

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

CITY OF TERRE HAUTE, INDIANA

REGULAR SESSION, THURSDAY, JANUARY 9, 2025

The City Council met in Regular Session Thursday, January 9, 2025 at 6:00 P.M. in the City Hall Courtroom with Mr. Nation presiding and Michelle L. Edwards in the City Clerk's desk.

Moment of Silence and Pledge of Allegiance to the Flag presented by Councilperson Dinkel

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. Donald Hyde commented on homeless people
- b. Mary Howard thanked Councilperson Tammy Boland for her work as Council President last year and her work with District 1. She also commented on the homeless people and what they endure in winter weather.
- c. Kelli Fuller and Danielle Elkins, Homeless Coalition, commented on the warming centers needing assistance during the winter weather.
- d. Councilperson James Chalos asked how to donate to the Homeless Coalition.
- e. Councilperson Tammy Boland thanked them for their work and asked them to continue posting information to Facebook.

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

APPOINTMENTS TO BOARDS AND COMMISSIONS

President Todd Nation opened the floor for nominations to the Animal Control Board. Councilperson Boland nominated Maggie Wheeler. Councilperson Todd Nation closed nominations. Maggie Wheeler appointed by acclimation.

President Todd Nation opened the floor for nominations to the Human Relations Commission. Councilperson Hinton nominated Amber Stewart. Councilperson Dinkel nominated Sandy Mutchler. Councilperson Chalos nominated Emily Murray. Councilperson Nation closed nominations. A ballot vote was conducted for the nominees. Sandy Mutchler received eight (8) votes from Councilpersons Boland, Chalos, DeBaun, Dinkel, Hinton, Loudermilk, Thompson and Nation. Amber Stewart received six (6) votes from Councilpersons Azar, Boland, Dinkel, Hinton, Thompson and Nation. Emily Murray received four (4) votes from Councilpersons Azar, Chalos, DeBaun and Loudermilk. Sandy Mutchler and Amber Stewart were appointed.

President Todd Nation opened the floor for nominations to the Information Technology Advisory. Councilperson Boland nominated Steve Chenoweth. Councilperson Todd Nation closed nominations. Steve Chenoweth appointed by acclimation.

President Todd Nation opened the floor for nominations to the Police Merit. Councilperson Loudermilk nominated William Toney. Councilperson Todd Nation closed nominations. William Toney appointed by acclimation.

President Todd Nation opened the floor for nominations to the Redevelopment Commission. Councilperson Azar nominated Karrum Nasser. Councilperson Chalos nominated Jennifer Hanley. Councilperson Boland nominated Aaron Atterson. Councilperson Todd Nation closed nominations. A ballot vote was conducted for the nominees. Aaron Atterson received six (6) votes from Councilpersons Boland, DeBaun, Dinkel, Hinton, Thompson and Nation. Jennifer Hanley received six (6) votes from Councilpersons Azar, Boland, Chalos, Hinton, Loudermilk and Nation. Karrum Nasser received six (6) votes from Councilpersons Azar, Chalos, DeBaun, Dinkel, Loudermilk and Thompson. Due to a tie vote, a second ballot vote was conducted. Jennifer Hanley received seven (7) votes from Councilpersons Azar, Boland, Chalos, Hinton, Loudermilk, Thompson and Nation. Karrum Nasser received six (6) votes from Councilpersons Azar, Chalos, DeBaun, Dinkel, Loudermilk and Thompson. Aaron Atterson received five (5) votes from Councilpersons Boland, DeBaun, Dinkel, Hinton and Nation. Jennifer Hanley and Karrum Nasser were appointed.

President Todd Nation opened the floor nominations to the THRIVE Steering Committee. Councilperson DeBaun nominated Natalie Green. Councilperson Todd Nation closed nominations. Natalie Green appointed by acclimation.

President Todd Nation opened the floor nominations to the Zoning Appeals Board. Councilperson Azar nominated Jason Saavedra. Councilperson Todd Nation closed nominations. Jason Saavedra appointed by acclimation.

Council President Todd Nation asked Michelle Edwards, City Clerk, to read the appointment selections of City Councilpersons to Boards and Commissions.

