

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

**CITY OF TERRE HAUTE, INDIANA**

**REGULAR SESSION, THURSDAY, JUNE 5, 2025**

**The City Council met in Regular Session Thursday, June 5, 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 by Councilperson Cheryl Loudermilk  
Calling Of the Roll**

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

ABSENT: Curtis DeBaun IV

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

- a. Herb Rukes concerning the City Council and the proposed rezoning on South Center Street.

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

**Communication from the Mayor**

- a. Mayor Brandon Sakbun commented on the need to market the funds available for citizens to weatherize their homes and replace their appliances. He also stated there is a first time homebuyers program for citizens to apply for. Mayor Sakbun also commented on the upcoming demolition of condemned homes.
- b. Council President Todd Nation asked Mayor Sakbun about WICA funding and cleaning up brownfield properties.
- c. Councilperson Tammy Boland commented on the City recognizing local groups and organizations.

**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**

**SPECIAL ORDINANCE 11, 2025 – Rezoning of property located at 1103 South Center Street <Boland>**

SPECIAL ORDINANCE 11, 2025, previously tabled on May 8, 2025, was read by digest. Motion was made by Councilperson Chalos and seconded by Councilperson Boland to withdraw SPECIAL ORDINANCE 11, 2025. Motion carried.

**SPECIAL ORDINANCE NO. 11, 2025**

An Ordinance Amending Chapter 10, of the Terre Haute City Code, Zoning and Subdivision Regulations, as adopted by General Ordinance No. 10, 1999, as Amended, entitled An Ordinance Adopting And Enacting a Code of Ordinances for the City of Terre Haute, Indiana; Establishing The Same; Providing For Repeal of Certain Ordinances Not Included Therein, Except As Herein Provided; Providing For The Manner Of Amending Such Code Of Ordinances; Providing a Penalty For Violations Thereof; Providing When This Ordinance Shall Become Effective And Officially Adopting The Terre Haute City Code, And Passing Ordinances Addressing Fees, Fines And Regulations.

BE IT ORDAINED by the Common Council of the City of Terre Haute, Indiana, as follows:

SECTION I. That Chapter 10, of the Terre Haute City Code, known and referred to as The Comprehensive Zoning Ordinance of Terre Haute of General Ordinance No. 10, 1999, effective, December 10, 1999, Section 10-121, thereof, District Maps, is hereby amended to read as follows:

The North Half (1/2) of 142 feet off the East end of Lot Number 12 in John Duncan's Subdivision of part of Out Lot Number 65 in Terre Haute, Indiana, as shown on the recorded plat thereof, recorded February 17, 1872, at Plat Record 1, Page 327, records of the Recorder's Office of Vigo County, Indiana.

Commonly known as 1103 South Center Street, Terre Haute, Vigo County, Indiana 47802  
Parcel No 84-06-28-427-013.000-002.

Be the same is, hereby established as an R-2 Two Family Residential District, together with all rights and privileges that may inure to said real estate and the owners thereof the law in such cases provided, subject to all limitations and restrictions imposed thereon by deed or otherwise.

The real estate shall be an R-2 Two Family Residential District as the same is defined in the Comprehensive Zoning Ordinance for the City of Terre Haute, Indiana.

WHEREAS, Special Ordinance No. 11, 2025, has been referred to the Area Planning Commission for its review and consideration and a favorable recommendation has been referred by the Commission to the Common Council; and

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 publications as by law provided.

Presented by Council Member, Tammy Boland  
WITHDRAWN

This document prepared by: David P. Friedrich, Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, 333 Ohio Street, Terre Haute, IN 47807

**No Tax Abatements for Confirmation  
No Items on Second Reading**

#### **ITEMS ON FIRST READING**

##### **Appropriations**

**Motion was made by Councilperson Loudermilk and seconded by Councilperson Chalos to take action on APPROPRIATIONS 5 and 6, 2025. Motion carried unanimously.**

**APPROPRIATION 5, 2025 - \$1,373,636.55 from Community Crossing Grant, #0492-0000 to Paving, #0492-0000-03-432105 <Loudermilk>**

APPROPRIATION 5, 2025 was read by digest. Motion was made by Councilperson Loudermilk and seconded by Councilperson Chalos to pass APPROPRIATION 5, 2025. Motion carried.

