

MINUTES OF A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL  
OF THE CITY OF PERU, NEBRASKA ON THE 20<sup>th</sup> DAY OF OCTOBER 2025 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 5<sup>th</sup> Street, Peru, Nebraska 68421, on the 20<sup>th</sup> of OCTOBER, 2025, at 6:00 P.M., for a Regular Meeting. This meeting was open to the general public with 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), and the Community Bulletin Board.

Mayor Katy Novak called the meeting to order and informed the public of the location of the Nebraska Open Meetings Act.

**Agenda Item 1 – Roll Call**

At 6:00pm a roll call was taken and the following was recorded for attendance.

PRESENT – Mayor Katy Novak; Councilmembers Brent Brown, Theresa Westfall, and Josh Whisler.

ABSENT – Councilmember Racheal Brown.

A quorum was declared pursuant to Neb. Rev. Stat. 17-105.

**Agenda Item 2 – Recognition of Visitors:**

Mayor Katy Novak 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.

Said resolution was 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 the September 15<sup>th</sup>, Regular Council Meeting

(ii.) Approval of Minutes from the September 15<sup>th</sup> Budget Hearing.

(iii.) Approval of Minutes from the September 16<sup>th</sup>, Special Council Meeting.

**B. Approval of Claims:** The following claims were presented to the Council by the City Clerk and were reviewed, and approved for payment: Regular Claims: Black Hills Energy (Fire/Rescue) - \$93.59 // Black Hills Energy (Gen) - \$58.58 // Kinetic/Windstream (Gen) - \$931.89 // OPPD (Gen) - \$799.25 // OPPD (Streets) - \$1,201.92 // Personnel Payroll including tax 9/30 (Gen) - \$11,962.53 // Personnel Payroll including tax 10/15 (Gen) - \$10,237.99 // xpress-Billpay (Wtr/Swr) - \$149.74 // Quick Med Claims (Fire/Rescue) - \$82.00 // A1 Locksmith (Gen) - \$237.00 // Access Systems (Gen) - \$196.31 // Action

Technology Services Inc. (Gen) - \$187.50 // AKRS Equipment (Gen) - \$128.83 // American Recycling & Sanitation (Wtr/Swr) - \$2,660.00 // Arc and Sparks LLC (Streets) - \$2,005.19 // Auburn Auto Center (Gen) - \$617.78 // Auburn Board of Public Works (Wtr/Swr) - \$1,443.28 // Auburn Board of Public Works (Wtr/Swr) - \$16,379.92 // Auburn Newspapers [Nemaha Valley Observer] (Gen) - \$303.00 // Bohl Plumbing and Heating (Gen) - \$174.25 // Bound Tree Medical (Rescue) - \$1,034.51 // Casey's Business MasterCard (Gen) - \$926.62 // Deluxe (Gen) - \$373.95 // Eakes (Gen) - \$87.27 // First National Bank of Omaha (Gen) - \$1,182.01 // Grainger (Wtr/Swr) - \$553.50 // Heather L. Pemberton (Gen) - \$876.25 // Hydro Optimization & Automation Solutions (Wtr/Swr) - \$1,532.44 // Martin's Flag Company (Gen) - \$57.59 // Municipal Supply (Wtr/Swr) - \$334.17 // NAPA (Gen) - \$39.92 // Nebraska Municipal Clerks Association (Gen) - \$50.00 // Nebraska Public Health Environment Lab (Wtr/Swr) - \$549.00 // Nemaha County Clerk (Gen) - \$28.00 // One Call Concepts (Wtr/Swr) - \$3.28 // Sara Harms (Gen) - \$240.00 // Sinclair [WEX Bank] (Gen) - \$74.00 // Theresa Westfall (Gen) - \$231.64 // Titan Machinery (Gen) - \$1,926.90 // Tomcat Consultants LLC (Wtr/Swr) - \$11,625.00 // Ty's Outdoor Power & Service (Gen) - \$181.69 // Ty's Outdoor Power & Service (Gen) - \$1,120.59 // Utility Service Co Inc (Wtr/Swr) - \$4,417.30 // Verizon (Gen) - \$20.02

C. Approval: Acknowledgement of Approval of the Q&H Subdivision by Planning and Zoning Commission by the City Council and the City of Peru.

