

MINUTES OF A SPECIAL MEETING OF THE MAYOR AND CITY COUNCIL OF PERU, NEBRASKA ON FEBRUARY 27, 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 February 27, 2023, at 6:00 o'clock P.M., in Special Meeting, open to the general public, advance notice of public hearing to be conducted at said Special meeting was published in the Nemaha County Herald on February 16, 2023, and notice of special meeting, including the agenda for said meeting, or the availability thereof was posted at: Peru City Hall, Mainstreet 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.

Present at 6:00 p.m.: Mayor Dave Pease, and Council Members Cate Wyckoff, Spencer Vogt, Marty Peregoy and Quintin Kieler. Upon roll call by the City Clerk, a quorum was declared.

OLD BUSINESS

The Council reviewed the minutes from February 21, 2023, regular council meeting. Council Member Vogt made motion to approve the minutes. Council Member Wyckoff seconded the motion. Roll Call Vote as follows, Councilmember S. Vogt: AYE; Councilmember Q. Kieler: AYE; Councilmember M. Peregoy: AYE; Councilmember Wyckoff : AYE; Motion Carried 4-0.

Claims already paid pursuant to Resolution No. 2018-01. There were none so no action was needed.

The following claims were presented before the Council for approval:

JEO (sts) \$2,350.00; Heather Pemberton CPA (gen) \$1,970.00; Casey's Business Service (gen) \$1,767.23; Eakes (gen) \$27.99; Nebraska Municipal Power Pool (gen) \$2,050.00; Adobe (gen) \$119.88; The Market (gen) \$25.06; Westech (wtr/swr) \$14,740.00; Miller Farrell Insurance Agency (gen) \$3,254.84; Bound Tree (gen) \$42.31; Xpress Bill Pay (gen) \$83.45; Board of Public Works (wtr/swr) \$85.10; Text My Gov (gen) \$2,000.00; Carstensen Contracting Inc. (wtr/swr) \$859,861.87. General(gen), Streets(sts), Water(wtr), Sewer(sw), Parks & Rec(p&r), City Fire(fr), Rural Fire(rurfr), Rescue(res), Grant(grnt). Sanitation (san)

Council Member Vogt made motion to approve the claims still needing to be paid. The motion was seconded by Council Member Kieler; Roll Call Vote Councilmember M. Peregoy: AYE; Councilmember Q. Kieler: AYE; Councilmember S. Vogt: AYE; Councilmember C. Wyckoff; Motion Carried 4-0.

NEW BUSINESS

The Mayor announced the opening of the Public Hearing. This was for the transmission of recommendation by the Planning and Zoning Commission o the City of Peru, Nebraska. PSC President Evans presented about multi recreation complex proposed to be built in Block 204 and 205 of the original plat of the City of Peru, Nebraska, and the need for rezoning as well as a special use permit, reducing the minimum number of parking stalls required for commercial use types. Public discussion

was had. A letter from Jasper Keran was read by the Mayor then more public discussion. After allowing time for comment, the Mayor closed the public hearing (7:05 pm) and council prepared to vote.

Councilmember S. Vogt made motion to approve Resolution #2023-4, The Change of Zoning of Block 204 and 205 of the Original Plat of the City of Peru granting a Special use permit to Peru State College to reduce the minimum number of parking stalls required for commercial use types, from 150 stalls to 135 stalls; Councilmember M. Peregoy seconded the motion. Roll Call Vote Councilmember Wyckoff: AYE; Councilmember S. Vogt: AYE; Councilmember M. Peregoy: AYE; Councilmember Q. Kieler was absent; Councilmember Q. Kieler left the meeting at 6:45 pm and remained absent for the duration of the meeting. Motion Carried 3-0.

