

*** CITY OF PERU COMMON COUNCIL AGENDA***

PERU CITY HALL, COUNCIL CHAMBERS

PERU, INDIANA

Special Meeting March 4, 2024

5:45 pm

ADDITIONAL APPROPRIATION RESOLUTION 2-2024

Whereas, it has been determined that it is now necessary to appropriate more money than was originally appropriated in the annual budget; now, therefore:

Sec. 1. Be it ordained (resolved) by the Common Council of Peru, IN, Miami County, that for the expenses of the taxing unit, the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to laws governing the same:

Fund Name: 2243	AMOUNT REQUESTED	AMOUNT APPROVED BY FISCAL BODY
Major Budget Classification:		
Personal Services	\$ <u>9286.00</u>	\$ _____
Personal Services	\$ _____	\$ _____
Supplies	\$ _____	\$ _____
Other Supplies & Charges	\$ _____	\$ _____
Township Assistance	\$ _____	\$ _____
Debt Service	\$ _____	\$ _____
Capital Outlays	\$ _____	\$ _____
TOTAL for <u>2243</u> Fund:	\$ _____	\$ _____

Fund Name: **1101 010 390**

Major Budget Classification:

Personal Services	\$ <u>50,000.00</u>	\$ _____
Personal Services	\$ _____	\$ _____
Supplies	\$ _____	\$ _____
Other Supplies & Charges	\$ _____	\$ _____
Township Assistance	\$ _____	\$ _____
Debt Service	\$ _____	\$ _____

CITY OF PERU COMMON COUNCIL

ORDINANCE 2- 2024

AN ORDINANCE TO AMEND ORDINANCE 10, 2019

WHEREAS, the City of Peru has caused public notice to be placed in the Peru Tribune;
and

WHEREAS, Section 37.01 of the City of Peru Code of Ordinances shall be amended to
reflect necessary changes; and

WHEREAS, The Indiana Public Access Counselor has issued Opinions addressing the
fees related to Law Enforcement Records, which indicate that a government entity cannot charge
more than its direct cost, not to exceed (\$150.00) for law enforcement recordings, and

WHEREAS, the fees associated with colored copies of public records requests needs to
be established; and

WHEREAS, it is in the best interest of the City of Peru, Section 37.01 of the City of
Peru Code of Ordinances.

**NOW THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF PERU, INDIANA, That:**

1. It is in the best interest of the City of Peru to amend Section 37.01 of the City of Peru
Code of Ordinances.

2. To reflect the necessary amendments to Section 37.01 of the City of Peru Code of
Ordinance Book, said Section shall read as follows:

THEREFORE, BE IT ORDAINED §37.01 in the Peru Code of Ordinances shall be
amended to read as follows:

(A) The cost of a copy for a report shall be \$2.50 plus for the administrative costs and then ten
cents (\$0.10) per page for copies that are not color copies or twenty-five cents (\$0.25) per page for
color copies.

(B) The cost of an incident report shall be \$2.50 per report.

(C) The cost of a CD or DVD shall be \$6.00 per disk.

(D) The cost of photographs shall be \$2.50 plus for the administrative costs and then ten cents

(\$0.10) per page for copies that are not color copies or twenty-five cents (\$0.25) per page for color copies.

(E) Fees shall be paid in advance. If the exact fee cannot be determined at the time the request is made, an estimated fee shall be paid in advance with any balance due prior to delivery of the public documents. Any overpayment of fees will be refunded to the person making the request at the time of delivery.

(F) A party requesting a certified copy of any city document shall pay a fee of \$5 for each certification requested.

(G) The cost for a copy of law enforcement recordings shall start at a minimum fee of Twenty-Five Dollars (\$25.00). Fees shall be based on an hourly rate of Fifty Dollars (\$50.00) per hour with

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a maximum fee of One Hundred Fifty Dollars (\$150.00) dependent upon the staff time incurred in copying and formatting a particular video.

