

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

CITY OF TERRE HAUTE, INDIANA

REGULAR SESSION, THURSDAY, MAY 9, 2024

The City Council met in Regular Session Thursday, May 9, 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 Councilperson Kandace Hinton
Calling Of the Roll**

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

ABSENT: Cheryl Loudermilk

Council President Tammy Boland commented that Councilperson Cheryl Loudermilk notified that she would be absent.

Public Comment on Items Not on the Agenda

- a. Donald Hyde commented on the election
- b. Herb Rukes commented on public interaction with City Council
- c. Councilperson Curtis DeBaun commented on the interacting with the public as a council member.

No Corrections to the Journal of the Preceding Meeting

Communication from the Mayor

- a. Brandon Sakbun, mayor, commented on the Parks Master Plan status.

Reports from City Officials

- a. Diana Luther, Fire Department, updated the number of runs the Fire Department completed in April.

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

Items on Second Reading

Appropriations

APPROPRIATION 25, 2024 – \$250,000.00 from ARPA #0199 to Goodwill Excel Center, #0199-0006-03-439409 <Loudermilk>

APPROPRIATION 25, 2024 was read by digest. Motion was made by Councilperson DeBaun and seconded by Councilperson Chalos to table until 6/6/2024 APPROPRIATION 25, 2024. Motion carried.

ITEMS ON FIRST READING

General Ordinances

GENERAL ORDINANCE 4, 2024 - Amending City Code, Chapter 7, Article 2, Responsible Bidder <Boland>

GENERAL ORDINANCE 4, 2024 was read by digest. No action was taken.

GENERAL ORDINANCE 5, 2024 - Amending City Code, Chapter 9, Article 5, Sections 9-116 and 9-117, Waste and Refuse Collection Fees <Thompson>

GENERAL ORDINANCE 5, 2024 was read by digest. Motion was made by Councilperson DeBaun and seconded by Councilperson Chalos to take action on GENERAL ORDINANCE 5, 2024. Motion carried unanimously. Motion was made by Councilperson Thompson and seconded by Councilperson Azar to pass GENERAL ORDINANCE 5, 2024. Motion carried.

GENERAL ORDINANCE NO. 5, 2024

AN ORDINANCE AMENDING THE FEE FOR THE COST OF WASTE AND REFUSE COLLECTION AND REMOVAL FOR RESIDENTIAL CUSTOMERS WITHIN THE CITY OF TERRE HAUTE.

WHEREAS, pursuant to Indiana Code 36-9-25-11, the Board of Sanitary Commissioners (the "Board") of the Terre Haute Sanitary District (the "Sanitary District") has determined that it is necessary to amend the fee for residential users to pay the Waste and Refuse Collection Costs; and,

WHEREAS, pursuant to Indiana Code 36-9-25-11, a change in fees made substantially pro rata for all classes of service, hearing or notice is not required, but approval of the change by ordinance of the municipal legislative body is required; and,

WHEREAS, the Common Council has determined that it is necessary to amend a fee for residential users to pay the Waste and Refuse Collection Costs; and,

WHEREAS, Indiana Code 36-9-25-11 requires that the fee for residential users to pay the Waste and Refuse Collection Costs, as approved by the Board of the Sanitary District, must be approved by Ordinance of the Common Council before taking effect and the Common Council finds that such fee should be hereby approved.

IT IS HEREBY ORDAINED by the Common Council of the City of Terre Haute as follows:

Section 1. Terre Haute City Code Chapter 9, Article 5, Sections 9-116 and 9-117 are hereby amended by adding the underlined text and removing the stricken text as follows:
Sec. 9-116 Monthly Billings and Minimum Charges.

The monthly waste and refuse collection fees shall be ~~established~~ as indicated with effective dates as follows:

- a. The rate for waste and refuse collection inside the City shall be:
~~July 1, 2017 Ten Dollars and Fifty Cents (\$10.50) per month~~
~~July 1, 2018 Ten Dollars and Seventy five Cents (\$10.75) per month~~
~~July 1, 2019 Eleven Dollars (\$11.00) per month~~
July 1, 2024 Fifteen Dollars (\$15.00) per month
July 1, 2025 Fifteen Dollars and Fifty (\$15.50) per month
July 1, 2026 Sixteen Dollars (\$16.00) per month

The rate shall be adjusted by 5% each year to account for consumer inflation. The rate itself will be reviewed every five years to determine if an overall adjustment to the rate and yearly increases are needed.

Sec. 9-117 Available Credits.

