

**MINUTES OF A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF  
PERU, NEBRASKA ON THE 17<sup>th</sup> OF JULY 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 5<sup>th</sup> Street, Peru, Nebraska 68421, on the 17<sup>th</sup> of July 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 – None for this meeting**

**Agenda Item 4 – Consent Agenda**

- A.) (i.) Approval of Minutes from June 27<sup>th</sup>, 2023 Regular Meeting
- (ii.) Approval of Minutes from July 7<sup>th</sup>, 2023 Special Meeting

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

Regular Claims:

JEO (Flood / Water Associated)- \$20,329.20

Kinetic/Windstream (Internet / Utility) - \$938.84

OPPD (General / Utility) - \$1,083.81

Personnel Payroll for check deposited 6/30 (General / Accounting) - \$10,581.41

Personnel Payroll for check deposited 7/14 (General / Accounting) - \$8,828.45

Xpress Bill Pay (General / Water Bill Processing) - \$97.26  
Auburn Board of Public Works (Gen / Water Associated) - \$14,706.10  
Auburn Auto (Gen/ Fire)- \$71.81  
Access Systems (Gen / Office Copier Services) - \$326.00  
Arks Equipment (Gen / Maintenance) - \$1,456.57  
American Recycling & Sanitation (Gen / Utility) - \$3,001.00  
AT&T (Gen/ Fire) - \$17.44  
Bennett's Fire Protection (Gen/Fire)- \$1,275.50  
Black Hills Energy (Gen / Utility) - \$216.73  
BoundTree (Fire/Res)- \$2,232.87  
Casey's Business Mastercard (Gen/Maint)- \$843.27  
Concrete Industries Inc (Gen / Maint) - \$1,441.60  
Fire Catt, LLX (Gen / Fire) -\$3,173.00  
Hawkins Construction (Gen / Construction Materials) - \$1,195.10  
Heather Pemberton, CPA (Gen/ Accounting) - \$772.03  
Heiman Fire Equipment (Gen / Fire)- \$147.52  
Lynch's Hardware (Gen / Key Copies) - \$24.95  
The Market- Peru (Gen / Water Associated) - \$4.81  
Martin Marietta (Gen / Maint)- \$3,312.63  
Miller Farrell Insurance (Gen / Ins)- \$1,317.60  
Nebraska Public Health Env. Lab (Gen / Water Associated) - \$219.00  
Paper Tiger Shredding (Gen)- \$120.00  
Pitney Bowes (Gen/Postage) - \$246.23  
Quick Med Claims (Fire/ Res) - \$77.88  
Raka Rentals (Gen / Water Associated) - \$3,303.84  
Rieschick Drilling (Gen / Maint)- \$2,175.90  
Reimbursement to T. Schuetz (Gen / Training) - \$240.00  
True Footage, Inc (Gen / Maint) - \$6,400.00  
Utility Services, Inc (Gen / Maint)- \$3,979.54  
Verizon Wireless (Gen / Water Associated) - \$40.01  
WesTech Engineering (Gen / Water Associated) - \$33,165.00

C.) JEO Items:

- (i.) JEO Change Order No. 6 for the 2021 Water System Improvements project
- (ii) Pay Application No. 9 for the 2021 Water System Improvements project

Mayor D. Pease presented the Consent Agenda. Council Member M. Peregoy moved to approve the Consent Agenda Items as presented. The motion was seconded by Council Member Q. Kieler. 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: None. Motion: Carried

## **Agenda Item 5 – Payment of Private Contractor Claims**

### D.) Marty Peregoy- Grant Coordinator Duties

Independent Contractor M. Peregoy for grant coordinator duties, submitted a claim for the amount of \$451.00

Councilmember C. Wyckoff motioned to approve the claim for Independent Contract labor. Councilmember Q. Kieler seconded. Upon a vote, Roll Call Vote: (one vacancy); Councilmember C. Wyckoff: AYE, Councilmember M. Peregoy: (ABSTAINS), Councilmember Q. Kieler: AYE, Mayor D. Pease: AYE. NAY: None. Motion carries unanimously.

