

MINUTES OF A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF PERU, NEBRASKA ON AUGUST 15, 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 Spencer Vogt and Marty Peregoy and Councilmember Quintin Kieler. Council Members Ethan Coatney, was absent. Upon roll call by the City Clerk, a quorum was declared.

The Council reviewed the minutes from July 18, 2022, regular council meeting. Council Member Peregoy made motion to approve the minutes. Council Member Kieler seconded the motion. Discussion. Roll Call Vote as follows, Councilmember Q. Kieler: AYE; Councilmember M. Peregoy: AYE; Councilmember S. Vogt: 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 Peregoy; Discussion; Roll Call Vote as follows, Councilmember M. Peregoy: AYE; Councilmember Q. Kieler: 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 Kieler; Discussion; 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); JEO-\$15,525.07(wtr); OPPD-\$2,593.78(gen,wtr,p&r,sts,rurfr,fr,res); Windstream-\$578.76(gen,wtr,p&r,sts,rurfr,fr,res); Verizon-\$40.01(wtr); CardServices-\$291.75(wtr,gen); BlackHillsEnergy-\$55.38(gen,fr,rurfr,res); Access Systems-\$151.06(gen); American Recycling and Sanitation-\$2,844.00(gen); Auburn Auto Center-\$23.00(sts); Hawkins-\$1,914.16(wtr); Auburn Newspaper-\$384.07 (gen); Board of Public Works-\$5440.83(wtr); One Call Concepts-\$3.16(wtr); Eakes Office Solutions-\$105.75(gen); Bound Tree-\$178.80(res); Miller Farrell Insurance-\$1,188.00(fr/rurfr/res); Professional Waste Water Services-\$182.00(P&R); Express Bill Pay-\$103.36(gen); Nemaha County Treasurer-\$8,429.30(gen); SENDD-\$619.00(gen); Rieschick Drilling-\$1,321.25(wtr); Glen Hogue-\$130.00(gen); Pitney Bowes-\$208.99(gen); Grainger-\$48.65(gen); Schmidt's Inc.-\$15,150.00(wtr/swr); Municipal Supply Inc.-\$1,490.24(wtr/swr); Hire Right-\$273.75(gen); Brent Lottman-\$46.96(fr/rurfr); Westech-\$13,400.00(wtr/swr); Laquinta by Wyndham-\$249.90(res); Nemaha County Clerk-\$1,718.00(wtr); Barb Decker-\$24.44(res); Layne Christensen-\$21,840.00(wtr/swr); Lincoln Winwater-\$21,105.00(wtr/swr); Midwest Lab-\$22.95(wtr/swr); Cherry Road Media-\$23.00 (gen).

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

CORRESPONDENCE

The Deputy Clerk reported that the August 2022 Hwy Allocation was \$5,844.12. Deputy Clerk also stated that payment for \$170,000.00 for easements was received and payments were mailed out August 9, 2022. Tillotson Construction will begin the City Hall roof around August 18 or 19th, 2022; Barrett Construction will be demolishing the home at 820 2nd street, August 22 or 23rd 2022. NRD sent letter asking people to help keep vandalism and unauthorized vehicles off the trail. Commercial Recreation Specialists gave a quote of \$722 to purchase items needed to get the splash pad running.

OLD BUSINESS

Mayor Pease stated that the monthly water report can be found in the clerk's office.

NEW BUSINESS

Item 1. President Evans discussed upcoming construction on campus. He called this Project Roar! There will be five new buildings on campus. There will be what they call the Diamond Building. It will be next to the baseball field and will house restrooms, a concession stand, locker rooms, coaches' offices, and an athletic training facility. The Diamond Dome will be an air-supported structure also next to the baseball diamond. This will be a turf floor, it will have four retractable batting cages, etc. This dome will be used for other activities such as intramural sports as well as other student and community usage. The Softball Stand will be a small building next to the softball field with restrooms and concessions. The Multipurpose Dome will be another large air supported dome north of the Oak Bowl football stadium. This will house a weight room, turf practice field, three hard courts that can be easily converted for tennis, volleyball, badminton and other activities. The Multipurpose Support Building next to the dome will have a concession stand, restrooms, lockers, showers, and a Golf Den. That will two golf simulators, a putting green, and two hitting bays. The cost of this project is \$14.6 million. The State of Nebraska gave \$8.2 million and PSC already has \$2.4 million. They just need to raise \$4 million more. Council Member Kieler did ask about water that would be required for fire, etc. or if something went wrong on campus.

