**MINUTES OF A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF PERU, NEBRASKA ON FEBRUARY 22, 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 Quentin Kieler. Marty Peregoy was absent. Upon roll call by the City Clerk, a quorum was declared.

The Council reviewed the minutes from January 18, 2022, regular council meeting. Council Member Vogt made motion to approve the minutes. Council Member Coatney seconded the motion. Roll Call Vote as follows, Councilmember S. Vogt: AYE; Councilmember Q. Kieler: AYE; Councilmember E. Coatney: AYE; Motion Carried 3-0.

Council Member Coatney made the motion to approve the claims already paid pursuant to Resolution No. 2018-01. The motion was seconded by Council Member Vogt; Discussion, Roll Call Vote as follows, Councilmember Q. Kieler: AYE; Councilmember E. Coatney: AYE; Councilmember S. Vogt: AYE; Motion Carried 3-0.

Council Member Coatney 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 S. Vogt: AYE; Councilmember Q. Kieler: AYE; Motion Carried 3-0.

NMC Rental - $1,101.28 (wtr); WesTech - $16,750.00 (wtr); JEO-$13,862.50(wtr,swr, sts); OPPD-$2,946.29(gen,wtr,p&r,sts,rurfr,fr,res);Windstream-$560.39 (gen,wtr,p&r,sts,rurfr,fr,res); Verizon-$40.01(wtr); Casey’s-$961.70(sts,res,fr); Black Hills Energey-$352.81(gen,fr,rurfr,res); Grainger-$2,208.48 (sts,wtr); Auburn Auto Center- $669.56 (sts); Matheson Tri Gas- $69.67 (res); Brent Lottman - $470.59 (res,fr,rurfr); Ligouri Law Office - $4,265.60 (gen); AKRS - $3,436.09 (sts); Heather Pemberton - $550.00 (gen); Quick Med Claims - $240.39 (res); Feld Fire - $1,576.52 (fr,rurfr); Midwest Laboratories-$156.00 (swr); Hawkins - $1,742.81(wtr); Harold Hitch - $30.00 (sts); One Call Concepts - $ 5.56(wtr,swr); Napa Auto Parts - $62.04 (sts,fr,rurfr); Auburn Newspaper - $112.23 (gen); Bound Tree - $405.06 (res); Holiday Inn - $219.00 (res); Westrum Leak Detection - $1,075.00 (wtr); Ty’s Outdoor Power - $22.60 (sts); Miranda Decker - $291.21 (res); Northern Lights Display - $2,231.00 (sts); Board of Public Works - $7,161.98 (wtr,swr); Rieschick Drilling Co. - $502.50 (wtr) American Recycling and Sanitation - $2,150.00 (san); Miller Farrell Ins. - $7,710.00 (gen); Burr Farms - $190.00 (sts); Xpress Bill Pay - $53.50

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 City Clerk reported that the February 2022 Incentive Payment was $1,000.00, February 2022 Hwy Allocation - $5,192.10, November 2021 City Sales Tax - $3,509.39, and December 2021 City Sales Tax was $3,458.14.

**OLD BUSINESS**

Mayor Pease states that the monthly water report could be found in the clerk’s office.

Mayor Pease informed everyone that he had contacted JK Energy Consulting to perform a water rate study. Further information will go before the council at the March meeting.

**NEW BUSINESS**

**Item 1.** Deborah Solie, Disaster Recovery Coordinator updated the council and public on various topics. Solie stated that the Purchase Rehab Resale grant guidelines were adjusted for new grants moving forward but unfortunately, the guidelines for the city would not be adjusted. SENDD is looking into creative ways to work together moving forward. Solie was able to find a USDA grant and low-interest loan program that would assist Peru with updates to the maintenance buildings. Pinpoint received grant funding and they are moving forward with research that could lead to broadband in Peru. The City has until 2024 to obligate the ARPA funds. Solie also stated that she submitted an application for a grant that would help cover the cost of a new playground for Sid Brown Park.

**Item 2.** Zach Reeves requested to close off the portion of 5th Street between the old Shooter’s Bar and his bar on May 7th. Reeves stated that he would like to have it closed by 7:00 A.M. on the 7th and reopen the street by 9:00 A.M. on the 8th. Councilmember Kieler made motion to approve closing a portion of 5th Street from May 7th at 7:00 A.M. to May 8th at 9:00 A.M. Motion was seconded by Councilmember Vogt. Roll Call Vote as follows, Councilmember S. Vogt: AYE; Councilmember Q. Kieler: AYE; Councilmember E. Coatney: AYE; Motion Carried 3-0.

