

**MINUTES OF A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF PERU,
NEBRASKA ON THE 16th OF DECEMBER 2024 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 the 16th of December 2024, at 6:00 P.M., for a Regular Meeting, open to the general public, 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 Peru Post Office.

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

Mayor Dave Pease 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 1 – Roll Call

Present at 6:00 p.m.: Mayor Dave Pease and Councilmembers Theresa Westfall, Katy Novak, Brent Brown, and Q. Kieler. Upon roll call by the City Clerk, a quorum was declared pursuant to Neb. Rev. Stat. 17-105.

Agenda Item 3 – Public Hearing

None for this meeting

Agenda Item 4 – Consent Agenda

A.) Approval of Minutes; Approval of Minutes from the November 18th, Regular Meeting.

B.) Approval of Claims; The following claims were presented to the Council by the City Clerk, reviewed, and approved for payment: Regular Claims: Black Hills Energy (Gen/Utility) - \$163.57 // Kinetic/Windstream (Internet/Utility) - \$885.88 // OPPD (Gen/Utility) - \$2,024.42 // Personnel Payroll including tax & retirement for check deposited 11/30 (Gen/Acct) - \$13,296.62 // Personnel Payroll including tax & retirement for check deposited 12/15 (Gen/Acct) - \$11,901.24 // Quick Med (Fire/Res) - \$235.0 // Xpress Bill Pay (Wtr/Swr) - \$110.01 // 1st Choice Tree Service (Gen) - \$250.00 // Alpha Electrical Con. (Gen) \$15,991.00 // American Recycling & Sanitation (Wtr/Swr) - \$2,405.00 // Arcs & Sparks (Streets) - \$143.48 // Auburn Board of Public Works (Wtr/Swr) - \$19,169.92 // Auburn Newspaper (Gen) - \$194.21 // Bound Tree (Fire/Res) - \$662.41 // Brent Lottman (Fire/Res) - \$90.00 // Casey's Business Mastercard (Gen) - \$1004.71 // Dana Cole & Company (Gen) - \$15,000.00 // First National Bank Omaha (Gen) - \$6,391.87 // First Wireless (Fire/Res) - \$892.30 // Glass Doctor (Gen/Maint) - \$410.00 // Heather Pemberton, CPA (Gen/ Acct) - \$629.00 // Interstate Battery (Fire/Res) - \$477.20 // iWorQ (Gen/Maint) - \$5,500.00 // Light Mart (Gen) - \$20,406.00 // Miller Farrell (Gen) \$312.00 // Ne Municipal Clerks Assoc. (Gen) - \$150.00 // Nebraska Public Health

Env. Lab (Wtr/Swr) \$7.00 // Nemaha County (Gen) - \$100.00 // One Call Concepts (Gen) - \$23.12 // Papertiger Shredding (Gen) - \$35.00 // Phil Wemhoff (Gen/Maint) - \$144.83 // Pitney Bowes (Gen) - \$169.29 // St Fire Marshal Training (Fire/Res) - \$50.00 // Titan Machinery (Gen/Main) - \$137.71

C.) Approval of Monthly Treasurer's Report:

Mayor Dave Pease presented the Consent Agenda. Councilmember K. Novak made a motion to approve the Consent Agenda. The motion was seconded by Councilmember T. Westfall. Upon roll call vote for approval of consent agenda: 4 AYES, 0 NAYS. The following voted AYE: T. Westfall, Q. Kieler and B. Brown, K. Novak. The following voted NAY: None. Motion: Carried

Agenda Item 5 – Old Business

D.) Water Report: Mayor D. Pease announced that the water committee is working on a recirculation path for the north end of town, that will require an engineer to certify the design, we will have to get bids to install it. The water emergency restrictions affecting Auburn & Peru will likely take more time to allow the aquifer to recharge. BPW is monitoring wells and water usage.

E.) Mayor's Report: Mayor D. Pease announced that there was no mayor's report for this month. Pease took this time to thank the city staff for the hard work that has been done over the past year.

