**MINUTES OF A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF PERU, NEBRASKA ON JULY 18, 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, Spencer Vogt and Marty Peregoy. Councilmember Quintin Kieler was absent. Upon roll call by the City Clerk, a quorum was declared.

The Council reviewed the minutes from June 21, 2022, regular council meeting. Council Member Peregoy made motion to approve the minutes. Council Member Coatney seconded the motion. Roll Call Vote as follows, Councilmember M. Peregoy: AYE; Councilmember E. Coatney: AYE; Councilmember S. Vogt: AYE; Motion Carried 3-0.

Council reviewed the minutes from July 6, 2022, special council meeting. Council Member Vogt made motion to approve the minutes. Council Member Peregoy seconded the motion. Roll Call Vote as follows, Councilmember S. Vogt: AYE; Councilmember E. Coatney: AYE; Councilmember M. Peregoy: AYE; Motion Carried 3-0.

Council Member Vogt 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 M. Peregoy: AYE; Councilmember S. Vogt: AYE; Motion Carried 3-0.

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

RAKA Rental - $1,101.28 (wtr); WesTech - $13,400.00 (wtr); JEO-$9,912.00(wtr,sts); OPPD-$2,712.65(gen,wtr,p&r,sts,rurfr,fr,res);Windstream-$502.01(gen,wtr,p&r,sts,rurfr,fr,res); Verizon-$40.01(wtr);Casey’sMasterCard-$1,082.70(sts,rurfr,res,)CardServices-$623.94(wtr,gen);BlackHillsEnergey-$55.38(gen,fr,rurfr,res); Access Systems-$151.06(gen); NE Dept of Environment-$268.00(wtr);American Recycling and Sanitation-$2,649.00(gen; Auburn Auto Center-$47.00(sts); Fire Catt-$1,493.63(fr); Heather Pemberton-$495.00(gen); Quick Med-$498.82(res); Hawkins-$1,313.74(wtr); Auburn Newspaper-$189.35 (gen); Board of Public Works-$6,492.84(wtr); One Call Concepts-$11.50(wtr); Public Health Enviro Lab-$268.00(wtr); Eakes Office Solutions-$173.30(gen); Bound Tree-$1,060.96(res); Eggers Bros-$207.38(fr/rurfr); AKRS-$14.30(sts); Miller Farrell Insurance-$1,045.44(fr); Emergency Apparatus Maintenance-$2,513.31(fr);United Life-$67.62(gen); Layne-$13,320.00(wtr); Dana F. Cole & CO-$9,600.00(gen); Frontier Coop-$123.00(P&R); Professional Waste Water Services-$181.50(P&R); JK Energy Consulting-$4,000.00(wtr/swr); Miller Farrell Insurance-$142.56(fr); Kelly Adams-$6.90(gen); Black Hills Energy-$88.51(fr/rurfr); Tecumseh Chieftain-$54.86(gen); Tecumseh Chieftain-$100.44(san); Express Bill Pay-$88.17(gen); Nemaha County Treasurer-$$8,429.30(gen); Peru Rescue-$250.00(res); Utility Service Co-$3,460.47(wtr)

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 Deputy Clerk reported that the July 2022 Hwy Allocation was $6,705.18 and the April 2022 City Sales Tax was $3,625.13. 4th District Equalization was $90,885.36. It was further stated that no company put in a bid for trash collection.

**OLD BUSINESS**

Mayor Pease stated that the monthly water report can be found in the clerk’s office. Stated that manganese level was low.

Mayor’s Report. Mayor Pease stated that they were accepting applications for the City Clerk position and a committee would be put together and looking through applications as early as this week. Vogt stated that he could help this week but nothing after that. The mayor also thanked Charlotte Carpenter for her service and wished her well in future endeavors. Mayor also stated that NEMA is making progress with the waterline project.