APPROPRIATION NO. 5, 2025

AN ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF MONEY FOR EXPENSES INCURRED DURING THE YEAR 2025.

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:

		<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROPRIATED</u>
FROM:	Community Crossing Grant #0492-0000	\$1,373,636.55	\$1,373,636.55
TO:	Paving #0492-0000-03-432105	\$1,373,636.55	\$1,373,636.55
	<b>TOTAL</b>	<b>\$1,373,636.55</b>	<b>\$1,373,636.55</b>

Introduced by: Cheryl Loudermilk, Councilperson

Passed in open Council this 5<sup>th</sup> day of June, 2025.

Todd Nation, President

ATTEST: Michelle L. Edwards, City Clerk

Presented by me to the Mayor this 5<sup>th</sup> day of June, 2025 at 7:15pm o'clock.

Michelle L. Edwards, City Clerk

Approved by me, the Mayor, this 5<sup>th</sup> day of June, 2025.

Brandon C. Sakbun, Mayor

ATTEST: Michelle L. Edwards, City Clerk

**APPROPRIATION 6, 2025 - \$118,750.00 from Casino, #0180-0000 to Purchase of Equipment, #0180-0000-04-444010 for \$45,000.00, to Purchase of Playground Equip., #0180-0000-04-444060 for \$45,000.00, to Services Contractual, #0180-0000-03-432010 for \$21,000.00, and to Licenses, #0180-0000-04-440050 for \$7,750.00 <Loudermilk>**

APPROPRIATION 6, 2025 was read by digest. Motion was made by Councilperson Dinkel and seconded by Councilperson Boland to pass APPROPRIATION 6, 2025. Motion carried.

APPROPRIATION NO. 6, 2025

AN ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF MONEY FOR EXPENSES INCURRED DURING THE YEAR 2025.

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:

		<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROPRIATED</u>
FROM:	Casino #0180-0000	\$45,000.00	\$45,000.00
TO:	Purchase of Equipment #0180-0000-04-444010	\$45,000.00	\$45,000.00

FROM:	Casino #0180-0000	\$45,000.00	\$45,000.00
TO:	Purchase of Playground Equip. #0180-0000-04-444060	\$45,000.00	\$45,000.00
FROM:	Casino #0180-0000	\$21,000.00	\$21,000.00
TO:	Services Contractual #0180-0000-03-432010	\$21,000.00	\$21,000.00
FROM:	Casino #0180-0000	\$7,750.00	\$7,750.00
TO:	Licenses #0180-0000-04-440050	\$7,750.00	\$7,750.00
<b>TOTAL</b>		<b>\$118,750.00</b>	<b>\$118,750.00</b>

Introduced by: Cheryl Loudermilk, Councilperson  
Passed in open Council this 5<sup>th</sup> day of June, 2025.  
Todd Nation, President  
ATTEST: Michelle L. Edwards, City Clerk  
Presented by me to the Mayor this 5<sup>th</sup> day of June, 2025 at 7:15pm o'clock.  
Michelle L. Edwards, City Clerk  
Approved by me, the Mayor, this 5<sup>th</sup> day of June, 2025.  
Brandon C. Sakbun, Mayor  
ATTEST: Michelle L. Edwards, City Clerk

### **Special Ordinances**

#### **SPECIAL ORDINANCE 16, 2025 – Vacating a North-South Public Alley located at 2611 North 25<sup>th</sup> Street <Loudermilk>**

SPECIAL ORDINANCE 16, 2025 was read by digest. Motion was made by Councilperson Loudermilk and seconded by Councilperson Chalos to take action on SPECIAL ORDINANCE 16, 2025. Motion carried unanimously. Motion was made by Councilperson Loudermilk and seconded by Councilperson Chalos to pass SPECIAL ORDINANCE 16, 2025. Motion carried.