D. Approval: Samantha Befus Application for Membership of the Peru Rescue Squad.

Councilmember T. Westfall moved to approve the consent agenda without item 4A. (i.) "Approval of Minutes from the September 15<sup>th</sup>, Regular Council Meeting" and item 4B. "Approval of Claims". J. Whisler seconded the motion.

On this roll call vote, the vote was as follows:

J. Whisler – AYE, R. Brown – ABSENT, T. Westfall – AYE, B. Brown – AYE.

On this roll call vote: The AYES were 3, the Nays were 0, with 1 marked Absent.

Motion Carried.

Councilmember T. Westfall discussed her concerns that the minutes lacked back and forth conversation with specifically the wage ordinance. She requested that the minutes are able to read full to see the full content of the conversation rather than just the summary of the conversation. City Clerk Dennis Kirkpatrick stated that he wrote minutes differently in the past but will work on adding more context.

T. Westfall also raised questions about several claims, noting that she did not feel fully informed during the Finance Committee meeting. She inquired about A-1 locksmith services, which Mayor Novak and D. Kirkpatrick explained were necessary due to prior security issues and uncertainty about key access. D. Kirkpatrick also clarified that the Action Technology Services expense related to repairs on the "Power Manager" utility billing system, which was preventing accurate billing.

T. Westfall questioned purchases made with the First National Bank credit card. D. Kirkpatrick explaining they covered standard office supplies and operational expenses.

T. Westfall also questioned the registration fees for the International Institute of Municipal and Deputy Clerk Mary Williams explained that the membership provides access to professional resources, grant-

writing guidance, and training opportunities. T. Westfall stated that she did not view the memberships as a current priority.

T. Westfall questioned the purchase of a military flag for City Hall. She stated that the Council should have been consulted before installing holders for military flags, and Mayor Novak agreed to include the matter on the November meeting agenda. T. Westfall also questioned the Titan Machinery invoice for repairs to the city's bush hog shredder, suggesting that the city could have used personal equipment to transport it. D. Kirkpatrick explained that doing so would pose an insurance liability risk and that the equipment was needed promptly to continue city maintenance work.

T. Westfall further expressed concern that the city might be spending funds unnecessarily on smaller items and stated that she believes transparency in purchasing could be improved. Mayor Novak, D. Kirkpatrick, and M. Williams responded that staff are working to improve efficiency, reduce costs, and ensure all expenditures are properly reviewed.

There was no further discussion.

Councilmember T. Westfall moved to approve all claims except for the \$195 and \$135 entry for the International Institute for Municipal Clerks. J. Whisler seconded the motion.

On this roll call vote, the vote was as follows:

J. Whisler – AYE, B. Brown – AYE, T. Westfall – AYE, R. Brown – ABSENT.

On this roll call vote: The AYES were 3, the Nays were 0, with 1 marked Absent.

Motion Carried.

Councilmember T. Westfall moved to postpone consideration of the Proposed Minutes from the September 15<sup>th</sup> Regular Council Meeting. J. Whisler seconded the motion.

On this roll call vote, the vote was as follows:

B. Brown – AYE, J. Whisler – AYE, T. Westfall – AYE, R. Brown – ABSENT.

On this roll call vote: The AYES were 3, the Nays were 0, with 1 marked Absent.

Motion Carried.

### **Agenda Item 5 – Correspondence**

E. There were no correspondence for this meeting.

### **Agenda Item 6 – Old Business**

F. Water Report: Mayor Novak was stated that there is a copy of the water report in the Clerk's Office. There was no further discussion.

G. Mayor's Report: Mayor Katy Novak gave the Mayor's Report.

Mayor Novak reported that the city has a new maintenance supervisor, two full-time maintenance workers, and no general laborer. She noted that Maintenance Supervisor Donald Roberts has been working towards his water and wastewater certifications.

