

**MINUTES OF A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF
PERU, NEBRASKA ON THE 15th OF MAY 2023 AT 6:00 P.M.**

The Mayor and Council of the City of Peru, Nemaha County, Nebraska, were called to meet at City Hall at 614 5th Street, Peru, Nebraska 68421, on the 15th of May 2023, at 6:00 o'clock P.M., for a Regular Council Meeting, open to the general public, advance notice of said special meeting, the designated method of giving notice, including the agenda for said meeting, or the availability thereof was posted at: Peru City Hall, Western National Bank (Bank of Peru), Peru Post Office, and Casey's General Store.

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

Agenda Item 1 – Roll Call

Present at 6:00 p.m.: Mayor Dave Pease, and Councilmembers Cate Wyckoff, Marty Peregoy and Quintin Kieler. There is one Council Member vacancy at this time. Upon roll call by the City Clerk, a quorum was declared.

Agenda Item 2 – Recognition of Visitors

Mayor Dave Pease informed the public that a copy of City Resolution #2017-02 Pertaining to Conduct Rules for City Council Meetings may be requested from the City Clerk.

Agenda Item 3 – Public Hearing

A public hearing was held regarding an application to the Nebraska Liquor Control Commission by KJ Whitehorse Bar & Grill, 605 5th Street, Peru, Nebraska, for a liquor license under the provisions of the Nebraska Liquor Control Act, giving the public an opportunity to comment prior to consideration by the City Council to give their recommendation for the Nebraska Liquor Control Commission to approve the application. With no residents wishing to provide commentary, Mayor Pease closed the public hearing.

Councilmember M. Peregoy made a motion to approve the recommendation, Councilmember C. Wyckoff seconded the motion. Roll Call Vote: (one vacancy); Councilmember Q. Kieler: AYE; Councilmember M. Peregoy: AYE; Councilmember C. Wyckoff: AYE. Motion Carried 3-0.

Agenda Item 4 – Consent Agenda

A. Approval of Minutes from the May 9th, 2023 Special Council Meeting.

B.) Claims- the following claims were presented to the Council by the City Clerk, reviewed, and approved for payment:

Regular Claims:

JEO (Flood / Water Associated)- \$275.00
Kinetic/Windstream (Internet / Utility) - \$1,233.96
OPPD (General / Utility) - \$1,454.31
Personnel Payroll for check deposited 4/30 (General / Accounting) - \$3,597.27
Xpress Bill Pay (General / Water Bill Processing) - \$99.02
Arks Equipment (General) - \$28.92
Flower Shoppe (General) - \$210.00
Brent Lottman (General / Reimbursement) - \$69.97
Miller Farrell Insurance (General / Insurances) - \$8,873.41
Heather Pemberton, CPA (General / Accounting) - \$722.83
Auburn Newspaper (Employment Opportunities Postings) - \$512.96
Black Hills Energy (General / Utility) - \$88.46
Cherryroad Media- NE City Newspaper (Employment Opportunities Postings) - \$337.92
AgriVision Equipment (General / Maintenance) - \$942.56
Arcs and Sparks, LLC (General) - \$730.50
Pitney Bowes (General / Software) - \$474.68
Napa Auto Parts- NE City and Auburn - \$112.31
Feld Fire (General / Utility / Safety) - \$615.00
Bohl Plumbing & Heating (General / Water Meter Reading) - \$247.53
American Recycling and Sanitation (General / Trash / Sanitation) - \$2,891.00
Black Hills Energy- Service Guard (General / Utility) - \$55.38
One Call Concepts (General / Software) - \$42.72
Raka Rentals (General) - \$1,101.28
TextMyGov (General / Software) - \$2,000.00
Wix.com (General / Software) - \$47.70
Nemaha County Clerk (Filing / Notice Fees) - \$60.00
Casey's (General / Fuel Costs) - \$386.10

The Mayor presented the Consent Agenda. Council Member Q. Kieler moved to approve the Consent Agenda Items as presented. The motion was seconded by Council Member M. Peregoy. Upon roll call vote: 3 AYES, 0 NAYS, 1 vacancy. The following voted AYE: Marty Peregoy, Quentin Kieler, and Cate Wyckoff. The following voted NAY: No one. Motion: Carried.

Agenda Item 5 – Payment of Private Contractor Claims

The following claims were made separate due to disclosed contractual conflict of interest and presented before the Council for approval.

