

MINUTES OF A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF PERU, NEBRASKA ON THE 20th OF NOVEMBER 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 20th of November 2023, at 6:00 P.M., for a Regular Council Meeting, open to the general public, advance notice of said regular 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 Quintin Kieler and Theresa Westfall. Upon roll call by the City Clerk, a quorum was declared pursuant to Neb. Rev. Stat. 17-105.

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, and read aloud by Councilmember T. Westfall.

Agenda Item 3 – Public Hearing

None

Agenda Item 4 – Consent Agenda

A.) Approval of Minutes

(i.) Approval of Minutes from October 16th, 2023 Regular 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)- \$18,280.00 // Kinetic/Windstream (Internet / Utility) - \$858.57

OPPD (Gen / Utility) - \$3,031.74 // Black Hills Energy (Gen / Utility) - \$274.59

Personnel Payroll for check deposited 10/30 (Gen / Accounting) - \$6,496.47

Personnel Payroll for check deposited 11/15 (Gen / Accounting) - \$7,638.26

Xpress Bill Pay (Gen / Water Bill Processing) - \$105.17 // Access Systems (Gen) - \$173.36

AKRS (Maint) - \$67.50 // American Recycling & Sanitation (Gen / Utility) - \$2,570.00 // AT&T (Gen/ Fire) - \$24.68

Auburn Auto (Gen)- \$716.66 // Auburn Board of Public Works (Gen / Water Associated) - \$13,131.90

Auburn Newspaper (Gen) - \$1,097.44 // Blue Rivers Aging Partners (Gen) - \$110.00 // Bohl Plumbing (Maint/Street) - \$262.72
Bound Tree (Gen/ Fire) - \$2,210.52 // B-Team Painting (Maint/Street) - \$3,680.00
Concrete Industries (Maint/Street) - \$2,928.50 // Cornhusker Press (Gen) - \$79.75
Grainger (Gen / Maint) - \$839.40 // H-W Enterprises (Maint/Street) - \$760.00 / Hawkins, Inc (Gen / Maint) - \$1,313.91
Heather Pemberton, CPA (Gen/ Accounting) - \$815.00 // Jim Smith (Maint/Street) - \$380.00
Mason Sharp Improvements (Maint/Street) - \$1,671.50 // Municipal Supply (Maint/Street) - \$3,621.24
NAPA Auto Parts (Maint/Street) - \$49.94 // Nebraska League of Municipalities (Gen) - \$75.00
Nebraska Public Health Env. Lab (Gen) - \$425.00 // One Call Concepts (Gen / Maint) - \$43.08
Paper Tiger Shredding (Gen) - \$30.00 // Pitney Bowes (Gen) - \$10.92
Quick Med Claims (Fire/ Res) - \$68.83 // Raka Rentals (Gen / Water Associated) - \$1,101.28
Sack Lumber- Auburn (Maint/Street) - \$264.32 // Sandry Fire Supply (Fire/Res) - \$539.00
SEND D (Gen) - \$5,322.50 // Titan Rentals (Maint/Street) - \$3,988.43
Uline (Gen / Maint) - \$128.98 // Verizon Wireless (Gen / Water Associated) - \$40.01 // WesTech Engineering (Gen / Water Associated) - \$15,340.00
Wilson Electric (Maint/Street) - \$367.15 // Small Claims- Amazon Office, Microsoft, Adobe, etc (Gen) - \$1,510.11

C.) Approval of new backhoe purchase

(i.) After credit applied from old backhoe, a total settlement payment of \$47,000

D.) Approval for the service of alcoholic beverages on City property for annual employee gathering, and for private citizen rental set for December 30th.

E.) Approval for the City to begin process for solicitation of bids for updated, ADA-compliant City Hall.

F.) Approval of Carstensen's Pay Application No. 13:

(i.) JEO recommends approval in the amount of \$125,622.68. This pay application generally covers water main and building installations.