Item 2. The FYE Sept. 30, 2023 budget was discussed. Council came up with a few more budget ideas and so did Deborah Solie. Council decided to have a special budget meeting September 12, 2022 for the public to attend. Heather Pemberton, CPA also let Council know that there had been an error in paying taxes for the 2022-2023 lease year on city farm ground. Deputy clerk sent the entire amount so the leasees did not pay taxes as the contract states. Heather and Angela will draft a letter stating what happened and send it to the leasees.

Item 3. Discussion with possible approval: Deborah Solie, Disaster Recovery Coordinator wanted a discussion with feedback about the Draft of the Grant Application for ARPA funds. Deborah stated that our attorney, Angelo Ligouri, made a few edits. Council member Spencer Vogt wanted to see Ligouri's edits before he made any kind of decision.

Item 4. Evan Wickersham just wanted us to look over the 1 & 6 year road plan and keep it in our mind for the September meeting. The 1 & 6 year plan is mostly maintenance. We can work on a road that is on the plan even if it is years later but we cannot work on a road if it is not in our plan. Allen Adams wanted to know if the road by the plant was going to be redone. It was stated that the berm would be removed and returned to pre-flood condition. Is 3rd street, Washington, Nebraska and on south on the plan? FEMA is going to be doing a bid in September.

Item 5. Council member Peregoy motioned, Discussion; wanted to know if it was a good idea to put up a sign at the entrance of City Hall stating that no firearms or weapons were permitted within the City Hall Building. She thought about it for the safety of Council or the Clerk in case temperaments got heated. Council member Kieler stated that if he saw that sign, he would think that security was provided for others who went in the office. Vogt and Kieler asked if other Municipalities had this and Ligouri said no. The only place in Auburn was the Courthouse. Vogt said that if other places did it, he would vote for it but the motion died for lack of a 2nd motion.

Item 6. Vogt made the motion to sign the Municipal Annual Certification of Program Compliance and Resolution 2022-03. Motion was seconded by Councilmember Peregoy; Discussion; Deputy Clerk, Angela Allgood, said that to avoid the suspension of Highway-user Revenue, the Annual Certification of Program Compliance and Signing Resolution needed to be voted on and signed. Council member Roll Call Vote as follows, Councilmember M. Peregoy: AYE; Q. Kieler: AYE; Councilmember S. Vogt: AYE; Motion Carried 3-0.

Item 7. Q. Kieler made motion to remove the charge of \$3.25 from the monthly water bill for well head protection. Motion was seconded by Councilmember Vogt. Discussion; Review with possible approval of the removal of the Wellhead Protection charge of \$3.25 off the monthly water bill. The mayor stated that we would abandon the well. Council member Kieler stated that Council members kept it on the bills because those funds were paying to haul water. The mayor said there was no liability going forward. Council member Roll Call Vote as follows, Councilmember S. Vogt: AYE; Councilmember Q. Kieler: AYE; Councilmember M. Peregoy: AYE; Motion Carried 3-0.

Item 8. Motion was made by M. Peregoy and a Second by S. Vogt voted in 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. S. Vogt then introduced the proposed Ordinance 2022-002. Proposed Ordinance No. 2022-002 comes on for second reading. Motion was made by Q. Kieler and seconded by M. Peregoy to approve the Ordinance No. 2022-002 be approved on its second

reding and its title agreed to. Discussion; Roll Call Vote as follows, Councilmember S. Vogt: AYE; Councilmember Q. Kieler: AYE; Councilmember M. Peregoy: AYE; Motion Carried 3-0.

Item 9. Motion by M. Peregoy, seconded by S. Vogt; Discussion; roll call vote as follows, Councilmember S. Vogt: AYE; Councilmember Q. Kieler: AYE; Councilmember M. Peregoy: AYE; Motion Carried 3-0.

Item 10. S. Vogt made motion to accept the Peru Fire Department application from Wyatt Hauptman. Motion was seconded by Councilmember Peregoy. Discussion; Roll Call Vote as follows, Councilmember S. Vogt: AYE; Councilmember M. Peregoy: AYE; Councilmember Q. Kieler: "AYE"; Motion Carried 3-0.

Item 11. Discussion of fixing pot holes, road erosion and curb damage at 1005 5th street. It was discussed that the bank across the street has water running down from it and the water pools in that area. Mayor Pease said he would talk to the City Maintenance workers and see what can be done to fix this problem. Attorney Angelo Ligouri stated this was only a discussion and not for action so no formal vote was needed.

Item 12. Discussion of inviting Sheriff Lottman to explain how we might get additional services through a contract. Council Member Peregoy wanted this on the agenda for discussion. Peregoy would like a Code Enforcement Officer in Peru to enforce ordinances. Attorney Ligouri suggested that the Mayor talk to the Mayors from Auburn, Johnson, and Brownville and see if they are interested in an Code Enforcement Officer as well. Ligouri then stated that we should work with the Sherriff's Office to hire one. He would then be a certified officer and would be able to legally enforce the ordinances. Council Member Q. Kieler and S. Vogt stated that they would both be interested in learning more about this. Council Memmber Q. Kieler suggested Mayor Pease also talk to the Auburn Commissioners and Council Member M. Peregoy suggested talking to Dr. Evans, PSC President. This will be re-addressed at the September council meeting.

