**MINUTES OF A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF PERU, NEBRASKA ON JUNE 21, 2022 AT 6:00 P.M.**

Mayor Dave Pease called the meeting to order and informed the public of the location of the Nebraska Open Meetings Act.

Present at 6:00 p.m.: Mayor Dave Pease, and Council Members Ethan Coatney, Quentin Kieler, and Marty Peregoy. Councilmember Spencer Vogt was absent. Upon roll call by the City Clerk, a quorum was declared.

The Council reviewed the minutes from May 16, 2022, regular council meeting. Council Member Peregoy made motion to approve the minutes. Council Member Kieler seconded the motion. Roll Call Vote as follows, Councilmember M. Peregoy: AYE; Councilmember E. Coatney: AYE; Councilmember Q. Kieler: AYE; Motion Carried 3-0.

Council Member Peregoy made the motion to approve the claims already paid pursuant to Resolution No. 2018-01. The motion was seconded by Council Member Coatney; Roll Call Vote as follows, Councilmember E. Coatney: AYE; Councilmember Q. Kieler: AYE; Councilmember M. Peregoy: AYE; Motion Carried 3-0.

Council Member Coatney made motion to approve the claims still needing to be paid. The motion was seconded by Council Member Peregoy; Discussion, Roll Call Vote Councilmember Q. Kieler: AYE; Councilmember M. Peregoy; “AYE”; Councilmember E. Coatney: AYE; Motion Carried 3-0.

RAKA Rental - $1,101.28 (wtr); WesTech - $13,400.00 (wtr); JEO-$12,802.00(wtr,sts); OPPD-$2,835.40(gen,wtr,p&r,sts,rurfr,fr,res);Windstream-$693.71(gen,wtr,p&r,sts,rurfr,fr,res); Verizon-$40.01(wtr);Casey’sMasterCard-$1,034.73(sts,rurfr,res,)CardServices-$434.40(wtr,gen);BlackHillsEnergey-$142.87(gen,fr,rurfr,res); Access Systems-$203.06(gen); NE Dept of Environment-$2,000.00(wtr);American Recycling and Sanitation-$2,814.00(gen); Brent Lottman-$659.82(fr,rurfr,res); Ligouri Law-$5,023.64(gen); Auburn Auto Center-$2,898.01(sts); Fire Catt-$261.30(fr,rurfr); Heather Pemberton-$495.00(gen); Quick Med-$164.30(res); Cummins Sales & Service-$662.63(fr,res,rurfr); Emergency Medical Products-$65.49(res); Sack Lumber-$64.99(fr,rurfr,res); Hawkins-$541.46(wtr); Bennett’s Fire-$302.00(fr,rurfr,res); Auburn Newspaper-$325.08 (gen); Pitney Bowes-$169.29(gen); Board of Public Works-$4,579.27(wtr); One Call Concepts-$5.94(wtr); Public Health Enviro Lab-$341.00(wtr); First Wireless-$135.14(fr,rurfr,res); Eakes Office Solutions-$99.71(gen); Cherryroad Media-$268.78(san, gen); Commercial Rec Specialists-$118.42(p&r); Grainger-$180.38(P&R); Bound Tree-$60.28(res); Eggers Bros-$61.85(sts); Glen Hogue-$1580.00(gen); AKRS-$182.94(sts);

General(gen), Streets(sts), Water(wtr), Sewer(swr), Parks & Rec(p&r), City Fire(fr), Rural Fire(rurfr), Rescue(res), Grant(grnt). Sanitation (san)

The City Clerk reported that the June 2022 Hwy Allocation was $5,890.47and the March 2022 City Sales Tax was $4,110.76. The Clerk also reported that the parts for the hydrant will be delivered in approximately 8 weeks. The splash pad parts have been ordered and the pad will be repaired once they arrive and the water restriction is lifted. The Asphalt Company does have Peru on their list for repairs and will be in town within 4-6 weeks. Big Iron has placed 3 items on their auction site. Those auctions are set to end on July 13th. She presented a letter of complaint and noted that items from the letter had been addressed.

**OLD BUSINESS**

Mayor Pease stated that the monthly water report can be found in the clerk’s office. Pease also let the public know that when Well 81-1 pump seized up Layne Christensen company came in and pulled the pump for repair. Install of the pump is expected later this week.

Mayor Pease informed everyone there was no Mayor’s Report.

**NEW BUSINESS**

**Item 1.** Council reviewed 2 bids for the clean-up and removal of the nuisance at 820 2nd Street. The first bid was from Zech Construction and the second bid was from Barrett Construction. After a brief discussion regarding the specs of each bid Councilmember Kieler made motion to accept the bid from Barrett Construction in the amount of $9,350.00. Motion was seconded by Councilmember Peregoy. Roll Call Vote as follows, Councilmember M. Peregoy: AYE; Councilmember E. Coatney: AYE; Councilmember Q. Kieler: AYE; Motion Carried 3-0.