Resolution #2023-5 approving and adopting a permanent storm sewer easement, declaring the same for the necessary need and benefit of the City of Peru, Nebraska, providing authorized signers, and providing for an effective date. Councilmember M. Peregoy made motion to accept Resolution #2023-5. It was seconded by Councilmember S. Vogt. Roll Call Vote as follows: Councilmember S. Vogt: AYE; Councilmember M. Peregoy: AYE; Councilmember C. Wyckoff: AYE; Councilmember Q. Kieler: ABSENT. Motion Carried 3-0

Ordinance No. 2023-1 Authorizing Suspension of the Rules, vacating platted alleyways running North/South in block 204 and 205, in the Peru Neals Addition to Peru, Nemaha County Nebraska, and vacating the platted 4th street running North/South between blocks 204 and 205 in the Peru Neals Addition to Peru, Nemaha County Nebraska; and authorizing amendment of the official zoning map, repealing conflicting ordinances, and providing for an effective date, was presented for consideration. The Mayor announced that the proposed Ordinance was in order. Council Member Marty 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 the same as though it were spread at large herein, which motion was seconded by Council Member Cate Wyckoff. Upon Roll call vote: 3 AYES, 0 Nays, 1 Absent. The following Council Members voted AYE: Marty Peregoy, Spencer Vogt, Cate Wyckoff. The following voted NAY: No one. Motion: Carried. Council Member Spencer Vogt introduced the proposed Ordinance and moved that the statutory rule requiring reading on three different days be suspended. Council Member Cate Wyckoff seconded the motion to suspend the rules. Upon rll call vote: 3 AYES, 0 Nays, 1 Absent. The following Council Members voted AYE: Marty Peregoy, Spencer Vogt, Cate 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 Spencer Vogt read Ordinance No. 2023-1 and moved for final passage for the ordinance, which motion was seconded by Council Member Cate Wyckoff. Roll Call Vote as follows: Councilmember S. Vogt: AYE; Councilmember M. Peregoy: AYE; Councilmember C. Wyckoff: AYE; Councilmember Q. Kieler: ABSENT. Motion Carried 3-0

The next agenda item was the Motion for Consideration of the Change to Scope of Services Approval Form No. 3 for Engineering Task Order No. 191141.06, 2021 Water System Improvements. This scope change adds construction materials testing to the JEO agreement for the water project.

Councilmember C. Wyckoff made motion to accept the Change to Scope of Services Approval Form No. 3 and Councilmember S. Vogt seconded the motion. Roll Call Vote as follows, Councilmember Q. Kieler: ABSENT; Councilmember M. Peregoy: AYE; Councilmember S. Vogt: AYE; Councilmember C. Wyckoff: AYE. Motion Carried 3-0

Councilmember S. Vogt made a motion to select Nebraska Title Company out of Omaha, NE to be our title company for Hazard Mitigation Grant Program. Councilmember M. Peregoy seconded the motion. Roll Call Vote follows: Councilmember M. Peregoy: AYE; Councilmember Q. Kieler: ABSENT; Councilmember S. Vogt: AYE; Councilmember C. Wyckoff: AYE. Motion Carried 3-0.

Councilmember M. Peregoy wanted a motion for consideration that City Maintenance workers need permission from the Mayor to take personal time off. She stated that if an event was happening, we could not have both workers call in the same day they needed off. After discussion, Councilmember M. Peregoy withdrew her motion if Mayor Pease would talk to the maintenance workers. No vote taken.

Motion for consideration of hiring Councilmember M. Peregoy as interim Grant Coordinator. After discussion, Attorney Morgan Ritchie, stated that she wanted to do more research on conflict of interests and whether the City could compensate a Councilmember for performing said duties. Councilmember S. Vogt stated that we could not wait for the regular council meeting March 20, 2023. He stated that was three weeks away and all councilmembers agreed that a Grant Coordinator would need to be in position before then. A special meeting was called and will be Monday, March 6, 2023 at 6 pm at the City Hall. Further action has been tabled until that time.

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

Dave Pease, Mayor

Angela Allgood – Deputy Clerk