

**CITY OF PERU COMMON COUNCIL MINUTES
PERU CITY HALL, COUNCIL CHAMBERS
PERU, INDIANA
SEPTEMBER 9, 2024
SPECIAL MEETING**

Mayor Don Sturch called the special scheduled meeting of the Common Council to order at 5:30 pm on September 9, 2024.

ROLL CALL –Anderson, Fisher, Huber, Murphy, Sahaidachny and Ulery were present. Stevenson absent. Also present were City Attorney Dustin, Kern and Clerk Treasurer Andrea Newnum



Resolution 19-2024 was read in its entirety by Clerk Treasurer Newnum.

Resolution Number: 19-2024

Be it ordained/resolved by the **Peru Common Council** that for the expenses of **PERU CIVIL CITY** for the year ending December 31, **2025** the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expenses of **PERU CIVIL CITY**, the property tax levies and property tax rates as herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance.

This ordinance/resolution shall be in full force and effect from and after its passage and approval by the **Peru Common Council**.

Name of Adopting Entity /	Type of Adopting Entity / Fiscal	Date of Adoption
Peru Common Council	Common Council and Mayor	10/07/2024

Funds				
Fund Code	Fund Name	Adopted Budget	Adopted Tax Levy	Adopted Tax Rate
0061	RAINY DAY		\$0	0.0000
0101	GENERAL	\$7,684,330	\$4,551,000	1.9058
0180	DEBT SERVICE	\$210,075	\$220,000	0.0921
0341	FIRE PENSION	\$714,004	\$0	0.0000
0342	POLICE PENSION	\$508,204	\$0	0.0000
0706	LOCAL ROAD & STREET	\$70,000	\$0	0.0000

0708	MOTOR VEHICLE HIGHWAY	\$813,202	\$439,000	0.1838
1136	CRIME CONTROL	\$10,000	\$0	0.0000
1151	CONTINUING EDUCATION	\$26,000	\$0	0.0000
1303	PARK	\$854,466	\$639,000	0.2676
1380	PARK BOND	\$118,100	\$173,000	0.0724
2102	AVIATION/AIRPORT	\$100,109	\$130,000	0.0544
2379	CUMULATIVE CAPITAL IMP (CIG TAX)	\$0	\$0	0.0000
2391	CUMULATIVE CAPITAL DEVELOPMENT	\$100,000	\$172,000	0.0720
2411	ECONOMIC DEV INCOME TAX CREDIT	\$2,781,500	\$0	0.0000
8604	SPECIAL FIRE PROTECTION TERRITORY GENERAL	\$4,235,902	\$4,644,000	1.3982
8692	SPECIAL FIRE PROTECTION TERRITORY EQUIPMENT REPLACE	\$500,000	\$138,000	0.0415
		\$18,725,892	\$11,106,000	4.0878

Home-Ruled Funds (Not Reviewed by DLGF)

Fund Code	Fund Name	Adopted Budget
9500	Public Safety LOIT (1170)	\$984,832
9502	Special Street & San CCI	\$0
9503	American Rescue Plan	\$0
9504	Metro Fire Arson	\$0
9505	Park Nonreverting-Contributions/Gifts	\$0
9506	Golf Irrigation System_Nonreverting	\$0
9507	Animal Control-Nonreverting-Donations	\$0
9508	Ordinance Violations	\$0
9509	Unsafe Building Fund	\$0
9510	Opioid Distribution	\$0
		\$984,832

With no questions or comments from the Council nor the Public. A motion was made by Councilperson Huber to adjourn the special meeting, seconded by Councilperson Ulery.

REGULAR MEETING

6:00PM

CALL TO ORDER: Mayor Sturch

PLEDGE OF ALLEGIANCE - led by: Mayor Struch

INVOCATION – Kristen Moon

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READING & CORRECTING JOURNAL - of minutes of Regular Meeting on August 5, 2024.

Councilperson Fisher moved, seconded by Councilperson Anderson, to suspend the rules and to adopt the minutes as presented. Motion carried with a vote of 6 Ayes, 0 Nays.

COMMITTEE LIAISON REPORTS:

Murphy- stated the bond for the Golf Course Irrigation Project was received.

Ulery-Plan Commission heard and voted favorable for rezoning Duke Street housing and Business 31 assisted living. The Civic Center meeting is September 26th, an open house will be held October 5th. Cable Committee no meeting held. Tv will be placed in lobby Monday.

