

**REGULAR MEETING OF THE TERRE HAUTE CITY COUNCIL**

**6:00 PM, THURSDAY, MAY 12, 2016**

**CITY HALL COURTROOM**

**AGENDA**

**Meetings of the Terre Haute City Council are recorded and broadcast on Time Warner Cable Television. City Council meeting videos may also be available for viewing on the City's website. Your attendance at this public meeting may result in the recording and broadcast of your image and/or voice. By remaining in the room, you are giving your permission to be recorded and televised.**

1. Moment of Silence and Pledge of Allegiance
2. Rollcall
3. Public Comment on Non-Agenda Items
  - a. Garry Morris with Clabber Girl concerning a non-working stoplight at 7<sup>th</sup> and Cherry and the financial oversight committee.
  - b. Council President Todd Nation asked Chuck Ennis about the stoplight situation.
  - c. Mayor Duke Bennett stated the pole for the stoplight at 7<sup>th</sup> and Cherry is on order and the City did not have any in stock. Mayor Bennett commented that the members of the selection committee for the financial oversight committee are not being made public. Mayor Bennett commented the Park Board made the decision on the pools without his knowledge and they would be reviewing it at the next meeting. He also commented on a committee formed to review the fate of the golf courses. Mayor Bennett commented that the EDIT surplus funds would be used for the Margaret expansion project. He stated that a proposed amendment to the welluser sewer fee is being worked on. Mayor Bennett stated the pool's repair would cost between \$25,000 and \$30,000. He also stated the golf courses lose \$400,000 annually. Mayor Bennett commented on the golf course committee membership and its members. He responded to questions about the City's financial consultant with the reply of Umbaugh and Associates as well as other companies. Mayor Bennett explained that if Councilman Elliott contacted the financial consultants directly the City would be charged for that service. He commented the funds received from the Rae Park tree settlement was placed in a special Non-Reverting fund that the Council created. Mayor Bennett also stated the fund was used for various projects for the golf courses. Mayor Bennett commented the financial oversight committee would begin in the next thirty days.
  - d. George Amies commented about the City's golf courses, the damage to the trees in Rae Park, the funds recovered from the damaged tree settlement, and closing of Deming Pool.
  - e. Wendy Bennett commented on the need for a City pool and the golf courses could be closed to fund the pool.
  - f. Councilman Don Morris asked for more information concerning the financial oversight committee.
  - g. Councilwoman Martha Crossen asked about the members of the financial oversight committee. She also questioned if the money received from the Rae Park tree settlement was used for replacing the trees.
  - h. Councilman Karrum Nasser asked the Mayor about the pool closure, costs for repairs, who appointed the members to the Park Board, the surplus of the EDIT funds, and spending that surplus on the pools. Councilman Nasser also questioned about a possible amendment to the welluser sewer fee.
  - i. Councilman Curtis Debaun IV asked the amount needed to fix the pool and how much the golf courses lose each year.
  - j. Councilman O. Earl Elliott asked for the names of the members on the golf course committee. Councilman Elliott also asked who the financial consultant for the City is. He asked if he could contact the financial consultants directly. Councilman Elliott also commented on the amount of funds the Parks budget loses annually.
  - k. Council President Todd Nation asked Mayor Bennett to respond to the question asked by the public concerning the Rae Park tree damage settlement. He also asked Mayor Bennett about the start date for the financial oversight committee. Council President Nation stated there would be a special meeting on June 2, 2016 at 5:30pm concerning a presentation by a member of the State Revolving Fund organization. He also stated there would be an additional special meeting on June 2, 2016 at 5:00pm to discuss the financial situation of the City. In addition, there will be a special meeting on June 9, 2016 at 5:15pm concerning tax abatement CF1 forms (at the end of the meeting this time was changed to 5:30pm)
4. No corrections to the Journal
5. No communications

6. Reports from Governmental Agencies
  - a. Mayor Duke Bennett commented on the availability of the February 2016 financial reports and that March will be available soon. Mayor Bennett also commented on the updated credit card policy for the City and the Council would be receiving a list of the City's active credit cards.
  - b. Council President Todd Nation commented on an upcoming special meeting for a presentation by the State Revolving Fund.