Mayor Novak noted that she and that City Clerk Dennis Kirkpatrick had been working on documenting procedures for future people to go by.

Mayor Novak concluded by noting the work that had been done by volunteers at the softball fields during that weekend.

There was no further discussion.

H. Clerk's Report: City Clerk Dennis Kirkpatrick gave the Clerk's Report.

D. Kirkpatrick reported that K.J.'s and 5<sup>th</sup> Street Post had renewed their liquor licenses and that Casey's will expire in May 2026. He also noted that tobacco licenses will be due by December 31<sup>st</sup> for the 2026 year.

D. Kirkpatrick reported that Deputy Clerk Mary Williams and himself had been working on settling water accounts and bringing them up to date. This included collecting on outstanding balances and returning water deposits to people.

D. Kirkpatrick stated that he and City Building Inspector Kevin Rhoten had sent out letters to houses and business who did not have letters or numbers on their building. He stated that it was just a letter, not a formal notice and that they would start enforcing the ordinance in November. He stated that these building numbers and letters could be on the walk, the driveway, the mail box, gate, fence, curb, or other appropriate place so that its clearly visible from the street or the road.

D. Kirkpatrick reported that the website had been updated with meeting minutes up until August and that he is planning on keeping it up to date as minutes are approved or what was discussed. He also stated that agendas and notices will be posted on the website as well.

D. Kirkpatrick reported that the insurance claim for the mower that was damaged was denied by the insurance company. This was because the equipment was never submitted to the insurance company prior to the incident. He stated that a lot of stuff had not been filed with the insurance company and that himself and Maintenance Director Donald Roberts were going to work on it.

D. Kirkpatrick reported that the WEX Bank Fleet Cards were activated and working.

D. Kirkpatrick stated that 5<sup>th</sup> Street would be closed on October 26<sup>th</sup> for Trunk or Treat from 2:00pm to 6:00pm.

There was some discussion regarding the possibility of the city mailing out water bills to people who are on auto draft with the bank so that they can receive city notices. D. Kirkpatrick said that they can look into that and that they publish the newsletters and notices in the notice places.

There was no further discussion.

I. Grant Report: Deputy Clerk and Grant Coordinator Mary Williams gave the Grant Report.

M. Williams reported that all funds for the North end have been received by the city for reimbursement from NEMA/FEMA and that the project has been closed out.

M. Williams reported that the city was given special permission by NEMA/FEMA after all testing were conducted. They approved a community garden at one location just north of Councilmember R. Brown's property. And that the city is approved to use the land so long as no one makes money off of the crops.

M. Williams stated that the city has the opportunity with the USDA to grow pollinator plants at no cost to the city. She also stated that they can do one with prairie grasses and develop the vacant areas. She also stated that due to the federal government shutdown the USDA's website is down and the portals aren't open. She further noted that there is some community interest in this project. It was noted that any approval would need to be brought to the council before approval.

M. Williams reported that closeout reports were done for the lagoons, temporary water treatment facility, and the water line and that she is getting assistance in going through all of those records.

There was no further discussion.

J. Facilities Report: Maintenance Director Donald Roberts gave the facilities report.

D. Roberts stated that he was working on getting his certifications and that the maintenance staff was getting ready for winter.

There was no further discussion.

K. Committee Reports:

1. Parks and Recreation Commission: Commission Chair Nick Novak gave the Parks and Recreation Commission Report.

N. Novak reported that volunteers from the Nemaha County Leadership group along with a few other citizens had helped repair the roof at the softball field concession stand. They found that most of the sub-layer of the roof was in immaculate shape. They also repainted the concession stand inside and out, cleaned the bathrooms, cleaned the appliances, and repainted the equipment shed. He stated that he hoped to get the project wrapped up when there is time.

N. Novak stated that the commission is planning to send out their fundraising requests for the playground. He reported that the commission voted at their previous meeting to create a fundraising and events subcommittee.