**NEW BUSINESS**

**Item 1.** Consideration & Possible Appointment of individual letters of interest for Peru City Building Insp. & Zoning Comm. Jake Armknecht was the only applicant. He is currently the inspector for Auburn, NE and set his amount to $300 a month and that would cover mileage. With brief discussion, Ligouri compensation requested did not seem unreasonable, Peregoy questioned if our budget could handle the raise in cost and Mayor Pease said we could make it happen with our budget. After brief discussion, Councilmember Peregoy made motion to accept Jake Armknecht as the Peru City Building and Zoning Commissioner. Motion was seconded by Councilmember Vogt. Roll Call Vote as follows, Councilmember M. Peregoy: AYE; Councilmember E. Coatney: AYE; Councilmember S. Vogt: AYE; Motion Carried 3-0.

**Item 2**. Deborah Solie, Disaster Recovery Coordinator was not at the meeting but submitted a report read by the Clerk. *Update of Disaster Recovery Report:*

\*FEMA submitted a request for information regarding the temporary berm and debris removal. After meeting with NEMA, a letter was drafted explaining why the berm has not been removed. The following was provided as the reasons why the temporary berm has not been removed: The temporary earthen berm is protecting the original water treatment plant and the current municipal well used to provide drinking water for the residents of the city of service, which will provide drinking water for the community. Also, construction of the water transmission main connecting Peru to Auburn is yet to begin. The soil from the temporary berm may be used. Quarterly reports have been filed for the ongoing FEMA projects.

\*HMGP quarterly report will be due soon, as well as time extensions.

*Ordinance Regarding 5th Street traffic:*

\*Evan Wickersham stated, “After we improve 5th street, it will be able to carry any legal weight that is allowed in Nebraska. There will not need to be any load restrictions. Most of the issues with the loads on the current street are simply because the age of the street and the materials with which it was originally constructed. The street is composed of a think asphalt overlay on top of brick. (I doubt that 100+ years ago when the brick was original constructed, they had the foresight to anticipate todays vehicles and loads)”

**Item 3.** Discussion with possible approval: Disbursing allotted ARPA funds as either a grant or a loan. Deborah Solie, Disaster Recovery Coordinator was not at the meeting but submitted a report read by the Clerk. ARPA Funds Grant or Loan: \*It is her recommendation to move to a grant rather than a loan. If approved, the next step will be developing an application process for the grant with reporting requirements. Their use of funds will have to be reported to the US Treasury as well. Peregoy made motion to approve ARPA funds as a grant. Motion was seconded by Councilmember Coatney. Discussion had,

Roll call vote as follows, Councilmember M. Peregoy: AYE; Councilmember E. Coatney: AYE; Councilmember S. Vogt: “AYE”; Motion Carried 3-0.

**Item 4.** Councilmember Coatney made motion to approve Pay Application #3 for the Water System Improvements Pipe Procurement Contract. Motion was seconded by Councilmember Vogt. Discussion had, Roll call vote as follows, Councilmember E. Coatney: AYE; Councilmember Peregoy: “AYE”; Councilmember Vogt: “AYE; Motion Carried 3-0.

**Item 5.** Councilmember Vogt made motion to approve the sale of surplus equipment for the City of Peru, NE by Big Iron Auctions, 2004 Terex HR16 Mini Excavator, Bush Hog 268R 8’ Rotary Mower/Shredder, & Rhino R950 9’ 3-pt blade, by the passage & adoption of Resolution NO. 2022-09. Motion was seconded by Councilmember Peregoy. Discussion had. Roll Call Vote as follows, Councilmember E Coatney: AYE; Councilmember S. Vogt: AYE; Councilmember Peregoy; Motion Carried 3-0.

**Item 6.** The 1st reading of Ordinance 2022-02 – an ordinance to amend ordinance no. 2011-02 to set water rates, fees, charges, and collections for water services from and in the City of Peru, NE; Repealing any prior ordinances in conflict therewith and ordering the publication of the ordinance in pamphlet form to provide for an effective date. During the discussion period, Mayor Pease stated that we were operating at a deficit. It was discussed that Council was aware that before they raise water rates, we need better water. Mayor Pease also discussed that the college pay rate would increase. The money will go to Capital Improvements. Councilmember Peregoy informed the audience that their bills would go up about $14 a month as per JK Energy Consultant John Krajewski.

