**MINUTES OF A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF PERU, NEBRASKA ON June 21, 2021 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 Quentin Kieler, Marty Peregoy. Upon roll call by the City Clerk, a quorum was declared.

The Council reviewed the minutes from the May 17, 2021, regular Council meeting. Council Member Coatney made motion to approve the minutes. Council Member Vogt seconded the motion. Roll Call Vote as follows, Councilmember Q. Kieler: AYE; Councilmember Peregoy: AYE; Councilmember S. Vogt: AYE; Councilmember E. Coatney: AYE; Motion Carried 4-0.

The Council reviewed the minutes from the June 4, 2021 Emergency City Council Meeting. Council Member Kieler made motion to approve the minutes. Council Member Coatney seconded the motion. Roll Call Vote as follows, Councilmember Peregoy: AYE; Councilmember S. Vogt: AYE; Councilmember E. Coatney: AYE; Councilmember Q. Kieler: AYE; Motion Carried 4-0.

The Council reviewed the minutes from the June 9, 2021, Special City Council meeting. Council Member Peregoy made motion to approve the minutes. Council Member Coatney seconded the motion. Roll Call Vote as follows, Councilmember S. Vogt: AYE; Councilmember E. Coatney: AYE; Councilmember Q. Kieler: AYE; Councilmember Peregoy: AYE; Motion Carried 4-0.

Council Member Vogt made the motion to approve the claims already paid pursuant to Resolution No. 2018-01. Motion was seconded by Council Member Peregoy; Discussion, Roll Call Vote as follows, Councilmember Q. Kieler: AYE; Councilmember Peregoy: AYE; Councilmember S. Vogt: AYE; Councilmember E. Coatney: AYE; Motion Carried 4-0.

Council Member Coatney made motion to approve the claims still needing paid. Motion was seconded by Council Member Vogt; Discussion, Roll Call Vote Councilmember Q. Kieler: AYE; Councilmember Peregoy: AYE; Councilmember S. Vogt: AYE; Councilmember E. Coatney: AYE; Motion Carried 4-0.

NMC Rental - $1,101.28 (wtr); WesTech - $12,600.00 (wtr); JEO-$54,263.50 (wtr,swr); OPPD-$3,129.93 (gen,sts,p&r,wtr,fr,res,rurfr); Windstream-$582.43 (gen,wtr,fr,rurfr,res); Verizon-$40.01(wtr); Casey’s -$707.57 (sts); Card Services-$134.76 (gen,sts); Black Hills Energy-$82.03 (gen,wtr,fr,rurfr,res); Access Systems-$192.54 (gen); The Cleaners-$24.00(gen); Municipal Supply-$949.99(wtr); Miller Monroe Farrell inc-$1,455.60 (gen,fr,rurfr,res);Xpress Bill Pay-$25.00(wtr,swr); Eggers Bros. Inc-$5.25; Dana F. Cole & Company-$8,500.00(gen); Neb. Public Health Enviro Lab-$47.00(wtr); Omni Engineering-$2,988.18(sts); Pitney Bowes-$140.55(gen); Quick Med Claims-$142.35(res);SENDD-$357.50(gen); Nebraska Rural Water Association-$150.00(wtr); Auburn Newspaper-$565.77(gen); Auburn Family Health Center-$105.00(gen); AKRS Equipment-$46.10(sts); Frontier Cooperative-$155.00(P&R); Purchase Power-$451.01(gen); American Recycling & Sanitation-$3,221.68(gen); Hawkins-$449.96(wtr); One Call Concepts-$6.15(wtr/swr); Heather L. Pemberton-$370.00(gen); Board of Public Works-$5,342.12(wtr); Napa Auto Parts-$19.24(sts); Feld Fire-$3,048.00(fr.rurfr); Layne Christensen Company-$28,158.00(wtr); Wilson Electric-$60.00(P&R); Commercial Rec. Specialists-$297.75(P&R); United Life Insurance-$67.62(gen)

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

The City Clerk reported that June 2021 Hwy Allocation was $7,593.52. The March 2021 City Sales Tax was $4,336.88

**OLD BUSINESS**

Mayor Pease stated the water report can be found in the Clerk’s office. The water usage averaged out to 44 gallons per minute which helps support the Council’s decision to put the Splash Pad back into service.

Mayor Pease stated that the work on the temporary plant and well 81-1 was on schedule but due to a major water main leak and extra repairs to the well pump the water conservation and boil notice was extended longer than planned.