Anderson: nothing

Fisher: Attended both Board of Works meetings on August 6th and 23rd, attended the Recycle meeting on 8/12, MCEDA on 8/14, Rediscover Downtown regarding Cole Porter Festival and 2nd Saturdays. He also attended the County Commissioner’s meeting and the Airport open house.

Sahaidachny- Attended both Board of Works meetings on August 6th and 23rd and attended the County Council meeting.

Huber- spoke with Brian with the street department paving is done, Forrest Street is done looking into lease program to purchase new plow and garbage trucks, Animal Control will have dogs at the Pickers Place hopefully to get a few of them adopted. Attended the Airport Open House-there was a great turn out.

UNFINISHED BUSINESS: Scratching post requested \$34,200 donation to help spay/neuter animals.

Fisher stated they had 200 cats when moving from Chili to the new facility now they state they have 260. They are doing nothing to adopt the cats out.

Anderson stated he would like the ordinance restructured prior to giving a donation.

Sahaidachny stated he would be for the donation.

Ulery stated she would like to see ordinance revamped and enforced, would revisit later.

Discussion to table the donation to review current ordinance and put more enforcement. Vote 6 ayes 0 nays.

MOTION CARRIED

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NEW BUSINESS:

Bee Ordinance was tabled due to not properly being advertised.

MOTION TABLED

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Petition to rezone parcel 52-11-06-400-007.000-017 commonly known as 2523 S Business 31 from R1 to B3 to use property as an independent living/ assisted living residence for the elderly. The home will house 8-10 residents. A motion was made by Councilmember Ulery seconded by Councilperson Murphy vote 6-0 in favor.

MOTION CARRIED

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Petition to rezone parcel 52-08-28-300-002.000-016 commonly known as 364 N Duke Street from R1 to R3 for 38-unit housing development. Woda Cooper Development is proposing a 38-unit affordable housing project for 364 N Duke Street. This property will have (19) 2-bedroom and (19) 3-bedroom units. The highest rent for 3-bedroom unit would be \$995 and 2 bedroom \$885, 3 units would be more like single mother housing and rent would be \$340 for 2 bedroom and \$395 for 3 bedrooms. This is not section 8 housing or low-income housing it is affordable housing. A very strict leasing process including background checks. Visitors cannot stay longer than 8 days a month or would need to be added to the lease. The facility also does

monthly checks. Leasing is very strict if written up two times resident is evicted. There will be zero city maintenance on the streets. Security measures include a manager and maintenance on staff 5 days a week. The way the facility is going to be built would prevent them from adding units behind. The facility would include a retention pond, dog park, playground, community building and a laundry area. Mayor Struch stated he toured the development in Noblesville the quality of the product was good and the need for this in Peru is there. The need for more housing to bring other businesses to the area. Mayor Struch stated he was in favor.
Public:

Terrie Hanson- 336 N Duke stated she was concerned with entrance 40 foot wide when the area is just 60 foot wide, 38 units has the potential for 150 people, no sidewalks in the area would be hazardous, the decrease it would cause the property value in the area, and the excess noise and dirt during construction.

John Boyer 522 Longview, stated if the units filled up would they be putting in additional units, also stated there is a sewage issue in the area now what will they be doing to help that issue, and would like to see the dive moved somewhere else

Art Smith with Woda Cooper stated that they would sit down with the utilities to see if a lift station was needed and if so, they would make sure it got done. He also stated if their concern was placing the entrance on Duke Street, they could investigate moving it to 14th Street, however that would eliminate some of the tree curtain. As far as drainage goes, they would be also put in a detention basin.

Shirly Nevius-534 Oak Street stated they live in a nice quiet neighborhood, she does not want 2 story developments behind there as they could be looking into her home, she would much rather see single family homes being built.

Ron Cunningham-452 14th Street stated he has lived in his residence for 20 years has spent a lot of time and money on his house, enjoys the nature preserve behind his house, stated the entrance would be dangerous, questioned why they couldn't build in the 13 acres off 31.

Gary Hawley Longview Drive stated that it's a quiet neighborhood, states he walks in the neighborhood for exercise and does not want the increase of traffic, also wanted to state that at the Zoning meeting there are over 40 neighbors that showed up against the project.