After discussion on Peru and Auburn water, the First Reading went as follows: 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. Councilmember Coatney seconded the motion. Roll Call Vote as follows, Councilmember M Peregoy: AYE; Councilmember E. Coatney: AYE; Councilmember S. Vogt: AYE; Motion Carried 3-0. Proposed Ordinance No. 2022-02 came on for First Reading before the Council with title agreed to. Motion was made by Councilmember Vogt that said proposed Ordinance No 2022-02 be approved on its first reading and its title agreed to. Councilmember Coatney seconded the motion. Discussion had - Roll Call Vote as follows, Councilmember E. Coatney: AYE; Councilmember S. Vogt: AYE; Councilmember M. Peregoy: AYE; Motion Carried 3-0.

**Item 7.** Discussion City Attorney stated that there were still a few that needed addressed. Tracts 1, 23, and 6 were not completed yet. Adams handed his in at the meeting. Council was voting on accepting Moody Tracts 9 & 15, Kirkendall Tract 16, and Adams Tracts 18 & 19. Councilmember Peregoy made motion to approve the Land acquisition agreements/easements and settlement offers between the City of Peru, NE, & landowners for the construction, use, possession, & maintenance of the City of Peru, NE, water supply main/line from the Board of Public Works for the City Water System by the passage & adoption of Resolution No. 2022-10. Motion was seconded by Councilmember Vogt. Discussion had - Roll Call Vote as follows, Councilmember M. Peregoy: AYE; Councilmember E. Coatney: AYE; Councilmember S. Vogt: AYE; Motion Carried 3-0.

**Item 8.** Discussion was submitted from Deborah Solie, Disaster Recovery Coordinator from Evan Wickersham that the new road would have no load restrictions. It should hold any legal vehicle weight. Also, from discussion submitted by Brent Lottman, Nemaha County Sheriff, Ordinance would be difficult if not impossible to enforce. It was discussed that there was no way to re-route trucks so after much discussion, no further action was taken by Council.

**Item 9.** The meeting was opened to public discussion where guest Broderick Nickens talked to Council about possibly putting in a small home community. Mr. Nickens stated he had investors who liked this idea and they wanted to bring it to the Council. They talked about either leasing or selling the land behind Klinton Hansen at Neal Park. Mayor Pease said that there was a lot to do such as putting in water, lights, and upkeep of the place. Mr. Nickens said that his investors were willing to pay for the work and they would hire a maintenance person. Mr. Nickens provided the Clerk with a link of another State doing this exact type of community and she will distribute the link to all Councilmembers. Mayor Pease also brought up that it would be behind a family neighborhood, and they would not enjoy it if it was a party place. The Clerk mentioned that they would have to go through Mr. Hansen’s drive and yard. Councilmember Vogt stated he would be interested in seeing further info on the plan. Nickens and investors figured on approximately 100 tiny homes going up in five separate stages. Single and double occupancy and rent at around $400 a month. They are primarily focusing on it being a college community and could possibly open to the town later. Councilmembers thanked Mr. Nickens for presenting this idea. No action taken.

Public discussion continued as Helen Pugh stated that people coming through town would not think highly of Peru. She said the town needed cleaning up. Trees and lawn. She stated that the grate in front of 5th Street Post would need fixed. She would just like to see the town spruced up. Ligouri spoke up on behalf of the City of Peru on the issues of nuisance abatement. Councilmember Peregoy stated that if anyone in the audience would like to be on a committee to help better Peru, they were more than welcome to sign up in December.

**Item 10.**  The last item on the agenda was the resignation of Charlotte Carpenter as City Clerk-Treasurer as of July 22, 2022. Councilmember Coatney made motion that the Council accept the resignation of Clerk Charlotte Carpenter. Motion was seconded by Councilmember Peregoy. Discussion had - Roll Call Vote as follows, Councilmember S. Vogt: AYE; Councilmember M. Peregoy: AYE; Councilmember E. Coatney: “AYE”; Motion Carried 3-0.

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

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 Dave Pease, Mayor

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Angela Allgood – Deputy Clerk