**NEW BUSINESS**

**Item 1.** Council Member Vogt made motion to nominate Council Member Quentin Kieler as Council President. Motion was seconded by Council Member Coatney. Roll Call Vote as follows, Councilmember E. Coatney: AYE; Councilmember Q. Kieler: AYE; Councilmember M. Peregoy; AYE; Councilmember S. Vogt; AYE; Motion Carried 4-0.

Mayor Pease and the Council discussed filling the vacant committee positions. After discussion, the following positions were filled, Board of Health – Quentin Kieler, Solid Waste Management – Marty Peregoy, Vehicle & Building Maintenance- Marty Peregoy, Animal Humanity & Control-Marty Peregoy, Safety Committee-Marty Peregoy, Farm & Building- Quentin Kieler, Housing Authority- Marty Peregoy. Roll Call Vote as follows, Councilmember S. Vogt; AYE Councilmember E. Coatney: AYE; Councilmember Q. Kieler: AYE; Councilmember M. Peregoy; AYE; Motion Carried 4-0.

**Item 2.** Disaster Recovery Coordinator, Deborah Solie, provided an update to the Council and public. She shared that the 2019 federal share increased from 75% to 90%. This means the city will only need to match 5% of each project cost from the 2019 Flood. NEMA will cover the remaining 5%. The City of Peru will be receiving funds from the American Rescue Plan Act. The anticipated total is $132,000. The guidelines on how these funds can be used is still being reviewed.

**Item 3.** Deborah Solie spoke to council about seeking approval to submit a grant application that would improve Sid Brown Park. A representative from Crouch Recreation visited with Solie and put together a potential bid as a starting point. This bid outlines a playground for toddlers and a playground for older children. She discussed how the gravel would be replaced with rubber mulch and that it would be ADA accessible. Councilmember Peregoy made a motion to approve the design of playground to submit with the grant application. Motion was seconded by Councilmember Kieler. Discussion had. Roll Call Vote as follows, Councilmember Q. Kieler: AYE; Councilmember M. Peregoy; Councilmember S. Vogt; AYE Councilmember E. Coatney: AYE; AYE; Motion Carried 4-0.

**Item 4.** Council reviewed the revision to Jim Smith’s bid for the repair of Oregon Street. Mayor Pease noted that Smith went to start work and realized the repair to the street needed to be longer and that more work was required. The bid is $7,650 more than the original. Councilmember Vogt made motion to approve the new bid and cost from Jim Smith for the repair of Oregon Street. Motion was seconded by Councilmember Pergoy. Discussion had. Roll Call Vote as follows, Councilmember M. Peregoy AYE; Councilmember S. Vogt; AYE Councilmember E. Coatney: AYE; Councilmember Q. Kieler: AYE; Motion Carried 4-0.

**Item 5.** Councilmember Kieler discussed the dangers of Oregon Street and requested that the street be closed until work can begin. After brief discussion, Councilmember Kieler made motion to close Oregon Street starting Wednesday the 23rd of June until the repairs are completed. Motion was seconded by Councilmember Vogt. Discussion had. Roll Call Vote as follows, Councilmember S. Vogt; AYE Councilmember E. Coatney: AYE; Councilmember Q. Kieler: AYE; Councilmember M. Peregoy AYE; Motion Carried 4-0.

**Item 6.** Resolution 2021-08: A resolution to allowing immediate consideration and adoption of change amounts necessary & conforming to the water supply contract came before council for discussion. Zach Schulz with JEO feels that somewhere between $10,000 to $15,000 would be an acceptable figure so potential delays do not take place during the construction of the permanent water solution. Mayor Pease would like a committee in place to make sure that change orders/amounts do not create budget concerns. Schulz stated that weekly or biweekly budget meetings can take place. Councilmember Peregoy made motion to approve Resolution 2021-08: A resolution to allowing immediate consideration and adoption of change amounts up to $15,000.00 necessary & conforming to the water supply contract. Motion was seconded by Councilmember Vogt. Discussion had. Roll Call Vote as follows, Councilmember E. Coatney: AYE; Councilmember Q. Kieler: AYE; Councilmember M. Peregoy AYE; Councilmember S. Vogt: AYE; Motion Carried 4-0.

**Item 7.** Council considered the resignation of Cindy DeLaCruz and Penny Coatney from the City of Peru Planning Commission. Councilmember Peregoy made motion to accept the resignation of Cindy DeLaCruz from the City of Peru Planning Commission and consider the resignation of Penny Coatney once a letter of resignation has been submitted. Motion was seconded by Councilmember Vogt. Discussion had. Roll Call Vote as follows, Councilmember Q. Kieler: AYE; Councilmember M. Peregoy AYE; Councilmember S. Vogt: AYE; Councilmember E. Coatney: AYE; Motion Carried 4-0.