## **Agenda Item 6 – Correspondence**

### E.) None for this meeting

## **Agenda Item 7 – Old Business**

### F.) Water report

Monthly water report submitted. Mayor D. Pease reports that not much is currently able to be done until the project is completed. Regarding the filters, the media is beginning to lock up, but it won't be able to be flushed until the water project is finished.

### G.) Mayor's Report-

Mayor D. Pease provided an update that Layne Christiansen provided a credit to the City after the last payment, due to them having to remove a temporary operating part of the pump. The City also has vacancies for a City Maintenance Worker, and the Grant Coordinator.

## **Agenda Item 8 – New Business**

### H.) Resident D. Cotton- Discussion of grants, City repairs, and playground equipment

Discussion was held regarding a Resident's inquiry regarding the old baseball fields, where the new dog park is approved to be going. Resident volunteered to spend personal money to have our own T-Ball rec league for Peru. Resident volunteered to spray it, maintain it, etc, resident is concerned about the new dog park that will be going in. Discussion was had on if there may be enough room to keep the ballfields for a small T-ball playing area, and still have a small dog park in the outfield area.

Resident also expressed concern about lack of street and city repairs that have been requested, particularly at 5<sup>th</sup> and Hoyt Street. Mayor Pease said that the City was not afforded the grant due to not having any contractors bid on it. We are, however, able to re-apply for the grant in the Fall if we are able to get any contract bids.

### I.) Resident H. Pugh- Discussion of overgrown properties

This Resident cancelled their agenda item in person on the 17<sup>th</sup> of July, therefore no discussion was had.

J.) Project updates and discussion regarding city maintenance building

Discussion was held regarding the need to expand the City maintenance building, providing heat, A/C, bathrooms, and a break room for City maintenance employees. The City is hoping to be able to move more on that project after the fiscal year resets.

K.) Discussion regarding city utilities and property use near 2019 flood zone

Discussion was held about property use in the flood zone. Possible property purchaser is interested in possibly putting a trailer court there. A miscommunication was had between a Resident attempting to sell their property, and the buyer. Zoning on that property was clarified, and it was clarified that utilities are present.

L.) Creation of an Ordinance requiring visible house numbers

Discussion was had regarding the need for visible house numbers, both for utility workers, future code enforcement, and emergency services. Councilmember M. Peregoy moves for the creation of an Ordinance requiring visible house numbers, seconded by C. Wyckoff, Upon being called for a vote- (one vacancy); Councilmember C. Wyckoff: AYE, Councilmember M. Peregoy: AYE, Councilmember Q. Kieler: AYE. NAY: None. Motion carries unanimously.

M.) Approval for purchase of UTV (side-by-side) for City Maintenance department

Discussion was held and it was agreed that it may be best to wait until fiscal year resets and the City can work it into next year's budget.

N.) Proposed Ordinance No. 2023-07, Regarding the Sale of Water Outside City Limits

Proposed Ordinance No. 2023-07 amending the original chapter 50 of the Municipal Code of the City of Peru, Nebraska, Code of Ordinances by adding an additional section which shall be entitled "50.06 Sale of Water Outside to Customers Outside City Limits"; Creating policies for the sale of water outside city limits; repealing all ordinances or parts thereof in conflict therewith; Making various findings and provisions related to the subject matter herein; and setting an effective date. 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 read at large herein, which motion was seconded by Council Member Q. 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 Peregoy read Ordinance No. 2023-07 and moved for said Ordinance to be approved on its second reading and its title agreed to, 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.

The Mayor declared that said Ordinance No. 2023-07 be approved on its second reading and its title agreed to.