N. Novak reported that the commission was planning on putting forward their plan for the utilization of the cut tree stumps at Neal Park to the council at the November meeting. They plan to use it as a sort of temporary structure in lieu of a playground for kids to play around on.

N. Novak reported that he has been in contact with Deputy Clerk Mary Williams to put together a plan for a possible community garden at the north end. He stated that he had been working with M. Williams to find grants or other programs to fund some of Park and Rec's projects.

There was no further discussion.

2. Planning and Zoning Commission: City Clerk Dennis Kirkpatrick gave the Planning and Zoning Commission Report.

D. Kirkpatrick stated that the commission discussed and approved the Q&H subdivision that was in the consent agenda.

There was no further discussion.

3. Finance Committee: Committee Chair Brent Lottman gave the Finance Committee Report.

B. Lottman stated that the main topic of discussion was the audit. City Clerk Dennis Kirkpatrick stated that he was calling Dana Cole every day trying to get the audit squared away.

B. Lottman reported that the committee also discussed the numbers for the fiscal year. And more specifically relating to highway allocation.

There was no further discussion.

4. Streets and Alleys Committee Councilmember and Committee Chair Theresa Westfall gave the Streets and Alleys Committee Report.

T. Westfall reported that the committee had concerns regarding the downtown street lights not being on at times. She stated that that was resolved.

T. Westfall reported that the committee had some questions about North End light poles and that they were going to reach out to OPPD regarding which ones are staying and which ones are going. She stated that there were more questions regarding additional light poles being installed in some of the darker neighborhoods.

T. Westfall stated that the committee had contacted the college regarding some water drain offs from some of their buildings. She stated that they had heard from someone about the drainage going down their street. She stated that the college would be addressing those drainage issues. She also stated that they were looking into solutions for the drainage coming from Hoyt Street.

T. Westfall reported that JEO confirmed that the 1&6 Year Street Improvement Plan had been submitted to the state.

T. Westfall reported that the committee discussed the possibility of using Brine on the street. She stated that the committee's research showed that brine doesn't work below freezing including below zero degrees, and that they continue to use road salt.

There was no further discussion.

5. Animal and Humanity Committee Councilmember and Committee Chair Theresa Westfall gave the Animal and Humanity Committee Report.

T. Westfall stated that the animal tags for 2026 were in. The committee was planning on sending out the letter in December that reminds people to register their animal.

There was no further discussion.

### **Agenda Item 7 – New Business**

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L. Discussion and Possible Action: Purchasing two phones for maintenance on-call.

Mayor Katy Novak stated that under this proposal, maintenance would get two phones for on-call usage. One would be used for the person who is on-call and another for the Maintenance Supervisor for any emergencies that may arise. City Clerk Dennis Kirkpatrick stated that the plan would be \$75.00 a month for two phones, included the phones for free, and were on Verizon's network. He explained that it avoids any issues with employees using their personal phones and allows them to respond to emergencies quicker.

There was no further discussion. No action was taken.

M. Discussion with Possible Approval: Purchase of Box Blade for Snow Removal for Skid Loader. Recommended by the Street Committee using Street funds.

Councilmember Theresa Westfall stated that that this purchase was recommended by the Streets Committee. She stated that the purchase of the 12' box blade would cut down time for snow removal, it would be more durable, and it could articulate back and forth. She stated that it would cost \$5,500 dollars and that this purchase was budgeted for.

There was discussion about the current blade being old, uneven, and difficult to use, causing extra time and labor during snow removal. Some questioned whether it was necessary since the city already has truck plows and a skid steer blade. Discussion also noted that recent winters have brought less snow, though having reliable equipment would ensure readiness for heavier snowfall.

There was no further discussion.

Councilmember Theresa Westfall moved to approve the purchase of the 12' box blade. J. Whisler seconded the motion.