Previous Ordinance stated:

- (A) The cost of a copy for a report shall be \$2.50 plus 10 cents per sheet.
- (B) The cost of an incident report shall be \$2.50 per report.
- (C) The cost of a CD or DVD shall be \$6.00 per disk.
- (D) The cost of photographs shall be \$2.50 plus 10 cents per sheet.
- (E) The cost for a copy of law enforcement recordings shall be as follows but shall not be more than one hundred fifty dollars (\$150.00):
 - a. 0 - 30 minutes \$50
 - b. 30 -60 minutes \$100
 - c. Over 60 minutes \$150
 - d. Processing fee for all requests: \$4.00

CITY OF PERU COMMON COUNCIL

ORDINANCE 3- 2024

AN ORDINANCE TO REPEAL AND REPLACE ORDINANCE 16,

2017 WHEREAS, the City of Peru has caused public notice to be placed in the Peru Tribune; and **WHEREAS**, Section 155.00 of the City of Peru Code of Ordinances shall be repeal and amended to reflect necessary changes; and

WHEREAS, The City of Peru Planning Commission is requesting to repeal and replace the Flood Hazard Area Ordinance , and

WHEREAS, it is in the best interest of the City of Peru, Section 155.00 of the City of Peru Code of Ordinances.

FLOOD DAMAGE PREVENTION ORDINANCE

THE ORDINANCE IS 28 PAGES LONG COPY OF ORDINANCE IS AVAILABLE IN THE CLERK'S OFFICE FOR COUNCIL REVIEW

This ordinance shall be in full force and effect upon adoption.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF PERU, INDIANA, That:

1. It is in the best interest of the City of Peru to amend Section 155.00 of the City of Peru Code of Ordinances.
2. To reflect the necessary amendments to Section 155.00 of the City of Peru Code of Ordinance Book, said Section shall read as follows:

THEREFORE, BE IT ORDAINED §155.00 in the Peru Code of Ordinances shall be amended to read as follows:

CITY OF PERU COMMON COUNCIL

RESOLUTION # 3 - 2024

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

WHEREAS, Under the City of Peru Code of Ordinance §31.48, the City Council has adopted the Robert's Rules of Order, as Revised; and

WHEREAS, the City Council can make rules in addition to the rules set forth in the Robert's Rules;
and

WHEREAS, it is necessary to approve additional rules in addition to the Robert's Rules of Order
for the City Counsel; and

WHEREAS, it is necessary to maintain order during City Council Meetings; and

WHEREAS, it is necessary for the City Council Meetings to be conducted efficiently, professionally,
and maintain decorum during these meetings.

**NOW THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF PERU,
INDIANA, That:**

In order to maintain decorum and to conduct the City Council Meetings in an efficient,
professional, and orderly manner, the following rules are hereby enacted in addition to Robert's Rules of
Order:

- An attendee may request to speak regarding the topic before the Council by raising their hand. Once the Mayor or President Pro-Tempe, or other presiding officer acknowledges the attendee, they may proceed to the podium and voice their opinion on the specific topic.
- No more than three (3) attendees will be allowed to speak in favor of, and no more than (3) attendees will be allowed to speak against the same topic.
- Attendees will be given a maximum of three (3) minutes each to voice their opinion.
- For any attendee that disrupts the meeting in any fashion, as determined by the Mayor, President Pro-Tempe, or other presiding officer, that attendee will receive a verbal warning. The attendee will be removed from the Council chambers, (by a law enforcement officer) after three (3) warnings.
- Nothing in these rules prohibits a law enforcement officer from removing an attendee immediately if:
 - o Removal of the attendee is necessary to maintain order or ensure the safety of another person; or
 - o The attendee commits a criminal offense.