**Item 2.** Resolution 2022-08 – A resolution of the City Council of the City of Peru, NE, approving and adopting right-of-way, easements, and the acquisition of real estate for the Peru Water Transmission Main and municipal water distribution system by the adoption of the agreements attached hereto and incorporated herein this resolution; declaring the same for the necessary need and benefit of the City of Peru, NE, its residence and community; providing a repealing clause; providing a severability clause; providing authorized signers; and providing for an effective date came before council. City Attorney, Angelo Ligouri, requested that tract 23 be excluded at this time and that the remaining tracts are okay to move forward minus 18 & 19. Councilmember Peregoy made motion to approve Resolution 2022-08 with the exception of tract 23. Motion was seconded by Councilmember Kieler. Roll Call Vote as follows, Councilmember E. Coatney: AYE; Councilmember Q. Kieler: AYE; Councilmember M. Peregoy: AYE; Motion Carried 3-0.

**Item 3.** Resolution No. 2022-06, a resolution to authorize and allow initiation of condemnation action or actions in regards to real property owned by Allan & Deborah Adams & identified as parcel no. 18 for easement acquisition regarding the City of Peru water system improvements /water pipeline came before council. The City Attorney requested that a motion and second are in place before discussion. Councilmember Coatney made motion to approve Resolution No. 2022-06. Councilmember Peregoy seconded the motion. Allan Adams spoke to the council on how he was displeased with how the company proceeded and doesn’t agree with how things were handled. Adams noted that he was not contacted the way JCG said they did. Adams had questions about certain things that went unanswered. He would like to see all of his questions answered in writing and plans given to him before potentially proceeding with anything. Adams also stated the compensation is now outdated. Councilmember Kieler stated that it was not outdated when this process started at the beginning of the year. City Attorney Ligouri spoke of resolving the breakdown of communication and that this is a necessity to the City of Peru. Ligouri said it would be possible to change the verbiage. Councilmember Kieler said the city wants to be good stewards for many years to come. Tim Adams with JEO offered to go out to the site and walk it with Allan and go over his concerns. Further discussion took place about the compensation. Mayor Pease reminded everyone that FEMA has the authority to pull back the funds being given to the City of Peru if they feel one landowner is being treated differently than another. Therefore, the request of $10,000.00 per acre is unfeasible. Ligouri stated that the city doesn’t want to move forward with condemnation if we don’t have to. The Mayor and Council would like to try and sort things out and have everyone involved satisfied. Ligouri feels the City should still proceed with the resolution since we are in a timeframe. By approving this resolution, it means that the City and Mr. Adams can still sort this out and not condemn the land. However, if things can’t be sorted out then the option is there. Ligouri further explained that this is a box to check to proceed only if need be. With no further discussion roll call vote as follows, Roll Call Vote as follows, Councilmember M. Peregoy: AYE; Councilmember E. Coatney: AYE; Councilmember Q. Kieler: “NAY”; Mayor D. Pease: “AYE”; Motion Carried 3-1.

**Item 4.** Resolution No. 2022-07, a resolution to authorize and allow initiation of condemnation action or actions in regards to real property owned by Allan & Deborah Adams & identified as parcel no. 19 for easement acquisition regarding the City of Peru water system improvements/water pipeline came before council. Councilmember Coatney made motion to approve Resolution No. 2022-07. Motion was seconded by Councilmember Peregoy. A similar discussion took place from Resolution No. 2022-06. Mayor Pease said he would like progress made. Councilmember Peregoy noted that there are concerns and we all would like to see them resolved. With no further discussion roll call vote as follows, Councilmember E. Coatney: AYE; Councilmember Q. Kieler: “NAY”; Councilmember M. Peregoy: “AYE”; Mayor D. Pease: “AYE”; Motion Carried 3-1.

**Item 5.** Justin Zysset with Tillotson Enterprises reviewed bid # 23944 – Repair of the City Hall Roof. Zysset went over the damages he discovered and what it would take to properly replace and repair the roof. Zysset also worked alongside the City’s insurance carrier and was able to get insurance to reopen the roof claim. Insurance is covering all costs minus the deductible. After brief discussion Councilmember Kieler made motion to approve Tillotson Enterprises Bid # 23944. Motion was seconded by Councilmember Coatney. Roll Call Vote as follows, Councilmember M. Peregoy: AYE; Councilmember E. Coatney: AYE; Councilmember Q. Kieler: AYE; Motion Carried 3-0.

**Item 6.** John Krajewski with JK Energy Consulting went over the water and sewer rate study. His findings were that the city will experience a significant change in the water department. The rate for water increases while the maintenance side decreases. The city has a high-water loss and once the connection to Auburn starts the city will be paying $23,000 a year for water that is not tracked. Councilmember Peregoy noted that this increase would have more than likely happened with or without the flood since the treatment plant was in need of major repairs. Another point made by the Mayor was that our largest consumer doesn’t pay taxes toward this deficit. Mayor Pease spoke to the President of PSC and gave him a heads up that they would be seeing a large increase in price. Krajewski said the wastewater rates are fine and we have sufficient funds moving forward in this area. Rates would need to be changed by an ordinance. Council will review the ordinance at either the July or August council meeting. No action was needed by Council.