Mayor D. Pease presented the Consent Agenda. Councilmember T. Westfall made motion to approve the Consent Agenda. The motion was seconded by Councilmember Q. Kieler. Upon roll call vote: 3 AYES, 0 NAYS. The following voted AYE: Theresa Westfall, Quentin Kieler, and Mayor Dave Pease. The following voted NAY: None. Motion: Carried

Agenda Item 5 – Correspondence

I.) None for this meeting

Agenda Item 6 – Old Business

J.) Water report

Monthly water report submitted. Mayor D. Pease reports that issues with the waterline are continuing to be worked on and hopes for a further update from JEO soon.

K.) Mayor's Report

Mayor D. Pease thanked all contractors involved for quickly handling the City Hall mold issue, and announces that the waterline with Auburn is continuing to be worked on.

Agenda Item 7 – New Business

L.) Report from City CPA H. Pemberton on Current State of Books and State Audit

City CPA H. Pemberton announces that the bank accounts are officially reconciled. Additionally, the State auditors have made a list of recommendations for the City, but as of right now, they are not finalized, and it does not seem that the State will be issuing a formal letter of reprimand to the City of Peru. Dana Cole has been contacted about performing the regular audit, and CPA H. Pemberton is hoping they will be in touch with us soon.

M.) Clerk's Report and City Building Inspector's Report

Peru City Clerk T. Schuetz provided a report of projects completed by the City since last Council meeting, mainly, the removal of black mold from the community room, and the painting of City Hall. Additionally, a safety inspection occurred, and found quite a few unsafe working conditions / hazardous building conditions in relation to City Hall. Discussion held regarding these, and possible future changes to come. City Building Inspector D. Hibler provided a report, as well as recommended changes to the building to prevent further water damage in the future.

N.) Report from S. Holmes Regarding Peru Dog Park

S. Holmes from Peru State College provided a final update regarding the Peru Dog Park and its completion. The park is complete and open for use, but they are hoping to add some picnic tables, extra trashcans, and signs in the park. They are hoping to have a ribbon cutting ceremony in the springtime when most of the extra items have been added. The event date will be finalized and the public will be notified by Nemaha County Leadership.

O.) Motion for Consideration by Council- Status Update on Arms' Property located at 909 6th Street

Peru resident D. Arms appeared regarding the property. Mr. Arms announced that the official burn date for the property will be sometime in March 2024, pending the Peru Fire Department discussing with the State Fire Marshal's office to finalize a date. The water usage for burning down this property will need to be taken into consideration by the City. Since progress has been made, no action was taken on this item.

P.) Motion for Consideration by Council- Discussion and Possible Acceptance of Bids for Demolition 913 6th Street and 600 5th Street, Peru, Nebraska

Discussion was had that the Peru Fire Department may be able to burn the property located at 909 6th Street, and 913 6th Street, possibly on the same day. However, the property at 600 5th Street is a stone building, and therefore will not be able to be burned. Councilmember T. Westfall moved for the City to solicit bids for demolition of the property located at 600 5th Street and obtain a burn permit for 913 6th Street. Upon roll call vote: 3 AYES and 0 NAYs. The following Council Members voted “AYE” T. Westfall, Q. Kieler, and Mayor Dave Pease. Motion: Carried.

Q.) Ordinance 2023-13: Second Reading

Proposed Ordinance No. 2023-13 was presented for consideration on Second reading. The Mayor announced that the proposed Ordinance was in order. Council Member T. Westfall 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 the same as though it were spread at large herein, which motion was seconded by Council Member Q. Kieler. Upon roll call vote: 3 AYES and 0 NAYs. The following members voted “AYE”: T. Westfall, Q. Kieler, and Mayor Dave Pease. The following voted “NAY”: No one. Motion: Carried. Council Member T. Westfall introduced the proposed ordinance as Ordinance No. 2023-13 entitled: AN ORDINANCE OF THE CITY OF PERU, NEMAHA COUNTY, NEBRASKA, TO AMEND THE ORIGINAL CHAPTER 31 OF THE MUNICIPAL CODE OF THE CITY OF PERU, NEBRASKA, CODE OF ORDINANCES BY ADDING AN ADDITIONAL SECTION WHICH SHALL BE ENTITLED “31.14 CODE ENFORCEMENT OFFICER”; PROVIDING FOR THE APPOINTMENT; TERMS; POWERS; AND DUTIES OF A CODE ENFORCEMENT OFFICER; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; MAKING VARIOUS FINDINGS AND PROVISION RELATED TO THE SUBJECT MATTER HEREIN; ORDERING THE PUBLICATION OR POSTING OF THE ORDINANCE; AND SETTING AN EFFECTIVE DATE. Having read Ordinance No. 2023-13, Council member T. Westfall moved for its approval on its second reading and its title agreed to, which motion was seconded by Council member Q. Kieler. Upon roll call vote: 3 AYES and 0 NAYs. The following Council Members voted “AYE” T. Westfall, Q. Kieler, and Mayor Dave Pease. Motion: Carried.