ADDITIONAL APPROPRIATION RESOLUTION NO. 4-2024

Whereas, it has been determined that it is now necessary to appropriate more money than was
originally appropriated in the annual budget; now, therefore:

Sec. 1. Be it ordained (resolved) by the Common Council of Peru, IN, Miami County, that for the
expenses of the taxing unit, the following additional sums of money are hereby appropriated out of the
funds named and for the purposes specified, subject to laws governing the same:

Fund Name:	3319	AMOUNT	AMOUNT
APPROVED		REQUESTED	BY FISCAL BODY

Major Budget Classification:

Personal Services	\$ _____	\$ _____
Personal Services	\$ _____	\$ _____
Supplies	\$ <u>429,532.00</u>	\$ _____
Other Supplies & Charges	\$ _____	\$ _____
Township Assistance	\$ _____	\$ _____
Debt Service	\$ _____	\$ _____
Capital Outlays	\$ _____	\$ _____
TOTAL for 3319 Fund:	\$ <u>429,532.00</u>	\$ _____

ORDINANCE 4 , 2024

AN ORDINANCE TO VACATE A NORTH/SOUTH ALLEY IN THE CITY OF PERU

WHEREAS; A PETITION TO VACATE a North/South Alley bounded by the north by the East/West Alley, bounded by the south by East Main Street, bounded by the east by parcel # 52-08-27-104-022.000-016, commonly known as 472 East Main Street, bounded by the west by parcel #52-08-27-100-004.000-016, commonly known as 470 East Main Street. After Public Notice and Public Meeting on the 27th day of February 2024. the City of Peru Planning Commission has given its **Favorable** Recommendation and therefore submits their recommendation to the City of Peru Common Council for final action.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL FOR THE CITY OF PERU, INDIANA

SECTION 1: bounded by the north by the East/West Alley, bounded by the south by East Main Street, bounded by the east by parcel #52-08-27-104-022.000-016, commonly known as 472 East Main Street, bounded by the west by parcel #52-08-27-100-004.000-016, commonly known as 470 East Main Street. Said petitioner Nolan Sturch. All existing Easements now in effect will continue in perpetuity.

SECTION 2: Said Alley is not necessary for the development growth to the City of Peru, Indiana. That such proposed vacation is for the public good.

SECTION 3: Public Utilities for Electric, Gas, Phone and Cable have given their approval and all easement rights to this developed street remain in effect for the above.

**CITY OF PERU COMMON COUNCIL
ORDINANCE 5, 2024**

**AN ORDINANCE TO AMEND SECTION 92.01 and 92.05 of CITY OF
PERU CODE OF ORDINANCES**

WHEREAS, the City of Peru has caused public notice to be placed in the Peru Tribune;
and

WHEREAS, Section 92 of the City of Peru Code of Ordinances shall be amended to reflect
necessary changes; and

WHEREAS, It is necessary to amend the current garbage and refuse section of the City of
Peru Code of Ordinances, and

WHEREAS, it is in the best interest of the City of Peru, Section 92 of the City of Peru
Code of Ordinances.

**NOW THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL
OF THE CITY OF PERU, INDIANA, That:**

1. It is in the best interest of the City of Peru to amend Section 92 of the City of Peru
Code of Ordinances.

2. To reflect the necessary amendments to Section 92 of the City of Peru Code of
Ordinance Book, said Section shall read as follows:

THEREFORE, BE IT ORDAINED

§92.01 in the Peru Code of Ordinances shall be amended as to the specific definitions to read as
follows:

CONTAINERS. Containers shall be made of either galvanized metal not easily corroded or from
durable plastic. All containers must have a tight-fitting lid and handles on the sides. Each container
shall not be more than 33 gallons, or less than 20 gallons in its capacity. **All authorized containers
must be stored in Garbage Racks, where garbage racks are required.**