Item 13. Motion was made by Council Member S. Vogt to pay the Pay Application #4 for the Pipe Procurement for 2021 Water System Improvements. Motion was seconded by Councilmember Kieler. Discussion; Zach Schulz with JEO was not available but he emailed talking points for the Deputy Clerk to share with Council Members. JEO recommended approval in the amount of \$7,000.00. This is the monthly charge to store the pre-procured water main pipe in the Lincoln WiWater yard. Roll Call Vote as follows, Councilmember S. Vogt: AYE; Councilmember M. Peregoy: AYE; Councilmember Q. Kieler: AYE; Motion Carried 3-0.

Item 14. Motion was made by S. Vogt to approve the Change order #2 for the 2021 Wastewater Treatment Facility Improvements Project. The motion was seconded by Q. Kieler. Discussion; Again, JEO's talking points were that they recommended approval of Change Order #2. This change order includes an additional \$12,000 for remobilization associated with a long delay due to the FEMA scope change approval for additional rock rip rap. The change order also includes a

deduct for rock rip rap that was previously approved, but not needed and not placed. The net cost change for this change order is a deduct of \$6,249.50. Council Member Q. Kieler wanted to know if they were going to pay it back to us. The Deputy Clerk informed him she would find out and report at the September meeting. Roll Call Vote as follows, Councilmember Q. Kieler: AYE; Councilmember S. Vogt: AYE; Councilmember M. Peregoy: AYE; Motion Carried 3-0.

Item. 15. . Council Member Q. Kieler made motion to Approve the Play Application #4 for the 2021 Wastewater Treatment Facility Improvements Project. Council Member S. Vogt seconded. Discussion; JEO talking points were that they recommended approval of this pay application in the amount of \$32,565.50. All contract work has been completed and this is the final pay application for this project. Approval of the pay application and issuance of payment will allow us to close out the project with FEMA. Roll Call Vote as follows, Councilmember M. Peregoy: AYE; Councilmember S. Vogt: AYE; Councilmember Kieler: AYE; Motion Carried 3-0.

Item. 16. Motion was made by Council Member S. Vogt to approve the Change to Scope of Services-Approval Form No. 2 for Engineering Task Order No. 191141.06, 2021 Water System Improvements. Council Member M. Peregoy seconded the motion. Discussion; JEO talking points were that this is a scope change to include design, bidding, and construction phase services for the removal of the temporary earthen berms protecting the water treatment plant and Well 81-1. FEMA categorized this work as a separate project, but JEO believes it will be beneficial to group this work with the water project to prevent coordination issues when the Contractor goes to demolish the treatment plant and wells. The description of engineering services included is listed on the scope change document. The total fee adjustment for this change is \$37,500 and the addition of this work will NOT delay the water project. Roll Call Vote as follows, Councilmember S. Vogt: AYE; Councilmember M. Peregoy: AYE; Councilmember Kieler: AYE; Motion Carried 3-0.

Allen Adams asked if he could talk to JEO about the Drainage Organization using some of that dirt. Allen said it would not be good to use on the berm because of the roots and etc. in it.

Item 17. Public discussion was opened up. There was a complaint form filed by a resident stating that neighbor rooster crowing wakes them up as early as 5:46 am. The resident felt it was the city's responsibility to silence the animals in a timely manner. After much discussion among council members, it was stated that Attorney Ligouri would look and see what the Zoning Ordinance said. Mayor Pease stated that a lot of residents in town have chickens and roosters and it was mentioned by M. Peregoy that they would be grandfathered in but going forward something should be done about it. Other items turned in were also discussed. Allen mentioned several homes that needed painted, cleaned up or mowed. Trees hanging over the roads, repairing the guardrail on Park Ave, and buildings that are going to cave in. Attorney Ligouri said that in order to get abatements going on the dilapidated buildings, we would need to get the Board of Health to meet. The Building Inspector could even identify nuisances. Once that was done, Ligouri's office could send letters to start the abatement process on each of those homes.

Council Member Peregoy suggested each Council Member drive around Peru and do a top 10 list of bad dilapidated homes. They would then give the list to Attorney Ligouri and set up a BOH meeting.

Item 18. With there being no further business, Council Member Kieler 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 Q. Kieler: AYE; Motion Carried 3-0.



Angela Allgood – Deputy Clerk



Dave Pease, Mayor