Marty Peregoy (Independent Contract Services) - \$2,593.25; Cate Wyckoff (Independent Contract Services) - \$1,937.25

A. Marty Peregoy

Councilmember Q. Kieler made motion to vote to approve the Private contractor claim for Marty Peregoy, seconded by Councilmember C. Wyckoff. Roll Call Vote: (one vacancy); Councilmember M. Peregoy: ABSTAIN, Councilmember Q. Kieler: AYE; Councilmember C. Wyckoff: AYE, Mayor D. Pease: AYE. Motion Carried 3-0. Claim approved.

B. Cate Wyckoff

Councilmember M. Peregoy made motion to vote to approve the private contractor claim for Cate Wyckoff, seconded by Councilmember Q. Kieler. Roll Call Vote: (one vacancy); Councilmember Q. Kieler: AYE, Councilmember M. Peregoy: AYE; Councilmember C. Wyckoff: ABSTAIN, Mayor D. Pease: AYE. Motion Carried 3-0. Claim approved.

Agenda Item 6 – Correspondence

None for this meeting

Agenda Item 7 – Old Business

D. Water report-

Alan Slater: update on water line project. Water usage was up a little bit this last month as weather warms and local construction increases- well drilling at the college, etc. A. Slater reports that it is normal to see increased usage in this season. A. Slater volunteers his help, proposing the idea of contracting with the City of Peru and the Auburn Board of Public Works to assist the City of Peru in tailoring the service to meet City Hall and the citizens' needs.

Mayor D. Pease expressed that the Auburn/Peru water project was taken into consideration when additional maintenance team members were hired, as the new maintenance staff are very knowledgeable about water pipes and systems. JEO has been providing status updates weekly. A. Slater reports that the first 5 miles of waterlines have been laid, and they are pulling samples to test for bacteria and other chemical levels. The water will continue to be tested numerous times to ensure all debris is flushed out and clean, some places that have older water systems, such as the Northern-end of town, may have some “old water” still in the system, and may need flushed a few times to ensure the samples are reading correctly, and the water is of acceptable quality. A. Slater estimates that the project may be possibly finished by mid-September, up-and-running by mid-October.

It was also reported that Peru does not have a diesel generator available, therefore the City will need to find one for rent to cover for a temporary outage. During discussion, a citizen inquired if all meters are planning to be read, and then updated, so that nobody is left with an old or broken water meter. A. Slater confirmed that yes, that is the current plan, and he is willing to help with calibration and training for the new meters and analyzers, and staff using the new technology. Once all tests and trainings are complete, then the project will be complete and running as the “new normal”.

E. Mayor’s Report-

Mayor D. Pease received an inquiry about the demolition of the old water plant, and whether or not they will be restoring Bluff Road. Discussion with county commissioners was had with Mayor D. Pease, regarding the road, and interest was expressed in restoring it. However, the City will be responsible for restoring it, but that may still be an open discussion with the County, to get an agreeable arrangement made.

F. Report on new employees/contractors-

Spencer Vogt resigned from his council position today, leaving not only a City Council vacancy, but also an opening on the water commission committee.

New City Clerk T. Schuetz officially introduced. Mayor D. Pease reports that he expects this to resolve many of the issues that came about when the predecessor left. There will be numerous large projects for the new Clerk to handle, including updating many office procedures, forms, and budgetary organization.

New Maintenance Director Darrin Reeves officially introduced. D. Reeves is knowledgeable in team leadership, water systems, and other maintenance aspects. Mayor D. Pease reports that this will assist in increasing office efficiency and meeting citizen needs. A Peru Resident inquired on where the allowance for D. Reeves’s is available from, when the City of Peru does not have code enforcement, and wondered if the City will be implementing code enforcement. Mayor D. Pease reminds that budget management is being worked on since previous personnel left their position. That said, margin was found in the budget. Mayor D. Pease also reported that since D. Reeves has a professional water operator’s license helps create more margin in the budget, as the City will not have to pay for Auburn Public Works employees to travel to Peru, and pay contracting invoice prices.

Additional new Maintenance Staff Kessler Whisler officially introduced. K. Whisler has a long maintenance background, and Mayor D. Pease expects this to increase the City’s efficiency and complete more projects.