SPECIAL ORDINANCE NO. 16, 2025

AN ORDINANCE VACATING A PORTION OF A PUBLIC WAY LOCATED IN THE CITY OF TERRE HAUTE, VIGO COUNTY, INDIANA.

BE IT ORDERED by the Common Council of the City of Terre Haute, Indiana.

SECTION 1. Pursuant to the provisions of I.C. 36-7-3-12, it is desired and deemed necessary to vacate a portion of a public way located in the City of Terre Haute, Vigo County, Indiana, which is now laid out and existing in the City of Terre Haute, Indiana, and described as follows:

Beginning in the South East corner of lot 732 in the plat of blocks 19, 20, 21 and 22 of First Addition to Vandalia Park in the Southeast Quarter (SE ¼) of Section 11, Township 12 North, Range 9 West, as shown in the plat recorded October 8, 1915 at Plat Record 11, Page 47, records of the Recorder's Office of Vigo County, Indiana; then east to the South West corner of Lot 744;

then north along the west boundary lines of Lots 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, and 755 to the North West corner of Lot 755; then West to the North East corner of Lot 743; then South along the east boundary of Lot 743, 742, 741, 740, 739, 738, 737, 736, 735, 734, 733 and 732 to the place of beginning.

SECTION 2. Be it further ordained that said portion of said public way in the City of Terre Haute, Indiana, above described, be and the same is vacated and will revert to the abutting properties, subject to the continuation of any and all existing easement rights for public utilities.

SECTION 3. Be it further ordained that the City Clerk be, and she is hereby directed to furnish a copy of this Ordinance to the Recorder of Vigo County, Indiana, for recording, and to the Auditor of Vigo County, Indiana.

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.

Presented by Council Member, Cheryl Loudermilk

Passed in open Council this 5<sup>th</sup> day of June, 2025.

Todd Nation, 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 June, 2025 at 7:15pm o'clock.

Michelle Edwards, City Clerk

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

### **SPECIAL ORDINANCE 17, 2025 – Rezoning of property located at 1735 Dahlen Avenue <Loudermilk>**

SPECIAL ORDINANCE 17, 2025 was read by digest. Area Plan Commission certified this ordinance to the Council with a Favorable with Conditions Recommendation on June 4, 2025. Motion was made by Councilperson Loudermilk and seconded by Councilperson Chalos to take action on SPECIAL ORDINANCE 17, 2025. Motion carried unanimously. Motion was made by Councilperson Loudermilk and seconded by Councilperson Chalos to pass SPECIAL ORDINANCE 17, 2025. Motion carried.

### **SPECIAL ORDINANCE FOR A REZONING**

### **SPECIAL ORDINANCE NO. 17, 2025**

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:

Lot Number One (1) in Dahlen Avenue Baptist Church Subdivision, being a Subdivision of Lots 724, 725, and 726 in East Half of Prairie View Subdivision in North East Quarter of Section 3,

Township 12 North, Range 9 West, as shown in Miscellaneous Record 162, Page 607-1, recorded December 17, 1964.

EXCEPT Twenty (20) feet off the South side thereof, all records of the Vigo County Recorder's Office. Said Dahlen Avenue Baptist Church Subdivision being also described as follows: Lots 725, 726, and the North Half of 724 in Prairie View Subdivision, being a Subdivision of the North East Fractional Quarter of Section Three (3), Township Twelve (12) North of Range Nine (9) West.

Parcel No. 84-06-03-278-007.000-002  
Commonly known as 1735 Dahlen Ave., Terre Haute IN 47805

be and the same is, hereby established as a C-1 Planned Development, 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.

That the real estate described shall be a Planned Development in a C-1 Planned Development as the same is defined in the Comprehensive Zoning Ordinance for the City of Terre Haute, Indiana, subject to the terms and condition set forth herein.

- (a) That the real estate shall be used for a day care center.
- (b) In the event that this Planned Development has not materialized within six (6) months of approval, it is understood that said Planned Development becomes void and the real estate shall revert back to R-1 Single Family Residence District.
- (c) A variance is hereby granted from Section 10-207 e. (1)(A) which states in part:  
  
"...any area contingent or abutting a Residential District shall be buffered by an open space or off-street parking area with a minimum fifty foot (SO') width measured at right angles to the residential property line."
- (d) All such rights granted herein shall be fully transferable.
- (e) Said Planned Development shall be recorded in the Vigo County Recorder's Office within ninety (90) days of the approval by the Council.