F.) Report from City Clerk T. Riehle: City Clerk T. Riehle announced that the new light poles are up and came in before schedule and under budget. T. Riehle also congratulated M. Williams on her one-year anniversary with the city.

G.) Grant Report from M. Willams: none for this meeting

H.) Committee Reports:

Animal & Humanity, Theresa Westfall Chair: T. Westfall reminded everyone that January 1st begins the 2025 animal licensing window and that it closed on the 31st. After that window closes there will be additional fees. Don't forget your current rabies vaccine certificate.

Park & Rec, Nick Novak, Chair: N. Novak announced the parks and rec shirt design has been finalized and they will go on sale in January as a fundraiser for the Parks & Rec department.

Agenda item 6- ADJOURN SINE-DIE – Motion & Roll Call

Council Member T. Westfall motioned to adjourn. Said motion was seconded by Council Member K. Novak. Upon roll call vote: 4 AYES and 0 NAYS. The following Council Members voted "AYE": T. Westfall, Q. Kieler and B. Brown, K. Novak. The following voted NAY: None. Motion: Carried.

Agenda item 7 – RECONVENE - New Mayor and Councilmembers Seated.

Agenda item 8 – The Council reconvened. City Clerk T. Riehle called roll call. Present were: Mayor K. Novak and Council Members T. Westfall, J. Whisler, and B. Brown. There is one vacancy on city council.

Agenda Item 9 – CITY CLERK ACCEPTS CREDENTIALS

Peru City Clerk T. Riehle read the Certified Election Results from the Nemaha County Election Commission, announcing that Katy Novak is to fill the Mayors seat and Josh Whisler and Theresa Westfall are to fill the two Council seats.

Agenda item 10 - OATHS OF OFFICE: Mayor K. Novak and Councilmembers J. Whisler and T. Westfall took the Oaths of Office, Administered by City clerk Traci Riehle, and notarized by Deputy City Clerk M. Williams

Agenda item 11 - COUNCIL VOTES ON ACCEPTING CREDENTIALS

Councilmember T. Westfall made a motion to approve the credentials and election results. Said motion was seconded by Councilmember B. Brown. Upon roll call vote: 3 AYES, 0 NAYS. The following voted AYE: Theresa Westfall, J. Whisler, and B. Brown. The following voted NAY: None. Motion carried

Agenda item 12 - ANNUAL ELECTIONS AND APPOINTMENTS

D. ELECT COUNCIL PRESIDENT: Councilmember B. Brown motioned to elect Councilmember T. Westfall as Council President, Councilmember J. Whisler seconded the motion. Upon roll call vote: 3 AYES and 0 NAYS. The following Council Members voted “AYE” T. Westfall, J. Whisler, B. Brown. The following voted NAY: None. Motion carried.

J. ANNUAL APPOINTMENTS: Traci Riehle as the City Clerk / Treasurer; Western National Bank as the Bank of Choice; Nemaha County Herald of Auburn as the Paper of Record; Heather L. Pemberton as the City Accountant; Morgan Ritchie as the City Attorney; Angelo Ligouri and Louie Ligouri as Deputy City Attorneys; Mary Williams, Deputy Clerk as the Floodplain Administrator; Evan Wickersham as the Street Superintendent; JEO Consulting Group Inc as the City Engineer. Councilmember T. Westfall motioned to approve annual appointments Councilmember J. Whisler seconded the motion. Upon roll call vote: 3 AYES and 0 NAYS. The following Council Members voted “AYE” T. Westfall, B. Brown, J. Whisler, The following voted NAY: None. Motion carried.

K). MAYORAL ANNUAL STANDING COMMISSION / COMMITTEE APPOINTMENTS:

The 2025 Mayoral appointments were presented. Any changes made were announced, including committees the new councilmembers will be joining. Councilmember T. Westfall motions to approve the Standing Committee Appointments, seconded by Councilmember B. Brown. 3 AYES and 0 NAYS. The following Council Members voted “AYE” T. Westfall, B. Brown, and J. Whisler, The following voted NAY: None. Motion: Carried.