The City is still in need of a new Deputy Clerk, Grant Coordinator, as well as a building inspector. City Clerk T. Schuetz provided an update on the Deputy Clerk position, that the job description has been updated, the role has been posted, and applicants have been contacted for interviews. The City Clerk hopes to have someone filling that position and starting in their new role in early-to-mid-June. Once that is filled, the City Clerk will have the time and availability to begin to work on filling the building inspector position.

Discussion was provided/inquired from a Peru Resident, who stated that Auburn's building inspector is a full-time position, who also does code enforcement, and will Peru be doing the same. Mayor D. Pease says this is something the City may look into, as code enforcement has been something that has been repeatedly requested by the public.

A resident wondered if the City of Peru sees the need for city workers going down, if the workload will be going down in the Clerk's Office once the water project is completed and a full-time Deputy Clerk is hired. City Clerk T. Schuetz provides that with so much correction, accounting-reconciliation, and projects for future City updates, she does not anticipate the workload going down. Councilmember C. Wyckoff provided insight about her time assisting as interim in the Clerk's Office, and how much work comes with it, particularly when it comes to grants and budget management. Mayor D. Pease reported that Peru State College has offered their help with grant coordination in the meantime, and that expansion of the city comes with more work and the need for implementing updated technology. New software and management of the electronic process will be necessary.

A member of the public inquired about what grants the City of Peru is receiving and what has been applied for. Councilmember M. Peregoy reported that the City of Peru lost the AmeriCorps Grant, institution for projects, pre-application was completed, but the final application was due in January and did not get completed on time due to personnel turnover and low-staffing. But we can reapply in the future. Additionally, the grant for the main road was being worked on, but there was a conflict with that one, and the City did not get it, however, the City can re-apply for it next spring. Next steps in the City's recovery will continue as summer proceeds and goes on, as new employees get settled.

Agenda Item 8 – New Business

G. Peru Resident B. Cotton- request for a no-parking sign.

Resident reports that this is a continued issue, between 7th and California Street, on the west side. Resident reports damage to his yard. A No-parking sign may not be needed if enforcement were to occur with tenants, if code enforcement was implemented by the City. City ordinance exists and Law Enforcement can write a citation, but otherwise the City would need code enforcement to address the issue. Mayor D. Pease directs the Clerk's Office to send a letter to the

rental property regarding the parking, reminding them of the rules. The Council proposes that the Zoning Commission would agree that different ordinances for rentals v. owned family housing are needed, as this continues to be an issue. Particularly during the winter it's an issue of getting snowplows through the street.

A Peru Resident stated they would like to put this issue to the Zoning Commission, as tougher ordinances for rentals are needed. City Clerk's Office to send a letter and follow up when ordinances change. Landlord can provide alley parking if they should choose. Councilmember Q. Kieler stated that a no-parking sign can be put out by City Maintenance and that it will be done.

H. Peru Resident M. Decker- Discussion of Old Man River Days 2023

Resident Miranda Decker states that on from approximately 7:00am till 4:00pm, Saturday June 3rd, 2023, they will be closing Main Street, from the end of the block, to approximately the Gazebo area. The Council emphasized the importance of safety, and traffic not driving through/close to children's events. The schedule of events was stated. Councilmember M. Peregoy inquired if they have enough crossbucks/cones for road closure. A resident volunteered blue 50-gallon barrels privately, has four or five, that reflective tape can be put on, to increase safety and visibility of the road closure.

Inside City Hall that day, there will be a fundraiser, with grilled food. However, the inside of City Hall will be the only restrooms available for the public. Resident M. Decker asks for a vendor's license, for a pop-up market to be set up along Main Street- vendor fee to be waived. No food trucks will be present this year. Councilmember M. Peregoy moves for approval. Councilmember Q. Kieler seconds. Councilmember C. Wyckoff seconds. Roll Call Vote: (one vacancy); Councilmember C. Wyckoff: AYE. Councilmember Q. Kieler: AYE; Councilmember M. Peregoy: AYE;. Motion Carried 3-0.

I. Peru Resident Kessler Whisler- Various City Maintenance Department Items for Discussion

K. Whisler proposes a uniform reimbursement allowance, for maintenance employees. Other agencies provide a small allowance for work boots, considering the wear and tear they go through. Councilmember Q. Kieler agrees footwear allowance is reasonable, and maybe something the City should look into. Councilmember additionally proposes designing/obtaining uniform T-shirts in order to be more easily identifiable to homeowners when approaching a house or in a resident's yard. City to eliminate the personal phone stipend, and instead the Maintenance department will activate a Tracfone, that City Hall previously purchased. It shall then be the supervisor's responsibility to dispatch staff to projects as needed.