**Item 8.** Glen Hogue, City of Peru Zoning Administrator requested new building code books for the City of Peru. This would ensure that the City doesn’t run into an issue of what is right or wrong when contractors request the codes that are followed. After lengthy discussion Councilmember Peregoy made motion to allow the purchase of up to $300.00 for the 2018 International Building Code books. Councilmember Kieler seconded the motion. Discussion had. Roll Call Vote as follows, Councilmember M. Peregoy AYE; Councilmember S. Vogt: NAY; Councilmember E. Coatney: NAY; Councilmember Q. Kieler: AYE; (tiebreaker) Mayor D. Pease: AYE; Motion Carried 3-2.

**Item 9.** Councilmember Kieler made motion to sell the City of Peru’s 1999 Ford F-350 on Big Iron Auctions. Motion was seconded by Councilmember Vogt. Discussion had. Roll Call Vote as follows, Councilmember S. Vogt; AYE Councilmember E. Coatney: AYE; Councilmember Q. Kieler: AYE; Councilmember M. Peregoy AYE; Motion Carried 4-0

**Item 10.** Council discussed replacing the current shredder that the city owns. The Vehicle Committee will gather bids and present them to Council at the regular July meeting. No formal action was requested/taken by Council.

**Item 11.** Councilmember Vogt made a motion to approve the cost estimate of $4,779.27 to repair the PTO on the John Deere tractor. Motion was seconded by Councilmember Coatney. Discussion had. Roll Call Vote as follows, Councilmember Q. Kieler: AYE; Councilmember M. Peregoy AYE; Councilmember S. Vogt: AYE; Councilmember E. Coatney: AYE; Motion Carried 4-0.

**Item 12.** Council reviewed Loan Resolution 2021-09. A resolution of the City Council of the City of Peru authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its Peru fy 21 streets facility to serve an area lawfully within its jurisdiction to serve. City Attorney Ligouri discussed that as the resolution reads it sounds as if the City is entering into a agreement to have bonds. After brief discussion Councilmember Peregoy made a motion to approve Resolution 2021-09. Motion was seconded by Councilmember Vogt. Council further discussed the need to have a better explanation of the Resolution. Roll Call Vote as follows, Councilmember M. Peregoy: AYE; Councilmember Vogt: NAY; Councilmember Coatney: NAY; Councilmember Kieler “NAY”; Motion failed 1-3.

**Item 13.** Review of the FIRM panel ordinance was moved to the regular July council meeting to provide further information.

**Item 14.** Council discussed the easement acquisition through JCG Land Service. Mayor Pease opened the conversation with 2 potential conflicts of interest. First being Councilmember Kieler serving as an employee to the Rural Water District and second Councilmember Coatney since the line will potentially run through family land. Both members felt that there would be no conflict but if a situation arose, they would make it known. Zach Schulz and Tim Adams from JEO as well as a representative from JCG Land Service spoke to council about the pros and cons with placing the water line from Auburn in the ROW or having it run through private landowner easements. JEO recommends private landowner easements to provide long term security. While there would be up to 30 easements needed from private landowners, it is safer when looking at this projects secure longevity. The representative from JCG Land Service requested that the Council approve to use condemnation only if necessary. He noted that the frequency of having to use condemnation is small. Councilmember Peregoy made motion to approve JEO and JCG’s recommendation in pursuing private landowner easements and if required to be able to state condemnation can occur. Brief discussion was had about not worrying about condemnation at this time and to visit it at a later date if it is needed. Councilmember Peregoy modified her motion to exclude condemnation suggestion at this time. Councilmember Vogt seconded the motion as amended. Discussion had. Roll Call Vote as follows, Councilmember S. Vogt; AYE Councilmember E. Coatney: AYE; Councilmember Q. Kieler: AYE; Councilmember M. Peregoy AYE; Motion Carried 4-0

With there being no further business, Council Member Kieler made a motion to adjourn. Council Member Coatney seconded the motion. Roll Call Vote as follows,Councilmember E. Coatney: AYE; Councilmember Q. Kieler: AYE; Councilmember M. Peregoy: AYE; Councilmember S. Vogt: AYE; Motion Carried 4-0.

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Dave Pease, Mayor

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Charlotte Carpenter, City Clerk &Treasurer