Councilperson Anthony Dinkel was appointed to E911 Advisory Board. Councilperson Curtis DeBaun was appointed to Animal Control Board. Councilperson Amanda Thompson was appointed to Area Plan Commission. Councilperson Tammy Boland was appointed to Building Advisory Board. Councilperson Kandace Hinton was appointed to Downtown Terre Haute Board. Councilperson James Chalos was appointed to Economic Development. Councilperson Cheryl Loudermilk was appointed to Riverscape. Councilperson Tammy Boland was appointed to Solid Waste Management. Councilperson Todd Nation was appointed to Transportation Policy.

Motion was made by Councilperson Hinton and seconded by Councilperson Dinkel to approve the appointments. Motion carried.

Motion was made by Councilperson Chalos and seconded by Councilperson Boland to open application process for one vacancy on the Information Technology Advisory Board through January 31, 2025 and to publish legal notice.

Council President Todd Nation presented the City Council Committee list for 2025.

2025 Terre Haute City Council Committees and Members

Finance, Contract, Appropriations, Franchises

Chairperson: Cheryl Loudermilk
Members: George Azar
Tammy Boland
Anthony Dinkel
Kandace Hinton

Governmental Affairs, Parks, Public Property

Chairperson: Anthony Dinkel
Members: George Azar
Tammy Boland
Jim Chalos
Amanda Thompson

Planning, Zoning, Improvements

Chairperson: Tammy Boland
Members: George Azar
Curtis DeBaun IV
Kandace Hinton
Amanda Thompson

Traffic, Public Safety, Special Health/Welfare

Chairperson: Curtis DeBaun IV
Members: Jim Chalos
Anthony Dinkel
Kandace Hinton
Cheryl Loudermilk

Items Previously Tabled

SPECIAL ORDINANCE 40, 2024 – Rezoning of property located at 1211 Wabash Avenue and 30 South 12th Street <Dinkel>

SPECIAL ORDINANCE 40, 2024, previously tabled on December 5, 2024, was read by digest. Motion was made by Councilperson Dinkel and seconded by Councilperson Chalos to pass SPECIAL ORDINANCE 40, 2024. Motion carried.

SPECIAL ORDINANCE NO. 40, 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:

Parcel I

Lots number 18 and 19 in Rose’s Subdivision of 44 acres and 2 rods off the East side of the West half of Section 22, Township 12 North, Range 9 West, lying South of the National Road and bounded as follows: on the North by the National Road, on the East by the line dividing the East and West Half of Section 22, Township 12 North, Range 9 West, on the South by the Bloomington Road, and on the West by the E. & C. R. R.

Parcel II

Lot Number Twenty (20), except Six (6) inches, more or less, off the East side thereof, in Chauncey Rose’s Subdivision of 44 acres and 2 rods off the East side of the West ½ of Section 22, Township 12 North, Range 9 West, as per Plat Record 1 Page 79 in Vigo County Recorder’s Office.

Also

Lot Number 21 and 6 inches, more or less, off the East side of Lot Number 20, in Chauncey Rose’s Subdivision of 44 acres and 2 rods off the East side of the West ¼ of Section 22, Township 12 North, Range 9 West, as per Plat Record 1 Page 79 in Vigo County Recorder’s Office.

Parcel III

Lot Number Twenty-two (22) in Rose's Subdivision of Forty-four (44) acres and Two (2) rods off the East side of the West Half (1/2) of Section Twenty-two (22), Township Twelve (12) North, Range Nine (9) West, lying South of the National Road as per the recorded plat of said subdivision.

Parcel IV

Lot Number Twenty-three (23) in the subdivision of 44 acres and 2 rods off the East side Of the West Half of Section 22 in Township 12 North of Range 9 West, heretofore made by Chauncey Rose.

Parcel V

Lot 24 in Rose's Subdivision of 44 Acres and 2 rods off the East side of the West ½ of Section 22, Township 12 North, Range 9 West, lying South of the National Road, as the same appears on the recorded plat thereof in Plat Record 1 Page 79.

Parcel VI

Lots Numbers Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), and Twenty-nine (29) in Rose's Subdivision of 44 Acres and 2 rods off the East side of the West Half of Section 22, Township 12 North, Range 9 West.