Old Business

**SPECIAL ORDINANCE 6, 2016 – Passed as Amended (after passage of General Ordinance 4, 2016 it was determined SO 6, 2016 had not been amended. The ordinance was read again, amended and passage as amended was re-affirmed)**

Rezoning of property located at 410 Davis Avenue <Auler>

**GENERAL ORDINANCE 3, 2016 - Passed**

Amending City Code, Chapter 8, Section 8-44, City Truck Routes, Deleting Lockport Road from 14<sup>th</sup> Street to 13<sup>th</sup> Street, and 14<sup>th</sup> Street from Lockport Road to Margaret Avenue and Changing Hulman Street from 3<sup>rd</sup> Street to 13<sup>th</sup> Street to Prairieton Road to 13<sup>th</sup> Street, Margaret Avenue from Prairieton Road to 3<sup>rd</sup> Street to Prairieton Road to Canal Road, and inserting Prairieton Road from Southermost boundary of City Limits to Hulman Street <Nation>

**GENERAL ORDINANCE 4, 2016 - Passed**

Amending City Code, Chapter 4, Article 2, Section 4-22, Transient Merchants <Nation>

**GENERAL ORDINANCE 5, 2016 - Passed**

Amending City Code, Chapter 6, Division II, Creating Section 6-54, Open Burning Regulations <Auler>

**SPECIAL ORDINANCE 14, 2016 – Tabled until June Sunshine Meeting**

Rezoning of property located at 1601 North 25<sup>th</sup> Street <Nasser>

**RESOLUTION 3, 2016 – Amended – Defeated 4 Yes 5 No**

Designating an Area commonly identified as 220-224 North Third Street and 301 North 2<sup>nd</sup> Street, Terre Haute Indiana, as an Economic Revitalization Area for purpose of a Nine Year Real Property Tax Abatement (Annex 41 LLC) <For Adoption>

**RESOLUTION 5, 2016 - Passed**

Approving the establishment of a hotel in a C-3 Regional Commerce District <Auler>

**RESOLUTION 6, 2016 – Adopted 6 Yes 3 No**

Designating an Area commonly identified as 451 E Margaret, Terre Haute Indiana, as an Economic Revitalization Area for purpose of a Nine Year Real Property Tax Abatement (Gurukrupa Hospitality Inc) <For Adoption>

**Clabber Girl CF1 for RS 14, 2006 – In Substantial Compliance**

**Clabber Girl CF1 for RS 15, 2006 – In Substantial Compliance**

**Clabber Girl CF1 for RS 26, 2009 – In Substantial Compliance**

**Hulman CF1 for RS 25, 2009 – In Substantial Compliance**

**Jadcore CF1 for RS 9, 2006 – In Substantial Compliance**

**Jadcore CF1 for RS 19, 2011 – In Substantial Compliance**

**Jadcore CF1 for RS 5, 2015 – In Substantial Compliance**

**Lenex Steel CF1 for RS 21, 2006 – Not In Substantial Compliance**

**NMP CF1 for RS 21, 2014 – In Substantial Compliance**

**Providence Medical CF1 for RS 13, 2006 – In Substantial Compliance**

**Stonehouse Farms LLC CF1 for RS 34, 2003 – Not In Substantial Compliance**

**Sycamore Hotel Partners CF1 for RS 3, 2010 – Not In Substantial Compliance**

**Sycamore Hotel Partners CF1 for RS 12, 2015 – Not In Substantial Compliance**

**Warren Village CF1 for RS 13, 2012 – In Substantial Compliance**

**Hearing for the companies Not In Substantial Compliance will be held June 9, 2016 at 5:00pm**

New Business

**GENERAL ORDINANCE 6, 2016 - Finance**

Amending City Code, Chapter 2, Creating Section 2-128, Waste and Refuse Collection Non-Reverting Fund  
<Nation>

**GENERAL ORDINANCE 7, 2016 – Governmental Affairs**

Amending City Code, Chapter 2, Creating Section 2-90, Internal Controls <Azar>

**SPECIAL ORDINANCE 15, 2016 – Zoning**

Rezoning of property located at 5055 E Hulman Drive <Elliott>

**SPECIAL ORDINANCE 16, 2016 – Zoning**

Rezoning of property located at 805 South 6<sup>th</sup> Street <Nation>

Charles P. Hanley, City Clerk

<b>ATTENDANCE</b>		
	Present	Absent
Auler	X	
Azar	X	
Crossen	X	
DeBaun	X	
Elliot	X	
Garrison	X	
Morris	X	
Nasser	X	
Nation	X	
<b>TOTAL:</b>	9	0

<b>SPECIAL ORDINANCE 6, 2016</b>		
	YES	NO
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion: AULER</b>		
<b>Second: MORRIS</b>		

<b>GENERAL ORDINANCE 3, 2016</b>		
	YES	NO
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion: GARRISON</b>		
<b>Second: CROSSEN</b>		