A motion was made by Councilperson Ulery, seconded by Councilperson Anderson
Councilperson Huber stated that every day his ear gets bent by residents stating that we need this or that and if every time something comes before the board and gets killed people will stop looking at the city needs progress.

A motion was made by Councilperson Ulery, seconded by Councilperson Anderson a vote to table was 5 ayes 1 nay. A special meeting will be scheduled to revisit.

MOTION TABLED

Swearing in of Tristian Working as Probationary Firefighter to Peru Fire Department

Swearing in of Lucas Hopwood as Probationary Firefighter to Peru Fire Department

Recognizing Tiffany Babbs and Nathan Brimbury for completing rope rescue class.

Recognizing Eric Hawk's retirement from the Peru Fire Department.

Recognizing Brian Edward's retirement from the Peru Fire Department

Recognizing Herb Hunt's retirement from the Peru Fire Department.

Guardian Advocates requesting contribution for 2025 budget. Serving Miami County for 4 years going on 5 now. Were an umbrella agency under Area 5. They are a company, the Supreme Court facia for adult guardianship, requesting fund to help fund them continue to service the individuals of Miami County. They assist those individuals that have an incapacity to make decisions for themselves and are over 18 years of age whether medically or financially. Requesting a \$7,500 donation from the city. Commissioners have agreed to \$7,500 for the next 3 years. Looking for a \$230,000 grant of which \$30,000 would be from Miami County. Councilperson Fisher questioned donations recently from the city. No donation has been given since 2020, He also questioned if they work for 4C and she stated absolutely and stated that they will probably see a small increase with the new 4C building. The deadline to submit the grant for funding is October 18th. Will table till October meeting to review budget .

MOTION TABLED

Motion to consider was made by Councilperson Anderson seconded by Councilperson Ulery vote 6-0 in favor.

RESOLUTION 20-2024

A RESOLUTION ESTABLISHING RATE TRACKING FACTOR FOR THE MUNICIPAL ELECTRIC UTILITY OF THE CITY OF PERU, INDIANA

WHEREAS, the Electric Rate Adjustment for the following rates shall be on the basis of a Rate Tracking Factor, occasioned solely by changes in the cost of Purchased Power, in accordance with order of the City Council of Peru, Indiana, as a pass through approved in Cause No. 36835-S33 as follows:

PERU MUNICIPAL ELECTRIC UTILITY RATE ADJUSTMENT FOR THE 4TH QUARTER 2024

Residential Service (RS-1)	\$0.003448 per kWh
General Service (GSA-1)	\$0.003332 per kWh
Power Service (PS)	\$0.003084 per kWh
Security Lighting Service (SL-1)	\$0.003320 per kWh
Municipal Street Lighting (MSL-1)	\$0.003107 per kWh
Traffic Signal Service (TL)	\$0.002447 per kWh

The above factors represent an average INCREASE in its schedule of rates for electricity sold in the amount of \$0.000256 per kilowatt hour (kWh) applicable October, November and December 2024.

A motion to waive the second reading and approve Resolution 20-2024 in first reading was made by Councilperson Sahaidachny seconded by Councilperson Fisher vote 6-0 in favor.

MOTION CARRIED

Request made by Circus City Festival Incorporated Matt Barnett has been here since 1960 and will be celebrating their 65-year next year and encourage everyone to come out. The sign behind the council members states Circus City Capital of the World, wanting to keep it centrally located. Impact on the city is 200+ circus performers and 200-300 volunteers. 9,985 tickets were sold this year. That brings a lot of individuals come from all over the United States. They are applying for a Lily endowment grant that focuses on Arts. There are people in the state level that are wanting to invest in the circus by making a circus road that will go from Vincense , has talked to Jim Tidd and Steven Ray. CCFI is wanting to between the Circus building and Subway build a museum the first floor will be a museum the second

floor with be a conference area and toward the front will be bathrooms. They have been working with EVO on this project. The museum will be interactive. Peru is made up of a lot of circus alumni. Once complete will be advertising a lot, plans on bring a lot of people. CCFI will be putting in \$200,000 and has also requested money from the County as well as requesting \$200,000 from the City for both the CCIF and the Circus Hall of Fame, there is no match however it will look better if we are putting in funds toward the project as well. Mayor Sturch questioned the deadline, Mr. Barnett stated the County is stating that they will give the donation of the \$200,000 only if they receive the grant. Councilperson Fisher questioned what would happen with the current Circus Museum, Mr. Barnett stated that they are looking to bring wardrobe in from outside where the women sew in a non airconditioned area, also possibly wardrobe change.