Parcel VII

12 ½ feet off the North side of Lot Number Sixty-eight (68) in Chauncey Rose's Subdivision of 44 acres and 2 rods off the East side of the West Half of Section 22, Township 12 North of Range 9 West, lying South of the National Road as per recorded plat of the same recorded in the Recorder's Office of Vigo County, Indiana.

Also

Part of Lot No. 68 in Chauncey Rose's Subdivision of 44 acres and 2 rods off the East Side of the West Half of Section 22 in Township 12 North of Range 9 West, bounded as follows: Beginning at a point 12 feet and 6 inches South of the Northwest corner of said lot; thence East 177 feet and 3 ½ inches to an alley; thence South 31 feet; thence West 177 feet and 3 ½ inches to 12th Street; thence North 31 feet to the place of beginning, in the City of Terre Haute, Indiana.

Parcel VIII

North Half (1/2) of Lot Number Sixty-nine (69) in Chauncey Rose's Subdivision of Forty-four (44) acres and Two (2) rods off the East side of the West Half (1/2) of Section Twenty-two (22), Township Twelve (12) North, Range Nine (9) West, line South of the National Road.

Also

37 ½ feet off the South side of Lot Number Sixty-nine (69) in Chauncey Rose's Subdivision of 44 acres and 2 rods off the East side of the West Half of Section 22, Township 12 North of Range 9 West, lying South of the National Road as per recorded plat of the same recorded in the Recorder's Office of Vigo County, Indiana.

Parcel IX

100 feet off the East end of Lot 71 and 100 feet off the East end of the North Half of Lot 70 in Chauncey Rose's Subdivision of 44 acres and 2 rods off the East side of the West Half of Section 22, Township 12 North, Range 9 West, Vigo County, Indiana.

Also

The South Half (S. ½) of Lot No. 70 in Chauncey Rose's Subdivision of 44 acres and 2 rods off the East side of the West ½ (lying South of the National Road) of Section 22, Township 12 North, Range 9 West in Vigo County, Indiana.

Also

Lot 71 and the North Half of Lot 70 in Rose's Subdivision of 44 acres and 2 rods off the East side of the West Half of Section 22, Township 12 North, Range 9 West, lying South of the National Road as per Plat Record 1 Page 79 in the Vigo County Recorder's Office, except 100 feet off the East end of the above described lots.

Also

The vacated portion of an alley, said portion being described as follows: Twenty (20) feet in width running in a generally Easterly and Westerly direction along the entire North side of Lot Seventy-one (71) in Rose's Subdivision of Forty-four (44) acres and Two (2) rods off the East side of the West Half of Section Twenty-Two (22), Township Twelve (12) North, Range Nine (9) West.

Parcel No.: 84-06-22-379-013.000-002 and 84-06-22-379-003.000-002

Commonly known as 1211 Wabash Avenue, Terre Haute, IN 47807 and 30 South 12th Street, Terre Haute, IN 47807

Be and the same is hereby established as an 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 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, Anthony Dinkel, Councilperson

Passed in open Council this 9th day of January, 2025.

Tammy Boland, President

ATTEST: Michelle Edwards, City Clerk

Presented by me, to the Mayor of the City of Terre Haute, this 16th day of January, 2025 at 2:55 pm.

Michelle Edwards, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this 16th day of January, 2025.

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 was 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.

RESOLUTION 29, 2024 – Designating an area commonly identified as 1211 Wabash Avenue and 30 South 12th Street, Terre Haute, Indiana, as an Economic Revitalization area for the purpose of a nine (9) year Real Property Tax Abatement (Wabash Ave Partners LLC) <For Adoption> <Dinkel>

RESOLUTION 29, 2024, previously tabled on December 5, 2024, was read by digest. Motion was made by Councilperson Azar and seconded by Councilperson Loudermilk to withdraw RESOLUTION 29, 2024. Motion carried.

TERRE HAUTE CITY COUNCIL
STATE OF INDIANA
RESOLUTION NO. 29, 2024

A Resolution of the Common Council of the City of Terre Haute, Indiana, Designating an Area Within Terre Haute, Indiana commonly identified as 1211 Wabash Ave and 30 S. 12th St., Terre Haute, IN 47807 as an Economic Revitalization Area for the Purpose of Nine (9) Year Real Property Tax Abatement for 1211 Wabash Ave and 30 S. 12th St., Terre Haute, IN 47807.