That the owner has met all of the criteria determined by the Area Planning Commission, except as stated above and by the City Council of Terre Haute, Indiana, that a hardship does exist, due to the improvements on the real estate, the physical characteristics of the real estate, the real estate is located near district boundary lines, and that a Planned Development as set forth herein is hereby approved and will be in the public's interest and in the interest of the neighborhood.

SECTION II. WHEREAS, the Area Planning Commission has considered a petition filed pursuant to General Ordinance No. 10, 1999, being Division III Planned Development; and

WHEREAS, Special Ordinance No. 17, 2025, has been referred to the Area Planning Commission for its review and consideration and a favorable recommendation has been referred by the Commission to the Common Council; and

WHEREAS, a public hearing on Special Ordinance No. 17, 2025, has been held pursuant to Section 10 of said Ordinance and the owner of the real estate described has demonstrated to the Area Planning Commission and to the Common Council evidence that a hardship exists pursuant to Section 10-112 of said Ordinance and that said Planned Development will not adversely affect surrounding property values, and that it will not adversely affect public health, safety and the general welfare.

BE IT ORDAINED BY THE COMMON COUNCIL of the City of Terre Haute, Indiana that the owners of the real estate described have demonstrated that a hardship does exist for the use of said real estate and that the Common Council of the City of Terre Haute now determines that a hardship does exist and specifically authorizes and approves the uses of the real estate described as a C-1 Planned Development as described in this Ordinance, under the terms and conditions set forth herein, and further finds and determines that the proposed uses described will be in the public interest and that substantial justice will be done.

SECTION III. 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.

Presented by Council Member, Cheryl Loudermilk, Councilperson

Passed in open Council this 5<sup>th</sup> day of June, 2025.

Todd Nation, 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 June, 2025 at 7:15pm o'clock

Michelle Edwards, City Clerk

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

**Council President Nation moved Special Ordinance 19, 2025 next on the agenda.**

**SPECIAL ORDINANCE 19, 2025 – Rezoning of property located at 1522 Maple Avenue <Chalos>**

SPECIAL ORDINANCE 19, 2025 was read by digest. Area Plan Commission certified this ordinance to the Council with a Favorable Recommendation on June 4, 2025. Motion was made by Councilperson Dinkel and seconded by Councilperson Hinton to take action on SPECIAL ORDINANCE 17, 2025. Motion carried unanimously. Motion was made by Councilperson Dinkel and seconded by Councilperson Hinton to pass SPECIAL ORDINANCE 19, 2025. Motion carried.

SPECIAL ORDINANCE FOR A REZONING

SPECIAL ORDINANCE NO. 19, 2025

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 34 and 35 in Block C in W. H. Smith’s Subdivision, a subdivision in the southeast quarter of Section 10, Township 12 North, Range 9 West in the City of Terre Haute, Indiana.

Commonly known as: 1522 Maple Avenue, Terre Haute, Vigo County, Indiana 47804

Be and the same is hereby established as a R-1 Single Family 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, James P. Chalos, Councilperson

Passed in Open Council this 5<sup>th</sup> day of June, 2025.

Todd Nation-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 June, 2025 at 7:15 pm o'clock.

Michelle Edwards, City Clerk

Approved by me, the Mayor, this 5<sup>th</sup> day of June, 2025.

Brandon Sakbun, Mayor

ATTEST: Michelle Edwards, City Clerk

This instrument prepared by: Anabel Meany, 1524 Maple Avenue, Terre Haute, Indiana 47804

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.

**SPECIAL ORDINANCE 18, 2025 – Rezoning of property located at 501 and 601 South Fruitridge <Dinkel>**

SPECIAL ORDINANCE 18, 2025 was read by digest. No action was taken.

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

Kelley Duggins  
Chief Deputy City Clerk

Todd Nation, President

Michelle L. Edwards, City Clerk