GARBAGE RACKS. Such racks shall be made of wood or sturdy metal. Such racks shall be large
enough to hold all ~~containers at each location and shall support the container at a height of at least
eight inches from the ground~~ **authorized trash receptacles at each location. Garbage rack base that
receptacles sit on, to be a minimum of 8 inches from the ground, but not higher than 30 inches
from the ground. Rack will need sides and back to keep cans from falling off rack. The front of
trash can rack should not cover the trash receptacle higher than 18", so trash collection personnel
can easily remove, empty, and replace receptacle.**

§92.05 in the Peru Code of Ordinances shall be amended to read as follows:

(A) Collection from residences. The city, or its duly authorized collection agency, shall hereafter collect all garbage, trash, and yard waste from city residences; provided, that such garbage, trash, and yard waste is deposited in plastic bags, in proper containers, and placed in the areas designated and as otherwise provided in this chapter. **Excess and/or severely damaged garbage containers can be removed to bring residents into compliance. Any garbage racks that are dilapidated and/or not in compliance with definition (92.01) will be repaired or removed & replaced at owner's expense.**

RESOLUTION 5- 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 2ND QUARTER 2024

Residential Service (RS-1)	\$0.005713 per kWh
General Service (GSA-1)	\$0.005678 per kWh
Power Service (PS)	\$0.005571 per kWh
Security Lighting Service (SL-1)	\$0.000622 per kWh
Municipal Street Lighting (MSL-1)	\$0.004113 per kWh
Traffic Signal Service (TL)	(\$0.002840) per kWh

The above factors represent an average increase in its schedule of rates for electricity sold in the amount of -\$0.000409 per kilowatt hour (kWh) applicable April, May, and June 2024.

RESOLUTION 6- 2024

A RESOLUTION ESTABLISHING RATE TRACKING FACTOR FOR THE

CITY OF PERU MUNICIPAL WATER UTILITY

WHEREAS, Ordinance #28, 2016 establishes the basis to annually review and adjust Peru Water Utility Rates as calculated according to the formula used by the Indiana Utility Regulatory Commission and stipulated in the Rate, as follows:

- 1. The amount of the Allowable Expense as stated in the Cost of Service Study performed by H.J.Umbaugh & Associates for the September 28, 2016 Rate,
- 2. Times the annual CPI-U (Consumer Cost Index) as determined by the Indiana Utility Regulatory Commission calculation,
- 3. Expressed as a percent of the previous 12 months Operating Revenues,
- 4. And applied equally to all rate schedules with the exception of Nonrecurring Charges.

THEREFORE, the charges as adjusted on Exhibit “A” shall be in effect as of billings generated on or after April 1, 2024:

RESOLUTION 7- 2024

**A RESOLUTION ESTABLISHING RATE TRACKING FACTOR FOR THE
CITY OF PERU MUNICIPAL WATER UTILITY LOCATED AT THE GRISSOM AEROPLEX SERVICE AREA**

WHEREAS, Ordinance #24, 2019 establishes the basis to annually review and adjust Grissom Water Utility Rates as calculated according to the formula used by the Indiana Utility Regulatory Commission and stipulated in the Rate, as follows:

- 1. The amount of the Allowable Expense as stated in the Cost of Service Study performed by Baker Tilly Virchow Krause. LLP for the January 1, 2020 Rate,
- 2. Times the annual CPI-U (Consumer Cost Index) as determined by the Indiana Utility Regulatory Commission calculation,
- 3. Expressed as a percent of the previous 12 months Operating Revenues,
- 4. And applied equally to all rate schedules with the exception of Nonrecurring Charges.

THEREFORE, the charges as adjusted on Exhibit “A” shall be in effect as of billings generated on or after April 1, 2024:

Presentation by Jim Tidd from MCEDA giving an update on the Forest Street project.

Presentation by Linda Johnson representing Guardian Advocates Inc. updating the Council and the mayor on residents helped in Peru and Miami County and resource needs.

COMMUNICATIONS:

Notice:

- If you are hearing impaired and require special hearing devices for this meeting, please notify us in advance of the meeting.
- If you require an interpreter for this meeting, please notify us in advance.