O.) Proposed Ordinance 2023-08, Regarding Inaccessible Utility Meters

Proposed Ordinance No. 2023-08 amending the original chapter 50 of the municipal code of the City of Peru, Nebraska Code of Ordinances by adding an additional section which shall be entitled “50.07 inaccessible Utility Meters”; creating policies for inaccessible utility meters; repealing all ordinances or parts thereof in conflict herewith; making various findings and provisions related to the subject matter herein; and setting and effective date, was presented for consideration. The Mayor announced that the proposed Ordinance was in order. Council Member M. Peregoy moved that these 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 as though it were spread at large herein, which motion was seconded by Council member Q. Kieler. Upon Roll call vote: 3 AYES, 0 NAYs, 1 Vacancy. The following Council Member voted AYE: M. Peregoy, Q. Kieler, Cate Wyckoff. The following voted NAY: No one. Motion: Carried. Council Member M. Peregoy introduced the proposed Ordinance and moved that the statutory rule requiring reading on three different days be suspended. Council Member C. Wyckoff seconded the motion to suspend the rules. Upon Roll call vote 3 AYES, 0 NAYs, 1 Vacancy. The following Council Member voted AYE: M. Peregoy, Q. Kieler, C. Wyckoff. The following voted NAY: No one. Motion: Carried. The motion to suspend the rules was adopted by the Council and the statutory rule was declared suspended for consideration of said ordinance. Council Member M. Peregoy read Ordinance No. 2023-08 and moved for final passage for the ordinance, which motion was seconded by Council Member Q. Kieler. Upon Roll call vote: 3 AYES, 0 NAYs, 1 Vacancy. The following Council Member voted AYE: M. Peregoy, Q. Kieler, Cate Wyckoff. The following voted NAY: No one. Motion: Carried. The Mayor declared that said Ordinance No. 2023-08 be approved on its first and final reading and its title agreed to.

P.) Proposed Ordinance No. 2023-09, Regarding Discontinuance of Utility Services

Proposed Ordinance No. 2023-09 amending the original chapter 50 of the municipal code of the City of Peru, Nebraska Code of Ordinances by amending section 50.02 originally titled “Discontinuance of Service; Notice Procedure” to it’s new title which shall be “50.022 Discontinuance of Service; Policy; Procedure; Notice; Reconnection of Services”; creating a policy for discontinuance and reconnection of services; repealing all ordinances or parts thereof in conflict herewith; making various findings and provisions related to the subject matter herein; and setting and effective date, was presented for consideration. The Mayor announced that the proposed Ordinance was in order. Council Member M. Peregoy moved that these 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 as though it were spread at large herein, which motion was seconded by Council member Q. Kieler. Upon Roll call vote: 3 AYES, 0 NAYs, 1 Vacancy. The following Council Member voted AYE: M. Peregoy, Q. Kieler, Cate Wyckoff. The following voted NAY: No one. Motion: Carried. Council Member M. Peregoy

introduced the proposed Ordinance and moved that the statutory rule requiring reading on three different days be suspended. Council Member C. Wyckoff seconded the motion to suspend the rules. Upon Roll call vote 3 AYES, 0 NAYs, 1 Vacancy. The following Council Member voted AYE: M. Peregoy, Q. Kieler, C. Wyckoff. The following voted NAY: No one. Motion: Carried. The motion to suspend the rules was adopted by the Council and the statutory rule was declared suspended for consideration of said ordinance. Council Member M. Peregoy read Ordinance No. 2023-09 and moved for final passage for the ordinance, which motion was seconded by Council Member Q. Kieler. Upon Roll call vote: 3 AYES, 0 NAYs, 1 Vacancy. The following Council Member voted AYE: M. Peregoy, Q. Kieler, Cate Wyckoff. The following voted NAY: No one. Motion: Carried. The Mayor declared that said Ordinance No. 2023-09 be approved on its first and final reading and its title agreed to.

### **Agenda Item 9- Council Vote**

#### Q. Appointment of New City Councilmember

P. Wemhoff is nominated to fill vacancy for unexpired term left by S. VOGT which is set to expire in 2024. Upon roll call vote: Councilmember Q. Kieler: YES, Councilmember M. Peregoy: NO, Councilmember C. Wyckoff: NO, Mayor D. Pease: YES. Motion did not pass.

T. Westfall is then nominated by Mayor D. Pease. Upon roll call vote: Councilmember Q. Kieler: NO, Councilmember M. Peregoy: YES, Councilmember C. Wyckoff: YES, Mayor D. Pease: YES. Motion passes.

T. Westfall then took the Oath of Office.

Meeting adjourned on the same day at 8:13p.m.

#### **HEREBY ATTESTED AND ACKNOWLEDGED:**

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Dave Pease, Mayor

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City Clerk