L). APPROVAL of CITY-RECOGNIZED HOLIDAYS for CALENDAR YEAR 2025:
Councilmember T. Westfall motioned to approve the 2025 holiday list as presented, seconded by Councilmember J. Whisler. Upon roll call vote: 3 AYES and 0 NAYs. The following Council Members voted "AYE", B. Brown, T. Westfall, and J. Whisler, The following voted NAY: None. Motion: Carried.

Agenda item 13 - NOTICE OF VACANCY CITY OF PERU, NEBRASKA CITY COUNCIL

City Clerk T. Riehle provided notice of the vacancy on the city council of the City of Peru, Nebraska, effective 12/16/2024. Applicants for this position should reside in the corporate limits and shall be a registered voter.

Agenda item 14 - NEW BUSINESS

M. Discussion and Possible Action: Purchasing jersey barriers for city burn dump in order to be able to close it off and control what gets dumped there. \$1,500.00 (50 @ \$30.00). Councilmember T. Westfall motioned to approve the purchase, seconded by Councilmember J. Whisler. Discussion was had regarding the problem with illegal dumping that can result in massive fines. This will result in a permanent solution to securing the dump. Upon roll call vote: 3 AYES and 0 NAYs. The following Council Members voted "AYE", T. Westfall, B. Brown, and J. Whisler, The following voted NAY: None. Motion: Carried.

N. Discussion and Possible Action: Permission to apply for the Downtown revitalization grant that opens Jan 2nd, 2025, and to work with the Businesses and City to create a plan. T. Westfall motioned to approve the permission to apply, seconded by Councilmember B. Brown Upon roll call vote: 3 AYES and 0 NAYs. The following Council Members voted "AYE", B. Brown, T. Westfall and J. Whisler, The following voted NAY: None. Motion carried.

O. Discussion and Possible Action: Permission to work with SENDD and the College to pursue and create a plan to apply to the Housing Rehab and Building Program through the State of Nebraska. T. Westfall motioned to approve the permission to apply, seconded by Councilmember J. Whisler. Upon roll call vote: 3 AYES and 0 NAYs. The following Council Members voted "AYE", T. Westfall, B. Brown J. Whisler, The following voted NAY: None. Motion carried.

P. Approval: To complete the City Hall restroom rehab, finish making it ADA Compliant no more than \$2,000.00 from the LID fund. The ADA upgrade was approved several year ago, and some work was done in the summer of 2024. What remains is relocating the door to make it wider, new flooring, painting the walls, replacing rusted out fixtures and broken exhaust fans and installing an ADA compliant toilet in the lady's room. J. Whisler motioned to approve the completion of the restroom rehab, seconded by Councilmember T. Westfall. Upon roll call vote: 3 AYES and 0 NAYs. The following Council Members voted "AYE", J. Whisler, B. Brown, T. Westfall, The following voted NAY: None. Motion carried.

Q. Discussion and Possible Action: Individual email Accounts for council members. Councilmember T. Westfall motioned to approve the creation of city emails for the council, seconded by Councilmember B. Brown. Discussion was had: As elected officials the communication on behalf of

the city is subject to the Freedom of information act. As such, it would be beneficial to create council specific emails for all the council members. The additional email addresses add an extra \$4 a month to the Microsoft bill. The additional advantage is that these remain property of the city and can be passed on to the next elected official. Upon roll call vote: 3 AYES and 0 NAYs. The following Council Members voted "AYE", B. Brown, T. Westfall, J. Whisler, The following voted NAY: None. Motion carried.

R. Approval of bid for cleaning City Hall: Councilmember T. Westfall motioned to approve the bid for cleaning of the City Hall, seconded by Councilmember B. Brown. Discussion was had: A bid request was published in the paper, one was received. This is for a once-a-week cleaning, during office hours, City Hall supplies the cleaning supplies, estimate 3 hours a week. The bid that came in was for \$80 a week. A contract will be drawn up by the attorney. Upon roll call vote: 3 AYES and 0 NAYs. The following Council Members voted "AYE", J. Whisler, B. Brown, T. Westfall, The following voted NAY: None. Motion carried.