- a. Any owner-occupant of an Eligible Residential Dwelling Unit who has filed, and been granted:
 (1) A claim for an over age 65 deduction for property taxes pursuant to Indiana Code 6-1.1-12-9;
or
 (2) A claim for a blind or disabled deduction for property taxes pursuant to Indiana Code 6-1.1-12-1; or

(3) A claim for a disabled veteran or surviving spouse deduction for property taxes pursuant to Indiana Code 6-1.1-12-13; is eligible for a ~~twenty five percent (25%)~~ thirty-three percent (33%) per month credit from the fee schedule in Section 9-116. A residential parcel may receive only one (1) credit even though the owner-occupant may be eligible under more than one statute listed in Section 9-117(a) above.

b. Any individual or entity receiving a bill for service pursuant to Section 9-116 shall be eligible for a recycling rebate of ~~twenty five percent (25%)~~ fifty percent (50%) per month, to be applied after any credits received under Section 9-117(a), if the individual or entity receiving service through the City's waste and refuse collection service provider at the same service address:

- (1) Contracts for curb side recycling services with the City's waste refuse collection service provider;
 - (2) Maintains an account in good standing with the City; and
 - (3) Continues to hold an active account at the time;
- every month for which this rebate is to be applied.

c. Eligibility for the rebate set forth in Section 9-117(b) will be evaluated quarterly by the City and, for those months which the individual or entity remains qualified shall receive a rebate on future service bill(s). Any additional procedure regarding the implementation or application of this credit, other than what is set forth in this Section, shall be established by the Terre Haute Board of Sanitary Commissioners.

d. Any owner-occupant who has filed a claim requesting one of the available credits listed in Section 9-117(a), but does not receive the credit on the sewer bill, must submit a date stamped copy of the Owner's Affidavit requesting one of the deductions.

e. The Common Council shall annually appropriate into the Waste and Refuse Collection Fund an amount equal to the total amount of the credits ("the Credit Amount") granted by this subsection.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. This ordinance shall be in full force and effect from and after its passage by the Common Council of Terre Haute, Indiana and approval of the Mayor and publication as required by law.

Introduced by: Amanda Thompson, Councilperson

Passed in open Council this 9th day of May, 2024.

Tammy Boland, President

ATTEST: Michelle L. Edwards, City Clerk

Presented by me to the Mayor this 9th day of May, 2024 at 7:17pm o'clock.

Michelle L. Edwards, City Clerk

Approved by me, the Mayor, this 9th day of May, 2024.

Brandon C. Sakbun, Mayor

ATTEST: Michelle L. Edwards, City Clerk

Resolutions

RESOLUTION 15, 2024 – Proclaiming April 28, 2024 as Workers Memorial Day <Boland, Dinkel, Nation>

RESOLUTION 15, 2024 was read by digest. Motion was made by Councilperson Dinkel and seconded by Councilperson Nation to pass RESOLUTION 15, 2024. Motion carried.

RESOLUTION 15, 2024

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF TERRE HAUTE, INDIANA:

WHEREAS, we recognize improvements in work site conditions since the passing of the Occupational Safety and Health Act, commonly known as OSHA, in 1971; and

WHEREAS, we remain committed to the ongoing advocacy of labor activists in our city to continue improving workplace quality through regular inspections and high standards of health and safety measures; and

WHEREAS, we come together today to increase awareness that job site injuries, illness and fatalities are not simply accidents, but are often avoidable and preventable; and

WHEREAS, we support the call for good jobs, safe jobs and the protection of worker rights, and we pledge to continue seeking ways to make this aspiration a reality; and

WHEREAS, we honor the legacy of Eugene Victor Debs, who was proud to call Terre Haute his home and was ahead of his time in his vision of equality and justice; and

WHEREAS, above all, here at the local level, we must be conscious of the invisible, most vulnerable workers in our midst;

NOW THEREFORE BE IT RESOLVED, we, the Terre Haute City Council, join city and county government leaders all over the United States who are gathering as we are today to proclaim Sunday, April 28, 2024, to be

Workers Memorial Day

Introduced by: Tammy Boland, Councilperson, Anthony Dinkel, Councilperson, Todd Nation, Councilperson
Passed in open Council this 9th day of May, 2024.

Tammy Boland, President

ATTEST: Michelle L. Edwards, City Clerk

Presented by me to the Mayor this 9th day of May, 2024 at 7:17pm o'clock.

Michelle L. Edwards, City Clerk

Approved by me, the Mayor, this 9th day of May, 2024.

Brandon C. Sakbun, Mayor

ATTEST: Michelle L. Edwards, City Clerk

Comments were made concerning the cancellation of a special meeting that was to be held on May 22, 2024 and the need for a special meeting prior to regular meeting on June 6, 2024.

Motion was made by Councilperson Azar 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