Additionally, Resident states a need for bathrooms at one of the maintenance shops, and an office for the new Maintenance Director, as City Hall currently does not have the room or one set

up for their use. Timeline needed for maintenance office and bathrooms. Councilmember Q. Kieler to work with D. Reeves for the first few steps to complete the project. Asbestos inspection will be needed. Proposing timelines, to be decided on by next weekend.

J. Proposed Ordinance No. 2023-02, amending municipal code of the City of Peru, Nebraska Section 10.17 relating to local changes to the Code of Ordinances; Repealing the original section 10.17 of the municipal code of Peru, Nebraska; Providing for the effective date hereof and ordering the publication or posting of the ordinance, was presented for third reading. Proposed Ordinance No. 2023-02 came on for third reading. Council Member M. Peregoy read proposed Ordinance No. 2023-02 by title for its third reading. Council Member M. Peregoy moved that said proposed Ordinance No. 2023-02 be approved on its third reading and its title agreed to, which motion was seconded by Council Member C. Wyckoff. Upon roll call vote: 3 AYES, 0 NAYS, 1 vacancy. The following Council Members Voted AYE: M. Peregoy, Q. Kieler, and C. Wyckoff, the following voted NAY: No one. The Mayor declared said proposed Ordinance No. 2023-02 approved on its third reading and its title agreed to. Said ordinance having been read by title the first, second, and third time, the AYES and NAYS having been called and recorded, and said ordinance having been approved each reading and its title agreed to, Council Member M. Peregoy moved for the final passage of said ordinance, which motion was seconded by Council Member Q. Kieler. The Mayor then stated the question "Shall Ordinance No. 2023-02 be passed and adopted?" upon roll call vote: 3 AYES, 0 NAYS, 1 vacancy. The following Council Members Voted AYE: M. Peregoy, Q. Kieler, and C. Wyckoff, the following voted NAY: No one. Motion: Carried.

K. Proposed Ordinance No. 2023-03, amending the original Chapter 93 of the municipal code of the City of Peru, Nebraska Code of Ordinances by adding an additional section which shall be entitled "93.5 Keeping of Poultry"; defining poultry and creating policies for keeping poultry within city limits; repealing all ordinances or parts thereof in conflict herewith; making various findings and provisions related to the subject matter herein; setting an effective date hereof and ordering publication or posting of the ordinance, was presented for third reading. Proposed Ordinance No. 2023-03 came on for third reading. Council Member Q. Kieler read proposed Ordinance No. 2023-03 by title for its third reading. Council Member Q. Kieler moved that said proposed Ordinance No. 2023-03 be approved on its third reading and its title agreed to, which motion was seconded by Council Member M. Peregoy. Upon roll call vote: 3 AYES, 0 NAYS, 1 vacancy. The following Council Members Voted AYE: M. Peregoy, Q. Kieler, and C. Wyckoff, the following voted NAY: No one. The Mayor declared said proposed Ordinance No. 2023-03 approved on its third reading and its title agreed to. Said ordinance having been read by title the first, second, and third time, the AYES and NAYS having been called and recorded, the said ordinance having been approved each reading and its title agreed to, Council Member M. Peregoy moved for the final passage of said ordinance, which motion was seconded by C. Wyckoff. The

Mayor then stated the question “Shall Ordinance No. 2023-03 be passed and adopted?” upon roll call vote: 3 AYES, 0 NAYS, 1 vacancy. The following Council Members Voted AYE: M. Peregoy, Q. Kieler, and C. Wyckoff, the following voted NAY: No one. Motion: Carried.