WHEREAS, a Petition for a nine (9) year real property tax abatement has been filed with the Common Council of the City of Terre Haute, Indiana requesting that the real property described therein be designated an Economic Revitalization Area for purposes of real property tax abatement; and

WHEREAS, the petitioner has submitted an Application and Statement of Benefits and provided all information and documentation necessary for the Common Council of the City of Terre Haute, Indiana to make an informed decision, said information including a legal description of the aforesaid property as set forth in attached Exhibit A (which is hereby made a part hereof), and a site plan in attached Exhibit B; and

WHEREAS, petitioner has estimated that its investment in the construction of the building and amenities located on said real estate (the "Project") will create four (4) full time new permanent jobs associated with the management of the property after completion of the Project, and the associated payroll for the employees of Two Hundred Thousand Dollars and 00/100 (\$200,000.00) plus benefits for the proposed new facility;

WHEREAS, in addition to the employment benefits, the Project offers important development to the City of Terre Haute as a means to better serve the residential needs of the community by increasing residential density in the area near downtown Terre Haute, which has been proven to drive economic revitalization. The redevelopment of this property will be a significant economic catalyst for continued development of the Terre Haute.

WHEREAS, the Common Council of the City of Terre Haute, Indiana is authorized under the provisions of I. C. 6-1.1-12.1-1 et. seq. to designate areas of Terre Haute, Indiana as economic revitalization areas for the purpose of tax abatement; and

WHEREAS, the Common Council of the City of Terre Haute, Indiana has considered the Application, Petition and Statement of Benefits and has conducted a complete and proper investigation of the subject property and neighborhood to determine that the area qualifies as an economic revitalization area under Indiana statutes; and

WHEREAS, the Common Council of the City of Terre Haute, Indiana has found the subject property to be an area within the boundaries of the City of Terre Haute, Indiana, which area has become undesirable for, or impossible of, normal development and occupancy as it has existed, as a residential neighborhood because of a lack of development, cessation of growth, and deterioration of improvements which have impaired values or prevented a normal development of property or use of property -and such is an area declining in tax revenues;

WHEREAS, the real property abatement is a declining percentage of the increase in assessed value of the improvement based on the following time period and percentages as determined by the City Council:

<u>ABATEMENT YEAR</u>	<u>ABATEMENT%</u>	<u>TAX ABATED</u>	<u>TAX PAID</u>
1	100	\$22,500	\$0.00
2	88	\$18,269	\$4,211.00
3	77	\$14,429	\$8,071.00
4	66	\$10,569	\$11,931.00
5	55	\$6,708	\$15,792.00
6	44	\$2,848	\$19,652.00
7	33	\$0.00	\$22,500.00
8	22	\$0.00	\$22,500.00
9	11	\$0.00	\$22,500.00

NOW, THEREFORE, IT IS FOUND, DETERMINED AND RESOLVED by the Common Council of the City of Terre Haute, Indiana that:

1. The petitioner's estimate of the value of the Project to be constructed on the subject real property is reasonable for projects of that nature in order to maintain, expand, update and improve services to the community.
2. The petitioner's estimate of the number of individuals who will be employed and retained, and the benefits thereby, can reasonably be expected to result from the Project.
3. The petitioner's estimate of the annual salaries or wages of the individuals who will be employed, and the benefits thereby, can reasonably be expected to result from the Project.
4. The totality of the benefits of the Project are sufficient to justify a nine (9) year property tax deduction from assessed valuation to result therefrom under Indiana statutes, and each and all of such deductions should be, and they are hereby, allowed pursuant to the schedule set out herein above.
5. The Petition for designating the subject property as an Economic Revitalization Area for the purposes of nine (9) year real property tax abatement and the Statement of Benefits (copies of which were submitted with the Petition) are hereby approved and the real estate described hereinabove is hereby designated as an Economic Revitalization Area pursuant to I. C. 6-1.1-12.1-1 et. seq.
6. A copy of this Resolution, following its passage, shall be filed with the Vigo County Assessor as required by IC 6-1.1-12.1-2.S(c).

Presented by Council Member, Anthony Dinkel, Councilperson
WITHDRAWN

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 was 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.