Circus Hall of Fame Stacy Mize stated that the circus began coming to Peru around 1884, around 1922 the big circus in the United States began conglomerating becoming the American Circus and the barns were built. In 1929 the Ringling Brothers acquired everything. There were over 21 buildings, today the Circus Hall of fame sits on 10 acres and has 5 original buildings remaining. Most of the buildings need major repair. What sets them apart is that they have actual historic circus memorabilia on actual historic land and still have original buildings remaining. The Hall of Fame was started by Peru Businessmen and bought a lot of artifacts from Sarasota Florida. Provide wagons for the Circus Parade, none of the wagons were in parade this year because the insurance had dropped them due to the decay of the buildings causing no insurance on wagons. Circus Hall of Fame is total volunteer and needs lot more volunteers. No funding is available for the Hall of Fame, and it is almost ready to lose one of the last circus sites in the nation. Working together with CCFI to get the grant. County granted \$20,000 for emergency funds due to one of the walls on a building falling off the foundation however it is just putting a band aid on a gashing wound. Gatehouse has been redone inside, needs work will store the old records. A new roof was put on one building by grant money. Looking for investment from the city. Circus Hall of Fame gets a lot of donations that come in that must be gone through. They participated in the State Fair this year to encourage the circus and spike interested in Peru. Would like some road signs that help direct people to know where the Hall of Fame is. Do not have any paid employees and the board is made up of many out-of-state people. Councilperson Sahaidachny asked if the grant is received would it fix all the wagons, Hall of Fame is looking at saving the buildings. Stacy Mize stated that the buildings are on the national historic registry. A motion was made by Councilperson Ulery and seconded by Councilperson Anderson to table until October meeting. 6-0 vote in favor.

MOTION TABLED

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CITY OF PERU COMMON COUNCIL

RESOLUTION # 3 - 2024

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF PERU APPROVING ADDITIONAL RULES OF PROCEDURE

Motion to consider by Councilperson Ulery seconded by Councilperson Anderson 6-0 vote in favor.

Councilperson Anderson questioned restricting the number that can speak, he stated that tonight more were allowed to speak, Mayor Sturch stated that yes, the amount of people speaking can be changed that this ordinance is giving structure to how we can handle things before they get out of hand. It also allows the council to at some point stop communication as you can hear so many opposition before it becomes repetitive and the Council needs to make a decision.

Norman See understands the need for the meeting to move along, he stated that his ordinance is taking away people's constitutional rights. Mayor Struch stated that the meetings are public meetings but are not for the public. Allowing the public the right to speak is a gift from the council, he stated that allowing 5 minutes for someone to speak should be plenty of time to voice their opinion or concern. In the past it was allowed for people to drag on and on stating the same thing repeatedly. Councilperson Fisher stated to investigate House Bill 1338. Attorney Kern stated that IC 36-1-38 refers to allowing people to speak. Tim Simkins stated that this had come up previously and he had emailed all council members stating his concerns. He stated he appreciates the change from speaking for 3 minutes to 5 minutes, is concerned with the limit of people to speak. Mayor Struch stated as it showed tonight, they allowed the rules to stretch. Mr. Simkins stated that allowing the rules to stretch could also give the ability to abuse the rules. Kristen Moon stated that every citizen should have the ability to be heard. The businesses are not limited to their time. That issues like tonight they were limited on the time that they were made aware of a business moving in, and then find 3 spokesmen to present their side would be very difficult. Also, the fact that this council, unlike previous appears to be able to work together, previous council might have certain people they would call upon to discontinue the voice of others. A motion was made by Councilperson Anderson and seconded by Councilperson Fisher to waive the second reading and adopt in one meeting Resolution 3-2024. Vote 4-2 in favor.

MOTION CARRIED

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Communication:

Stacy Mize stated she appreciated the time they were given to speak tonight.

ADJOURNMENT:

There being nothing further, Councilperson Ulery moved to adjourn the meeting, seconded by Councilperson Huber. Motion carried.

MEETING ADJOURNED



Don Sturch, Council President
Mayor
City of Peru



Andrea Newnum, City Clerk Treasurer
City of Peru, Indiana