L. Proposed Ordinance No. 2023-04, amending the original chapter 93 of the municipal code of the City of Peru, Nebraska Code of Ordinances relating to violations of section 93.02 “Running at Large; Tethering”; Repealing the original section 93.02(c) of the Municipal Code of Peru, Nebraska; providing for the effective date hereof and ordering the publication or posting of the ordinance. The Mayor announced that the introduction of the proposed Ordinance was in order. Council Member M. Peregoy moved that the proceedings be kept in a separate and distinct volume known as the “Ordinance Record of the City of Peru”, and that said volume be made part of these proceedings the same as though it were spread at large herein, which motion was seconded by Council Member Kieler. Upon roll call vote: 3 AYES, 0 NAYS, 1 vacancy. The following Council Members voted AYE: Marty Peregoy, Quentin Kieler, and Cate Wyckoff. The following voted NAY: No one. Motion: Carried. Council Member Q. Kieler read Ordinance No. 2023-04 and moved for said Ordinance to be approved on its second reading and its title agreed to, which motion was seconded by Council Member M. Peregoy. Upon roll call vote: 3 AYES, 0 NAYS, 1 vacancy. The following Council Members voted AYE: Marty Peregoy, Quentin Kieler, and Cate Wyckoff. The following voted NAY: No one. Motion: Carried. The Mayor declared that said Ordinance No. 2023-04 be approved on its second reading and its title agreed to.

M. Item for Discussion by Council: Sale of Water Outside City Limits
The actual proposed ordinance reading will be tabled till next month’s Council Meeting. First reading of the proposed ordinance to be next month.

N. Motion for Consideration by Council: Professional Service Agreement Between City of Peru and SENDD for lead and asbestos inspection
Professional service agreement for asbestos inspection, contract proposed. 8 of the original 16 homeowners are still interested, they do not have to make a final decision yet, and they do not have to make a choice until the final inspection is done. Appraisals are going on in the next few weeks, and after that, the final offers and paperwork can be done. Councilmember M. Peregoy moves that the Council vote to approve the professional service agreement for lead/asbestos inspection be done. Motion to approve so long as there are no concerns by Mayor D. Pease. Councilmember Q. Kieler seconds the motion. Roll Call Vote: (one vacancy); Councilmember C. Wyckoff: AYE, Councilmember M. Peregoy: AYE, Councilmember Q. Kieler: AYE.

O. Motion for Consideration by Council: Rehabilitation of Well 81-1
Currently, well 81-1 needs torn down, the water is of too poor quality, as the water is not suitable for fire trucks or emergency water. The water well may fail before the Auburn waterline project is finished and ready to go. The approximation for cost is possibly \$21,000. Water usage is expected to be far lower when the college is not in session. There will be continued stress and

strain on the system when students move in this fall, as the new water line will not yet be finished. A. Slater to look into this more on project possibilities and timelines. This item was tabled. No action was taken at this meeting.

P. Item for Discussion by Council: Approval of SENDD Drawdown (Final)
Unable to have a final vote today, as a requirement for the SAM registration has not yet been finalized. In order to complete the final SENDD approval, we have to follow SAM.gov requirements. Councilmember M. Peregoy to continue work on that. Brent Lottman may know more about the application process, as he has been through it before, and the Council can coordinate with him for further information. This item was tabled. No action was taken at this meeting.

Q. Motion for Consideration by Council: Midwest Assistance Program- GIS Mapping of Peru Water Lines

M. Kerchal, Midwest Assistance Provider (herein after "MAP"), speaking on behalf of the non-profit organization. MAP provides geographic data and electronic mapping, prediction of pre-ordering parts and continued maintenance. MAP will assist the City of Peru in gathering updates on inventory and current operations. Mayor D. Pease expressed concern regarding if continued personnel turnover occurs, and the possibility of mapping when Peru State College is in session. Both a water use rate and loss study would be needed. Marty- water rate study was completed within the last year, and they found one leak, we are changing rates. Councilmember M. Peregoy made a motion to approve, for one-year trial period, the Midwest Assistance Program-GIS mapping of Peru Water Lines. Said motion was seconded by Councilmember Q. Kieler. Roll Call Vote: (one vacancy); Councilmember Q. Kieler: AYE, Councilmember C. Wyckoff: AYE, Councilmember M. Peregoy: AYE. 3-0, Motion: Carried.

R. Item for Discussion by Council: Job Postings- City Building Inspector
In conjunction with Agenda item "F", the posting for the vacant building inspector role was discussed. Continued discussion about combining the position and implementing code enforcement. Job description to be updated by the City Clerk, and posted widely. Code enforcement implementation tabled until next meeting.

S. Item for Discussion by Council: Starting Time for Regular City Council Meetings
Now that a City Council vacancy exists, the regular start time will stay at 6:00pm as usual. No vote occurred.

Meeting adjourned on the same day at 8:35p.m.

HEREBY ATTESTED AND ACKNOWLEDGED:

Wai Pease

Dave Pease, Mayor

T. Schatz

City Clerk

