SPECIAL ORDINANCE NO. 47, 2023

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

SECTION I. BE IT ORDINATED 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:

A portion of the land in the name of Jack 46 LLC (Instrument No. 2022000087 as found in the records of the Vigo County recorder's office) being a part of Southeast Quarter of Section 29, Township 12 North, Range 8 West of the Second Principal Meridian, Lost Creek Township, City of Terre Haute, Vigo County, Indiana described on November 28, 2023 by Caleb L. Towles, Indiana Land Surveyor No. 21700001 and graphically shown on a Plat of Survey (Align CEC Project No. 22-177) as follows:

Commencing at an iron pin monumenting the East Quarter Corner of said section; thence North 89 degrees 25 minutes 15 seconds West (basis of bearings is the Indiana State Plane Coordinate System West Zone, Grid North) along the North line of said quarter a distance of 550.02 feet to a 5/8-inch rebar with a "Myers" cap monumenting the Northwest corner of a tract of land in the name of Edare LLC (Instrument No. 2016010221); thence South 00 degrees 14 minutes 54 seconds West along the West line of said Edare LLC land a distance of 100.00 feet to a 5/8-inch rebar with a plastic cap stamped "Align-Bndry Firm 0123", hereinafter called an Align pin set, and the Point of Beginning of this description; thence continuing said course a distance of 692.89 feet to an iron pin monumenting the Southwest corner of a tract of land in the name of Fast Tract Terre Haute, LLC (Instrument No. 20220000494) and the North line of the land in the name of Hunt Street Development, LLC (Instrument No. 2012005986); thence North 89 degrees 25 minutes 55 seconds West along said North line a distance of 2083.73 feet to a "Myers" pin monumenting the Northwest corner of land in the name of Hulman Regional Airport Authority (Deed Record 441, Page 3918) also being on the West line of the Southeast Quarter of said section; thence North 00 degrees 30 minutes 36 seconds East along said West line a distance of 693.27 feet to an Align pin set, said pin being 100 feet South of the Center Quarter corner of said section; thence South 89 degrees 25 minutes 15 seconds East, parallel with the North line of the Southeast Quarter a distance of 2080.56 feet to the Point of Beginning containing 33.13 acres, more or less.

Commonly known as: State Road 46, Terre Haute, IN 47803

Parcel No. 84-07-29-400-001.000-009

Be and the same is hereby established as a M-2 Heavy Industry 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 required by law.

Presented by Council Member, O. Earl Elliott, Councilperson

Passed in open Council this 4<sup>th</sup> day of January, 2024.

Tammy Boland, President

ATTEST: Michelle Edwards, City Clerk

Presented by me, to the Mayor of the City of Terre Haute, this 5<sup>th</sup> day of January, 2024 at 2:36 p.m.

Michelle Edwards, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this 5<sup>th</sup> day of January, 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

**SPECIAL ORDINANCE 48, 2023 – Rezoning of property located on Parcel 84-07-31-401-006.000-009, South Sycamore Terrace Court <Elliott>**

SPECIAL ORDINANCE 48, 2023 was read by digest. Area Plan Commission certified this ordinance to the City Council with a Favorable with Conditions Recommendation on January 3, 2024. Motion was made by Councilperson Dinkel and Councilperson Chalos to take action on SPECIAL ORDINANCE 48, 2023. Motion carried unanimously. Motion was made by Councilperson Dinkel and seconded by Councilperson Hinton to pass SPECIAL ORDINANCE 48, 2023. Motion carried.

**SPECIAL ORDINANCE FOR A REZONING**

**SPECIAL ORDINANCE NO. 48, 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 ORDINATED BY THE COMMON COUNCIL of the City of Terre Haute, Vigo County, State of Indiana, that Chapter 10. Article 2 of the City Code or 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:

A portion of the land in the name of Fontanet Land Company LLC (Instrument No. 2018005976) known as New Margaret Avenue One Lot Subdivision (Instrument No. 2018005976) being a part of the Southwest Quarter of Section 31, Township 12 North Range 8 West of the Second Principal Meridian. Lost Creek Township, City of Terre Haute, Vigo County, Indiana described on December 1 2023 by Caleb L. Tovles, Indiana Land Surveyor No. 21700001 and graphically shown on a Plat of Subdivision (Align CEC Project No. 23-091) as follows:

Beginning at an iron pin monumenting the Southeast corner of said Subdivision and the West right of way of Sycamore Terrace Court thence North 89 degrees 53 minutes 06 seconds West (basis of bearings is Indiana State Plane Coordinate System West Zone, Grid North) along the South line of said Subdivision a distance of 388.49 feet; thence North 00 degrees 06 minutes 54 seconds East a distance of 9.35 feet; thence North 45 degrees 00 minutes 00 seconds East a distance of 72.77 feet; thence North 45 degrees 00 minutes 00 seconds West a distance of 187.30 feet; thence North 45 degrees 00 minutes 00 seconds East a distance of 372.71 feet; thence South 45 degrees 00 minutes 00 seconds East a distance of 81.30 feet; thence North 45 degrees 00 minutes 00 seconds East a distance of 46.08 feet; thence North 87 degrees 04 minutes 27 seconds East a distance of 15.80

feet; thence South 79 degrees 21 minutes 00 seconds East a distance of 28.33 feet; thence South 45 degrees 00 minutes 00 seconds East a distance of 242.94 feet to the West right of way of said Sycamore Terrace Court and the East side of said subdivision; thence along said right of way South 35 degrees 01 minute 39 seconds West a distance of 14.73 feet; thence South 07 degrees 55 minutes 21 seconds West a distance of 83.87 feet to the start of a n011- tangent curve concave Easterly having a radius of 510.00 feet, a chord length of 179.87 feet and a chord bearing of South 26 degrees 15 minutes 01 second West; thence Southerly along said curve a distance of 180.81 feet to the Point of Beginning containing 4.01 acres, more or less.

Commonly known as: South Sycamore Terrace Court. Terre Halite. Vigo County Indiana 47803  
(no additional identifying physical address)

Be and the same is hereby established as a C-4 Restricted Business District Zone 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.

Introduced by Council Member: O. Earl Elliott

Passed in open Council this 4<sup>th</sup> day of January, 2024.

Tammy Boland , President

ATTEST: Michelle Edwards, City Clerk

Presented by me to the Mayor of the City of Terre Haute this 5<sup>th</sup> day of January, 2024 at 2:36 p.m.

Michelle Edwards, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this 5<sup>th</sup> day of January, 2024.

Brandon Sakbun, Mayor

ATTEST: Michelle Edwards, City Clerk

I affirm under the penalties [or 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, 400 Ohio Street, Terre Haute. IN 47807.

## **Resolutions**

### **RESOLUTION 1, 2024 - Authorizing the submission of the 2024 Annual Consolidated Plan <Azar>**

RESOLUTION 1, 2024 was read by digest. Motion was made by Councilperson Azar and seconded by Councilperson Nation to pass RESOLUTION 1, 2024. Motion carried.

Resolution No.1, 2024

BE IT RESOLVED by the Common Council of the City of Terre Haute, Indiana:

WHEREAS, each year since 1975 the City of Terre Haute has received Federal Community Development Block Grant Funds; and

WHEREAS, under this program the City of Terre Haute will be entitled to receive approximately \$1,450,000 in Community Development Block Grant and \$440,000 in HOME Funds for fiscal year 2024; and

WHEREAS, these funds are identified in the City's HUD Annual Consolidated Plan summary attached to this Resolution and are to be used for Community Development activities in designated eligible areas of the City; and

WHEREAS, it is the intention of the Terre Haute City Council to use all means at their disposal to bring about substantial and lasting improvements in community facilities and housing in the City of Terre Haute, especially for low and moderate income families and individuals and for the elderly; and

WHEREAS, the Terre Haute City Council will take all other necessary steps to see that the Community Development Program brings all the benefits possible to our citizens.

BE IT THEREFORE RESOLVED that the Terre Haute City Council authorizes the Mayor to submit the 2024 Consolidated Annual Plan for the anticipated Grants and all understandings and assurances contained therein to the U.S. Department of Housing and Urban Development. The City Council also authorizes the Mayor to act in connection with the submission of the grant applications and to provide such additional information as may be required by HUD.

Introduced by: George Azar, Councilperson

Passed in open Council this 4<sup>th</sup> day of January, 2024.

Tammy Boland, President

ATTEST: Michelle L. Edwards, City Clerk

Presented by me to the Mayor this e<sup>th</sup> day of January, 2024 at 2:36 o'clock.

Michelle L. Edwards, City Clerk

Approved by me, the Mayor, this 5<sup>th</sup> day of January, 2024.

Brandon Sakbun, Mayor

ATTEST: Michelle L. Edwards, City Clerk

**Council President Tammy Boland presents Councilperson Curtis DeBaun a plaque for his term as president in 2023.**

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

Kelley Duggins  
Chief Deputy City Clerk

Tammy Boland, President

Michelle L. Edwards, City Clerk