<b>GENERAL ORDINANCE 4, 2016</b>		
	YES	NO
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion: MORRIS</b>		
<b>Second: AULER</b>		

<b>SPECIAL ORDINANCE 6, 2016</b>		
	YES	NO
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion to Amend: MORRIS</b>		
<b>Second: AULER</b>		

<b>SPECIAL ORDINANCE 6, 2016 AS AMENDED</b>		
	YES	NO
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion to Reaffirm: AZAR</b>		
<b>Second: NASSER</b>		

<b>GENERAL ORDINANCE 5, 2016</b>		
	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion: AULER</b>		
<b>Second: CROSSEN</b>		

<b>RS 3, 2016</b>		
	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion to Amend: AZAR</b>		
<b>Second: NASSER</b>		

<b>RESOLUTION 3, 2016 AS AMENDED</b>		
	<b>YES</b>	<b>NO</b>
Auler		X
Azar		X
Crossen		X
DeBaun		X
Elliot	X	
Garrison	X	
Morris	X	
Nasser	X	
Nation		X
<b>TOTAL:</b>	<b>5</b>	<b>4</b>
<b>Motion to Adopt: Azar</b>		
<b>Second: Nasser</b>		

<b>RESOLUTION 5, 2016</b>		
	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion to Pass: MORRIS</b>		
<b>Second: AULER</b>		

<b>RESOLUTION 6, 2016</b>		
	<b>YES</b>	<b>NO</b>
Auler	X	
Azar		X
Crossen	X	
DeBaun	X	
Elliot		X
Garrison	X	
Morris	X	
Nasser	X	
Nation		X
<b>TOTAL:</b>	<b>6</b>	<b>3</b>
<b>Motion to Adopt: MORRIS</b>		
<b>Second: NASSER</b>		

<b>CLABBER GIRL RS 14, 2006</b>		
	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion In Substantial Compliance: AULER</b>		
<b>Second: NASSER</b>		

<b>CLABBER GIRL RS 15, 2006</b>		
	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion In Substantial Compliance: AULER</b>		
<b>Second: DEBAUN</b>		

<b>CLABBER GIRL RS 26, 2009</b>		
	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion In Substantial Compliance: DEBAUN</b>		
<b>Second: MORRIS</b>		

<b>HULMAN RS 25, 2009</b>		
	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion In Substantial Compliance: GARRISON</b>		
<b>Second: NASSER</b>		

<b>JADCORE RS 9, 2006</b>		
	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion In Substantial Compliance: CROSSEN</b>		
<b>Second: MORRIS</b>		

<b>JADCORE RS 19, 2011</b>		
	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion In Substantial Compliance: DEBAUN</b>		
<b>Second: AULER</b>		

<b>JADCORE RS 5, 2015</b>		
	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion In Substantial Compliance: DEBAUN</b>		
<b>Second: AULER</b>		

<b>LENEX STEEL RS 21, 2006</b>		
	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion Not In Substantial Compliance: MORRIS</b>		
<b>Second: DEBAUN</b>		

<b>NMP RS 21, 2015</b>		
	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion In Substantial Compliance: AULER</b>		
<b>Second: MORRIS</b>		

<b>PROVIDENCE RS 13, 2006</b>		
	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion In Substantial Compliance: MORRIS</b>		
<b>Second: AULER</b>		

<b>STONEHOUSE RS 34, 2003</b>		
	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion Not In Substantial Compliance: AULER</b>		
<b>Second: CROSSEN</b>		

<b>SYCAMORE RS 3, 2010</b>		
	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion Not In Substantial Compliance: AZAR</b>		
<b>Second: DEBAUN</b>		

<b>SYCAMORE RS 12, 2015</b>		
	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion Not In Substantial Compliance: AZAR</b>		
<b>Second: DEBAUN</b>		

<b>WARREN VILLAGE RS 13, 2012</b>		
	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion In Substantial Compliance: AULER</b>		
<b>Second: CROSSEN</b>		

	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>		
<b>Motion:</b>		
<b>Second:</b>		

	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>		
<b>Motion:</b>		
<b>Second:</b>		

	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>		
<b>Motion:</b>		
<b>Second:</b>		

	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>		
<b>Motion:</b>		
<b>Second:</b>		

<b>ADJOURN</b>		
	<b>YES</b>	<b>NO</b>
Auler		
Azar		
Crossen		
DeBaun		
Elliot		
Garrison		
Morris		
Nasser		
Nation		
<b>TOTAL:</b>	<b>VOICE</b>	
<b>Motion: AZAR</b>		
<b>Second: AULER</b>		