EXHIBIT A

LAND DESCRIPTION

Parcel I

Lots number 18 and 19 in Rose's Subdivision of 44 acres and 2 rods off the East side of the West half of Section 22, Township 12 North, Range 9 West, lying South of the National Road and bounded as follows: on the North by the National Road, on the East by the line dividing the East and West Half of Section 22, Township 12 North, Range 9 West, on the South by the Bloomington Road, and on the West by the E. & C. R. R.

Parcel II

Lot Number Twenty (20), except Six (6) inches, more or less, off the East side thereof, in Chauncey Rose's Subdivision of 44 acres and 2 rods off the East side of the West $\frac{1}{2}$ of Section 22, Township 12 North, Range 9 West, as per Plat Record 1 Page 79 in Vigo County Recorder's Office.

Also

Lot Number 21 and 6 inches, more or less, off the East side of Lot Number 20, in Chauncey Rose's Subdivision of 44 acres and 2 rods off the East side of the West $\frac{1}{4}$ of Section 22, Township 12 North, Range 9 West, as per Plat Record 1 Page 79 in Vigo County Recorder's Office.

Parcel III

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Parcel IV

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Parcel V

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Parcel VI

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Parcel VII

12 $\frac{1}{2}$ feet off the North side of Lot Number Sixty-eight {68} in Chauncey Rose's Subdivision of 44 acres and 2 rods off the East side of the West Half of Section 22, Township 12 North of Range 9 West, lying South of the National Road as per recorded plat of the same recorded in the Recorder's Office of Vigo County, Indiana.

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Part of Lot No. 68 in Chauncey Rose's Subdivision of 44 acres and 2 rods off the East Side of the West Half of Section 22 in Township 12 North of Range 9 West, bounded as follows: Beginning

at a point 12 feet and 6 inches South of the Northwest corner of said lot; thence East 177 feet and 3 ½ inches to an alley; thence South 31 feet; thence West 177 feet and 3 ½ inches to 12th Street; thence North 31 feet to the place of beginning, in the City of Terre Haute, Indiana.

Parcel VIII

North Half (1/2) of Lot Number Sixty-nine (69) in Chauncey Rose's Subdivision of Forty-four (44) acres and Two (2) rods off the East side of the West Half (1/2) of Section Twenty-two (22), Township Twelve (12) North, Range Nine (9) West, line South of the National Road.

Also

37 ½ feet off the South side of Lot Number Sixty-nine (69) in Chauncey Rose's Subdivision of 44 acres and 2 rods off the East side of the West

Half of Section 22, Township 12 North of Range 9 West, lying South of the National Road as per recorded plat of the same recorded in the Recorder's Office of Vigo County, Indiana.

Parcel IX

100 feet off the East end of Lot 71 and 100 feet off the East end of the North Half of Lot 70 in Chauncey Rose's Subdivision of 44 acres and 2 rods off the East side of the West Half of Section 22, Township 12 North, Range 9 West, Vigo County, Indiana.

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Parcel No.: 84-06-22-379-013.000-002 and 84-06-22-379-003.000-002

Commonly known as 1211 Wabash Avenue, Terre Haute, IN 47807 and 30 South 12th Street, Terre Haute, IN 47807

EXHIBIT B

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GENERAL ORDINANCE 16, 2024 – Amending City Code, Chapter 4, Article 24, Sections 4-360 through 4-362 and Section 4-365, Drug and Tobacco Paraphernalia/Accessories Establishments <Loudermilk>

GENERAL ORDINANCE 16, 2024, previously tabled on January 2, 2025, was read by digest. Motion was made by Councilperson Boland and seconded by Councilperson Loudermilk to table GENERAL ORDINANCE 16, 2024 until February 6, 2025. Motion carried.

No Tax Abatements for Confirmation

ITEMS ON SECOND READING

Special Ordinances

SPECIAL ORDINANCE 43, 2024 – Rezoning of property located at 1519 Washington Avenue <Dinkel>

SPECIAL ORDINANCE 43, 2024 was read by digest. Motion was made by Councilperson Hinton and seconded by Councilperson Dinkel to table SPECIAL ORDINANCE 43, 2024 until February 13, 2025. Motion carried.

No Items on First Reading

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

Kelley Duggins
Chief Deputy City Clerk

Todd Nation, President

Michelle L. Edwards, City Clerk