**Item 3.** Zach Reeves requested to close off the portion of 5th Street between the old Shooter’s Bar and his bar on May 31st. Reeves stated that he would like to have it closed from 5:00 P.M. on the 31st and reopen the street on June 1st at 2:00 A.M. Councilmember Kieler made motion to approve closing a portion of 5th Street from May 31st at 5:00 P.M. to June 1st at 2:00 A.M. Motion was seconded by Councilmember Coatney. Roll Call Vote as follows, Councilmember Q. Kieler: AYE; Councilmember E. Coatney: AYE; Councilmember S. Vogt: AYE; Motion Carried 3-0.

**Item 4.** Zach Reeves requested to close off the portion of 5th Street between the old Shooter’s Bar and his bar on June 3rd through June 5th. Reeves stated that he would like to have it closed by 4:00 P.M. on the 3rd and leave it closed until June 5th at 10:00 A.M. Councilmember Coatney made motion to approve closing a portion of 5th Street from June 3rd at 4:00 P.M. until June 5th at 10:00 A.M. Motion was seconded by Councilmember Kieler. Roll Call Vote as follows, Councilmember Coatney: AYE; Councilmember Vogt: AYE; Councilmember Kieler: AYE; Motion Carried 3-0

**Item 5.**  Nemaha County Leadership Class #7 updated the council on the Peru Bark Park. Stephanie Holmes reported that so far, they have raised $4,500.00 for the project and provided the council with a map of what the dog park will look like. A discussion was had about timelines and when to request council approval. The Leadership Class will come back to the regular April council meeting seeking approval for final plans. No formal action was taken by the council.

**Item 6.** Deputy Clerk, Angela Allgood, provided the council with an update on Xpress Bill Pay. She stated that the city should be able to go live in March which means people will be able to set up automatic bill pay online as well as view their bill online.

**Item 7.** Deputy Clerk, Angela Allgood, provided the council with information about Textmygov.com. She stated that this is a program that would allow the city to send out a mass text message to provide the community with updates or reports. This program also allows the community to communicate with City Hall. Citizens would be able to submit pictures of concerns they may see. Councilmember Vogt stated that he really liked this idea and Councilmember Kieler was requested that the ongoing price be lower. Angela noted that she will do further research and bring it back to the regular March meeting. No formal action was taken by the council.

**Item 8.** Council reviewed the changes made to the pet licensing by the Animal Humanity and Control Committee. The major change was raising the license fee from $4 to $5 for altered dogs and cats and having a new fee of $20 for unaltered dogs and cats. Councilmember Kieler made motion to approve the changes made to the pet licensing. The motion was seconded by Councilmember Coatney. Discussion was had; Roll Call Vote as follows, Councilmember S. Vogt: AYE; Councilmember Q. Kieler: AYE; Councilmember E. Coatney: AYE; Motion Carried 3-0.

**Item 9.** Councilmember Coatney made motion to approve Elijah Kennedy’s application for the Fire Department. The motion was seconded by Councilmember Kieler. Roll Call Vote as follows, Councilmember Q. Kieler: AYE; Councilmember E. Coatney: AYE; Councilmember S. Vogt: AYE; Motion Carried 3-0.

**Item 10.** Council discussed the fire hydrant located on Park Avenue that was dug up due to a leak. Councilmember Kieler stated he will reach out to Rieschicks and have them arrange a time to meet with the City Clerk. No formal was taken by the council.

**Item 11.** Council reviewed the draft job description for a Code Enforcement Officer. Discussion was had about changing the wording for 2 items and hiring an individual under a contract instead of an employee. The City Clerk will make wording changes and bring the topic back for the regular March council meeting.

**Item 12.** After a brief discussion about the WesTech Rental Equipment price, Councilmember Coatney made motion to approve the renewal rental equipment lease with WesTech. The motion was seconded by Councilmember Kieler. Roll Call Vote as follows, Councilmember S. Vogt: AYE; Councilmember Q. Kieler: AYE; Councilmember E. Coatney: AYE; Motion Carried 3-0.

