

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

**CITY OF TERRE HAUTE, INDIANA**

**REGULAR SESSION, THURSDAY, SEPTEMBER 5, 2024**

**The City Council met in Regular Session Thursday, September 5, 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. Shannon Giles with Chances and Services for Youth commented on upcoming events. She also gave an update on the local survey of retailer that sell tobacco and tobacco products.
- b. Donald Hyde concerning the homeless population and the upcoming election.
- c. Jonathan Dang concerning animal bites and other animal issues concerning aggressive animals.

**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**

**Items Previously Tabled**

**GENERAL ORDINANCE 12, 2024 - Amending City Code, Chapter 4, Article 22, Special Event Permit, Sections 4-310, Sections 4-312 through 4-314, Section 4-317, and Section 4-319 <Loudermilk>**

GENERAL ORDINANCE 12, 2024, previously tabled on August 8, 2024, was read by digest. Motion was made by Councilperson Azar and seconded by Councilperson Dinkel to table GENERAL ORDINANCE 12, 2024 until September 12, 2024. Motion carried.

**No Tax Abatements for Confirmation**

**No Items on Second Reading**

**ITEMS ON FIRST READING**

**Appropriations**

**APPROPRIATION 34, 2024 - \$186,315.57 from EMS Fund #0270-0027 to Training Academy (THFD) #0511-0000-00-391220 <Loudermilk>**

APPROPRIATION 34, 2024 was read by digest. Motion was made by Councilperson Nation and seconded by Councilperson Loudermilk to take action on APPROPRIATION 34, 2024. Motion carried unanimously. Motion was made by Councilperson Nation and seconded by Councilperson Loudermilk to pass APPROPRIATION 34, 2024. Motion carried.

APPROPRIATION NO. 34, 2024

AN ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF MONEY FOR EXPENSES INCURRED DURING THE YEAR 2024.

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:

	AMOUNT REQUESTED	AMOUNT APPROPRIATED
FROM: EMS Fund #0270-0027	\$186,315.57	\$186,315.57
TO: Training Academy (THFD) #0511-0000-00-391220	\$186,315.57	\$186,315.57
TOTAL	\$186,315.57	\$186,315.57

Introduced by: Cheryl Loudermilk, Councilperson  
Passed in open Council this 5<sup>th</sup> day of September, 2024.  
Tammy Boland, President

ATTEST: Michelle L. Edwards, City Clerk  
Presented by me to the Mayor this 5<sup>th</sup> day of September, 2024 at 7:23pm o'clock.  
Michelle L. Edwards, City Clerk

Approved by me, the Mayor, this 5<sup>th</sup> day of September, 2024.  
Brandon C. Sakbun, Mayor  
ATTEST: Michelle L. Edwards, City Clerk

**Special Ordinances**

**SPECIAL ORDINANCE 18, 2024 – Rezoning of property located at 2333 South Fruitridge Avenue <Thompson>**

SPECIAL ORDINANCE 18, 2024 was read by digest. Area Plan Commission certified this ordinance to the Council with a Favorable with Conditions Recommendation on September 4, 2024. Motion was made by Councilperson Azar and seconded by Councilperson Chalos to take action on SPECIAL ORDINANCE 18, 2024. Motion carried unanimously. Motion was made by Councilperson Azar and seconded by Councilperson Thompson to pass SPECIAL ORDINANCE 18, 2024. Motion carried.

**SPECIAL ORDINANCE FOR A REZONING  
SPECIAL ORDINANCE NO. 18, 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 ORDIANED 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:

Part of the Southeast Quarter of the Southwest Quarter of Section Twenty-Five (25), Township Twelve (12) North, Range Nine (9) West described as follows:

Commencing at the Southeast corner of the Southwest Quarter of Section 25, Township 12 North, Range 9 West, and thence North 160 feet, thence West 150 feet; thence North 236 feet; thence West 114 feet; thence South 396 feet; and thence East 264 feet to the point of beginning.

Commonly known as: 2333 S. Fruitridge Ave., Terre Haute, Indiana 47803

Parcel No. 84-06-25-376-019.000-002

Be and the same is hereby established as a C-6 Strip Business, 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, Amanda Thompson, Councilperson

Passed in open Council this 5<sup>th</sup> day of September, 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 September, 2024 at 7:23pm o'clock.

Michelle Edwards, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this 5<sup>th</sup> day of September, 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 33, 2024 – Rezoning of property located at 1503 Ohio Street and 218 South 15<sup>th</sup> Street <Dinkel>**

SPECIAL ORDINANCE 33, 2024 was read by digest. Area Plan Commission certified this ordinance to the Council with a Favorable with Conditions Recommendation on September 4, 2024. Motion was made by Councilperson Dinkel and seconded by Councilperson Hinton to take action on SPECIAL ORDINANCE 33, 2024. Motion carried unanimously. Motion was made by Councilperson Dinkel and seconded by Councilperson DeBaun to pass SPECIAL ORDINANCE 33, 2024. Motion carried.