**Item 7.** Peggy Groff with the Steamboat Trace Trail Committee requested that a hydrant be installed at the Trailhead. She said it would be very helpful for taking care of the trees and would also be a plus for those passing through the Peru Trailhead. Councilmember Kieler noted that a meter will need to be installed first. Councilmember Coatney made motion to approve installing a meter and hydrant at the Peru Trailhead. Motion was seconded by Councilmember Peregoy. Roll Call Vote as follows, Councilmember Q. Kieler: AYE; Councilmember E. Coatney: AYE; Councilmember M. Peregoy: AYE; Motion Carried 3-0.

**Item 8.** City Building Inspector and Zoning Comm., Glen Hogue presented the council with his resignation letter. Hogue noted that because of health reasons it is his time to retire. Councilmember Peregoy thanked him for his years of service and made motion to approve his resignation as City Building Inspector and Zoning Comm. Motion was seconded by Councilmember Kieler. Roll Call Vote as follows, Councilmember Q. Kieler: AYE; Councilmember E. Coatney: AYE; Councilmember M. Peregoy: AYE; Motion Carried 3-0.

**Item 9.** Disaster Recovery Coordinator, Deborah Solie, provided the council and public with an update on multiple topics. She stated that the Long-Term Recovery Group is still working on moving toward a COAD so they can increase the region that is served. Pre-applications have been submitted for the CDBG-DR grant. FEMA is still in the EHP review process for the water connection project to Auburn. Solie and City Clerk, Charlotte Carpenter, have been working with Commercial Recreation Specialists to put together plans that can be submitted with grant applications for a future playground in Sid Brown Park.

**Item 10.** Solie discussed the ARPA funds that the city has received with the council. She noted that the $50,000 that has been allotted to the grocery store needs to be either dispersed as a loan or grant. If council moves forward with the loan the reporting side is a very intense process especially if they are still considering forgiving the “loan” after a certain time period. Solie then provided further information about what the funds would like if they were given as a grant. Council requested to bring this topic back in July with the proper wording before shifting these funds from a loan to a grant.

**Item 11.** Council reviewed the WesTech Rental Agreement for the temporary water treatment plant. This agreement has a few changes compared to the last. The city has the option of making this another 6-month agreement or going with 12 months at the same price. Another change that Zach Schulz with JEO explained was that WesTech is proposing to recharge the media instead of removing and replacing the media the way they have in the past. The recharging process is quicker as well as less expensive. Schulz knows that a lot of communities have had success with the recharge and feels that it will work for Peru as well. Councilmember Kieler would like to see further wording that if the recharge doesn’t work the city won’t have to pay for what does work. Councilmember Peregoy questioned if this is something that can be revisited at the July meeting with the suggested changes. Schulz will bring this back to the July council meeting. No formal action was taken by council.

**Item 12.** The 2nd reading of Ordinance No. 2022-01 – An ordinance adding section 71.06 to the City of Peru, Nebraska code of ordinances; to set designated truck routes & resolution(s) for semi-trucks traveling upon city streets; to provide for a weight restriction; to provide for a penalty for violators; to repeal any conflicting ordinances and sections therewith, and to provide for an effective date came to order. Councilmember Peregoy made motion that the minutes of these proceedings will be kept in a separate and distinct volume known as the “Ordinance Record of the City of Peru, NE. Motion was seconded by Councilmember Coatney. Roll Call Vote as follows, Councilmember E. Coatney: AYE; Councilmember Q. Kieler: AYE; Councilmember Peregoy: “AYE”; Motion Carried 3-0. Councilmember Peregoy then introduced the proposed ordinance and read Ordinance number 2022-01. Councilmember Peregoy made motion that said proposed ordinance no. 2022-01 be approved on its second reading and its title agreed to. Motion was seconded by Councilmember Coatney. Roll Call Vote as follows, Councilmember Q. Kieler: AYE; Councilmember Peregoy: “AYE”; Councilmember E. Coatney: AYE; Motion Carried 3-0. Mayor Pease then declared Ordinance No. 2022-01 approved on its second reading and its title agreed to.

**Item 13.** Tim Adams with JEO reviewed Pay Application #2 for the Water System Improvements Pipe Procurement Contract. Councilmember Peregoy made motion to approve Pay Application #2 for the Water System Improvements Pipe Procurement Contract. Motion was seconded by Councilmember Kieler. Roll Call Vote as follows, Councilmember E. Coatney: AYE; Councilmember Peregoy: “AYE”; Councilmember Q. Kieler: AYE; Carried 3-0

With there being no further business, Council Member Kieler made a motion to adjourn. Council Member Coatney seconded the motion. Roll Call Vote as follows, Councilmember Peregoy: “AYE”; Councilmember E. Coatney: AYE; Councilmember Q. Kieler: AYE; Motion Carried 3-0.

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 Dave Pease, Mayor

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Charlotte Carpenter, City Clerk &Treasurer