R.) Ordinance No. 2023-14: AN ORDINANCE AUTHORIZING SUSPENSION OF RULES; AMENDING MUNICIPAL CODE OF THE CITY OF PERU, NEBRASKA SECTION 93.40 RELATING TO PET LICENSES AND TAXES REQUIRED; EXEMPTIONS; AND TAGS; REPEALING THE ORIGINAL SECTION 93.40 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 the proposed ordinance was in order. Council Member T. Westfall 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 Q. Kieler. Upon roll call vote: 3 AYES and 0 NAYs. The following Council Members voted "AYE" T. Westfall, Q. Kieler, and Mayor Dave Pease. The following voted NAY: No one. Motion: Carried. Council Member T. Westfall introduced the proposed Ordinance and moved that the statutory rule requiring reading on three different days be suspended. Council Member Q. Kieler seconded the motion to suspend the rules. Upon roll call vote: 3 AYES and 0 NAYs. The following Council Members voted "AYE" T. Westfall, Q. Kieler, and Mayor Dave Pease. The following voted NAY: No one. Motion: Carried. Council member T. Westfall read Ordinance No. 2023-14 and moved for final passage for the ordinance, which motion was seconded by Council Member Q. Kieler. Upon roll call vote: 3 AYES and 0 NAYs. The following Council Members voted "AYE" T. Westfall, Q. Kieler, and Mayor Dave Pease. The following voted NAY: No one. Motion: Carried. The Mayor declared that said Ordinance No. 2023-14 be approved on its first and final reading and its title agreed to.

S.) Ordinance No. 2023-15: First Reading

Proposed Ordinance No. 2023-15 was presented for consideration on first reading. The Mayor announced that the proposed Ordinance was in order. Council Member Q. Kieler 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 the same as though it were spread at large herein, which motion was seconded by Council Member T. Westfall. Upon roll call vote: 3 AYES and 0 NAYs. The following members voted "AYE": T. Westfall, Q. Kieler, and Mayor Dave Pease. The following voted "NAY": No one. Motion: Carried. Council Member T. Westfall introduced the proposed ordinance as Ordinance No. 2023-15 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERU, NEBRASKA, AMENDING THE ORIGINAL CHAPTER 32 OF THE MUNICIPAL CODE OF THE CITY OF PERU, NEBRASKA CODE OF ORDINANCES BY ADDING AN ADDITIONAL SECTION WHICH SHALL BE ENTITLED "32.07 BOARD OF PARK AND RECREATION COMMISSION"; TO PROVIDE A POLICY FOR THE CREATION, ORGANIZATION, OPERATION, AND FUNDING OF A PARK AND RECREATION COMMISSION; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS THEREOF; ORDERING THE PUBLICATION OR POSTING OF THE ORDINANCE' AND TO PROVIDE FOR AN EFFECTIVE DATE. Having read Ordinance No. 2023-15, Council member T. Westfall moved for its approval on its first reading and its title agreed to, which motion was seconded by Council member Q. Kieler. Upon roll call vote: 3 AYES and 0 NAYs. The following Council Members voted "AYE" T. Westfall, Q. Kieler, and Mayor Dave Pease. Motion: Carried.

T.) Ordinance No. 2023-16 regarding updated fees for building and use, pet licensing, water tapping, and city key distribution was tabled until December, as discussion was had about changing the amounts listed for water tapping fees and including a sewer tapping fee. Said amendments to the Ordinance will be made and this item will be considered next month.

ADJOURNMENT

Meeting adjourned on the same day at 6:47p.m.

HEREBY ATTESTED AND ACKNOWLEDGED:

Dave Pease

Dave Pease, Mayor

T. Schuly

City Clerk