S. DISCUSSION AND POSSIBLE APPROVAL: Bid from Burton Asphalt, LLC for FEMA Projects # 98930 (2 City Streets), 97986 (Walnut), 98015 (Olive Street Bridge & Trailhead), 97503 (6 Streets & Bridges) at \$138,897.50. FEMA has prepaid \$135,021.16 with \$15,000.35 remaining to collect. Which leaves \$11,127.01 for grant management. T. Westfall motioned to accept the bid from Burton Asphalt to repair streets on the north end, seconded by Councilmember J. Whisler. Discussion was had: These repairs have to be done, or the City will need to send back the funds. The bid is within the scope set out by FEMA. Pending approval, a formal contract to be created and approved by the City Attorney. Upon roll call vote: 3 AYES and 0 NAYs. The following Council Members voted "AYE", T. Westfall, B. Brown, J. Whisler, The following voted NAY: None. Motion carried.

Agenda item 15: Approval: A RESOLUTION DESIGNATING SIGNERS ON CITY BANK ACCOUNTS; TO PROVIDE FOR OTHER RELATED MATTERS; REPEALING ANY CONFLICTING RESOLUTIONS OR SECTIONS THEREOF; AND TO PROVIDE FOR AN EFFECTIVE DATE. RESOLUTION 2024-20. Council Member T. Westfall motioned to approve Resolution No. 2024-20. Said motion was seconded by Council Member J. Whisler. Upon roll call vote: 3 AYES, 0 NAYs. The following voted "AYE": J. Whisler, T. Westfall, B. Brown. Motion Carried.

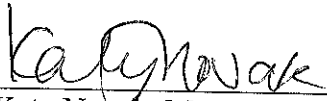
Agenda item 16 - Proposed Ordinance No. 2024-08 was presented for consideration on its second reading. The Mayor announced that the proposed ordinance was in order. Councilmember T. Westfall moved that these proceedings be kept in a separate and distinct volume known as the "Ordinance Record of the City of Peru," and that said volume be made part of these proceedings the same as though it were spread at large herein, said motion was seconded by B. Brown. Upon roll call vote: 3 AYES, 0 NAYs. The following voted "AYE": T. Westfall, B. Brown, J. Whisler. Motion Carried. Council Member T. Westfall introduced the proposed ordinance as Ordinance No. 2024-08 entitled: AN ORDINANCE FOR THE MANAGEMENT, PLANTING, MAINTENANCE, AND PROTECTION OF TREES ON PUBLIC PROPERTY; ESTABLISHING THE CITY OF PERU, NEBRASKA AS A TREE CITY; ESTABLISHING STANDARDS, PROHIBITING DAMAGES, DECLARING CERTAIN TREES A NUISANCE, PROVIDING FOR ENFORCEMENT AND

PENALTIES; PROVIDING FOR THE REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT HERewith; ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE THE EFFECTIVE DATE HEREOF. Having read Ordinance 2024-08, Councilmember T. Westfall moved for its approval on its second reading and its title agreed to, which motion was seconded by Councilmember B. Brown. With no further discussion roll call. Upon roll call vote: 3 AYES, 0 NAYs. The following Council Members votes "AYE" B. Brown, T. Westfall, J. Whisler The following voted Nay: none. Motion Carried. The Mayor declared that said Ordinance No. 2024-08 be approved on its second reading and its title agreed to.

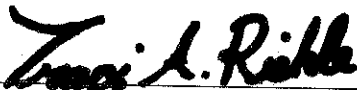
ADJOURNMENT

Meeting adjourned on the same day at 6:48 p.m.

HEREBY ATTESTED AND ACKNOWLEDGED:



Katy Novak, Mayor



City Clerk