**SPECIAL ORDINANCE FOR A REZONING**

**SPECIAL ORDINANCE NO. 33, 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:

Lot Number 216 in Second Subdivision of Gilbert Place, Terre Haute, Vigo County, Indiana, Also, Lot Number 207 in the Replat of a part of Gilbert Place, a replat of Lots No. 1 to 12 inclusive and 21 to 24 inclusive in Gilberts 4<sup>th</sup> Subdivision and Lots 204 to 210 inclusive to Gilberts 2<sup>nd</sup> Subdivision to the City of Terre Haute, in Section 22, Township 12 North of Range 9 West of the 2d Principal Meridian.

Commonly known as: 1503 Ohio Street, Terre Haute, IN 47807 and 218 South 15th Street, Terre Haute, IN 47807

Be and the same is hereby established as a C2 Community Commerce 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 publications 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 a required by law.

Presented by Council Member, Anthony Dinkel  
Passed in Open Council this 5<sup>th</sup> day of September, 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 September, 2024 at 7:23pm o'clock.

Michelle Edwards, City Clerk

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

James Foulkes

## **Resolutions**

### **RESOLUTION 21, 2024 – Transfer of \$21,000.00 from Mayor’s Budget to Board of Public Work’s Budget <Loudermilk>**

RESOLUTION 21, 2024 was read by digest. Motion was made by Councilperson Nation and seconded by Councilperson Azar to pass RESOLUTION 21, 2024. Motion carried.

#### **RESOLUTION 21, 2024**

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

**WHEREAS,** There are insufficient funds in a certain account(s) of the BOARD OF PUBLIC WORKS (0007) budget to meet current and anticipated expenditures within said Department, and;

**WHEREAS,** There are surplus funds in another account of the same budget, said Accounts being within the appropriation heretofore made for the use of said Department.

**BE IT THEREFORE RESOLVED:** That the following transfers be made in the Accounts heretofore appropriated for the use of said Department:

FROM: #0101-0001-01-412012	Administrative Assistant (Mayor)	\$21,000.00
TO: #0101-0007-01-413010	Employer Social Security (BOPW)	\$ 4,750.00
#0101-0007-01-413020	Employer Medicare (BOPW)	\$ 1,000.00
#0101-0007-01-413030	Employer Group Health (BOPW)	\$ 6,200.00
#0101-0007-01-413050	Employer Life Insurance (BOPW)	\$ 90.00
#0101-0007-01-413060	Employer PERF (BOPW)	\$ 8,660.00
#0101-0007-01-412250	Cell Phone (BOPW)	\$ 100.00
<b>TOTAL</b>		<b>\$21,000.00</b>

Introduced by: Cheryl Loudermilk, Councilperson  
Passed in open Council this 5<sup>th</sup> day of September, 2024.  
Tammy Boland, President  
ATTEST: Michelle L. Edwards, City Clerk  
Presented by me to the Mayor this 5<sup>th</sup> day of September, 2024 at 7:23pm o'clock.  
Michelle L. Edwards, City Clerk  
Approved by me, the Mayor, this 5<sup>th</sup> day of September, 2024.  
Brandon C. Sakbun, Mayor  
ATTEST: Michelle L. Edwards, City Clerk

**RESOLUTION 22, 2024 – Transfer of \$15,000.00 from the Controller’s Budget to the Council’s Budget <Loudermilk>**

RESOLUTION 22, 2024 was read by digest. Motion was made by Councilperson Azar and seconded by Councilperson Chalos to pass RESOLUTION 22, 2024. Motion carried.

RESOLUTION 22, 2024

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

WHEREAS, There are insufficient funds in a certain account(s) of the **COUNCIL (0004)** budget to meet current and anticipated expenditures within said Department, and;

WHEREAS, There are surplus funds in another account of the same budget, said Accounts being within the appropriation heretofore made for the use of said Department.

BE IT THEREFORE RESOLVED: That the following transfers be made in the Accounts heretofore appropriated for the use of said Department:

FROM: #0101-0005-03-432010	Services Contractual (Controller)	\$15,000.00
TO: #0101-0004-03-432080	Legal Services (Council)	\$15,000.00
<b>TOTAL</b>		<b>\$15,000.00</b>

Introduced by: Cheryl Loudermilk, Councilperson  
Passed in open Council this 5<sup>th</sup> day of September, 2024.  
Tammy Boland, President  
ATTEST: Michelle L. Edwards, City Clerk  
Presented by me to the Mayor this 5<sup>th</sup> day of September, 2024 at 7:23pm o'clock.  
Michelle L. Edwards, City Clerk  
Approved by me, the Mayor, this 5<sup>th</sup> day of September, 2024.  
Brandon C. Sakbun, Mayor  
ATTEST: Michelle L. Edwards, City Clerk

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

Kelley Duggins  
Chief Deputy City Clerk

Tammy Boland, President

Michelle L. Edwards, City Clerk