**Item 13.** Council reviewed the loan agreement between the Nebraska Department of Environment and Energy and City of Peru including attachments thereto, NDEE Project No. DE11688 through consideration of passage and adoption of Resolution 2022-02. After a brief discussion, Councilmember Vogt made motion to approve Resolution 2022-02. Motion was seconded by Councilmember Kieler. Roll Call Vote as follows, Councilmember E. Coatney: AYE; Councilmember S. Vogt: AYE; Councilmember Q. Kieler: AYE; Motion Carried 3-0.

**Item 14.** Council reviewed change order #1 for the 2021 Wastewater Treatment Facility Improvements Project. The change order adds additional rock with a price increase of $40,120.00 and extends the timeline 30 days. After a brief discussion, Councilmember Vogt made motion to approve Change Order #1 for the 2021 Wastewater Treatment Facility. The motion was seconded by Councilmember Kieler. Roll Call Vote as follows, Councilmember Q. Kieler: AYE; Councilmember E. Coatney: AYE; Councilmember S. Vogt: AYE; Motion Carried 3-0.

**Item 15.** Tim Adams with JEO provided an update on the Water System Improvements Project. He stated that the pipe is currently being made and is on schedule. Permit inquiries have been positive and everything looks in good shape. 17 individuals have signed for the easement process and are moving forward.

**Item 16.** City Attorney, Angelo Ligouri, provided an update about the Union Pacific Railroad Company license agreement. Ligouri stated that he spoke with an individual on February 16th and said they will let him know about the changes at a later date. No formal action was taken by the council.

**Item 17.** Councilmember Vogt moved for Closed Session to strategy session for negotiating guidance by members of the public body to legal counsel, JEO, JCG, negotiators on the City's behalf, and the mayor on compensation for easements (temporary/permanent) and reimbursement for removal of property, structures, crops, landscaping, etc., Second by Kieler, motion approved 3/0 by roll call vote.

Mayor Pease restated in open session that the City Council was now going into closed session for negotiating guidance by members of the public body to legal counsel, JEO, JCG, negotiators on the City's behalf, and the mayor on compensation for easements (temporary/permanent) and reimbursement for removal of property, structures, crops, landscaping, etc. Council went into closed session at 7:37 p.m.  The mayor ended close session at 8:18 p.m. and the council reconvened in open session. No action was requested or taken by Council.

**Item 18.** Council made the decision to take no action on the easement agreements and payment of settlement offers for the 2021 Water System Improvement Project until they could all be done at one time.

**Item 19.** Council discussed setting a bid opening date and when to advertise for bids for the 2021 Water System Improvement Project. Tim Adams with JEO went over options and noted that when contractors submit a bid, they have to honor it for 60 days. JEO suggests bumping it out a couple of weeks. Councilmember Kieler made motion to allow JEO to coordinate with the City Clerk to advertise for bids starting no later than March 17th. The motion was seconded by Councilmember Vogt. Roll Call Vote as follows, Councilmember E. Coatney: AYE; Councilmember S. Vogt: AYE; Councilmember Q. Kieler: AYE; Motion Carried 3-0.

**Item 20.** Council reviewed Resolution 2022-03 – Mayor to execute a lease with the City of Auburn, NE for $1.00 per lease term pursuant to the terms of the Final Water Supply Agreement with the City of Auburn, NE. Ligouri stated that the City of Auburn is more comfortable with this as a lease term instead of an easement request. This helps keep everything consistent with the original lease agreement. Councilmember Vogt made motion to approve Resolution 2022-03. The motion was seconded by Councilmember Coatney. Roll Call Vote as follows, Councilmember S. Vogt: AYE; Councilmember Q. Kieler: AYE; Councilmember E. Coatney: AYE; Motion Carried 3-0.

**Item 21.** A discussion was had about the Right-of-Way Easement Agreement between the City of Peru and the Board of Trustees of the Nebraska State College System. The agreement is consistent with the discussion that took place at the regular January Council meeting. It would allow the City of Peru a permanent 46’ ROW with a temporary 66’ ROW for construction of 5th Street. A brief discussion was had. Councilmember Coatney made motion to approve the Right-of-Way Easement Agreement between the City of Peru, NE, and the Board of Trustees of the Nebraska State College System for the 5th Street improvement project. The motion was seconded by Councilmember Vogt. Roll Call Vote as follows, Councilmember Q. Kieler: NAY; Councilmember E. Coatney: AYE; Councilmember S. Vogt: AYE; Councilmember Peregoy: ABSENT; Mayor D. Pease: AYE; Motion Carried 3-1-1.

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

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Dave Pease, Mayor

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Charlotte Carpenter, City Clerk &Treasurer