On this roll call vote, the vote was as follows:

T. Westfall – AYE, J. Whisler – AYE, B. Brown – AYE, R. Brown - ABSENT

On this roll call vote: The AYES were 3, the Nays were 0, with 1 marked Absent.

Motion Carried.

N. Discussion with Possible Approval: Authorizing the purchase of UTV with Snow Plow from Tractor Supply.

There was no discussion. No action was taken.

O. ORDINANCE NO. 2025-10: AN ORDINANCE ESTABLISHING REGULATIONS REGARDING VACANT COMMERCIAL BUILDINGS AND MONETARY PENALTIES THEREOF; PROVIDING FOR A CONFLICT

RESOLUTION PROVISION; TO PROVIDE FOR THE REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Mayor Katy Novak stated this ordinance is modeled after one recently adopted in Auburn, Nebraska. She stated that the goal is to address vacant downtown buildings by requiring owners of empty commercial properties to register with the city once the building has been vacant for six months. City Clerk Dennis Kirkpatrick stated that owners must pay a \$500 registration fee every six months, unless they are actively trying to lease, sell, or utilize the property.

There was discussion regarding enforcement, fees, and ownership. It was clarified that the ordinance applies only to privately owned commercial buildings, not residential properties or empty lots. It was stated that the city clerk and building inspector would jointly administer the program, and would maintain a list of vacant buildings and to ensure compliance. It was stated that the city would prefer not to fine anyone, and instead focus on downtown revitalization, Enforcement would involve coordination with the Board of Health if nuisance issues arise. It was also noted that the Board of Health hadn't met recently but the plan is to schedule a Board of Health meeting soon.

There was no further discussion.

Mayor Katy Novak stated that the introduction of the proposed Ordinance was in order.

Councilmember Theresa Westfall moved that the minutes of these proceedings be kept in a separate and distinct volume known as the "Ordinance Record of the City of Peru". J. Whisler seconded the motion.

On this roll call vote, the vote was as follows:

J. Whisler – AYE, B. Brown – AYE, T. Westfall – AYE, R. Brown – ABSENT

On this roll call vote: The AYES were 3, the NAYS were 0, with 1 marked Absent.

Motion Carried.

Councilmember T. Westfall introduced the proposed Ordinance as Ordinance No. 2025-10, AN ORDINANCE ESTABLISHING REGULATIONS REGARDING VACANT COMMERCIAL BUILDINGS AND MONETARY PENALTIES THEREOF; PROVIDING FOR A CONFLICT RESOLUTION PROVISION; TO PROVIDE FOR THE REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember T. Westfall then read the proposed Ordinance No. 2025-10. The ordinance having been read, Councilmember Brent Brown moved that the proposed Ordinance No. 2025-10 be approved on its first reading and its title agreed to. J. Whisler seconded the motion.

On this roll call vote, the vote was as follows:

B. Brown – NAY, J. Whisler – AYE, T. Westfall – NAY, R. Brown – ABSENT.

On this roll call vote: The AYES were 1, the NAYS were 2, with 1 marked Absent.

Motion-Fails.



P. RESOLUTION NO. 2025-11: A RESOLUTION SIGNING THE MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM TO COMPLIANCE TO NEBRASKA BOARD OF PUBLIC ROADS CLASSIFICATION AND STANDARDS.

City Clerk Dennis Kirkpatrick stated that this resolution was one that is required by the state to be passed every year.

There was no further discussion.

Councilmember Josh Whisler moved to approve Resolution 2025-11. T. Westfall seconded the motion.

On this roll call vote, the vote was as follows:

J. Whisler – AYE, B. Brown – AYE, T. Westfall – AYE, R. Brown – ABSENT.

On this roll call vote: The AYES were 3, the Nays were 0, with 1 marked Absent.

Motion Carried.

**Agenda Item – 8: Adjournment**

The meeting adjourned on the same day at 7:24pm CT.

**HEREBY ATTESTED AND ACKNOWLEDGED:**

  
KATY NOVAK, MAYOR

  
DENNIS KIRKPATRICK, CITY CLERK

