

MINUTES OF A REGULAR MEETING OF THE MAYOR AND CITY COUCIL OF PERU, NEBRASKA ON THE 19th DAY OF May 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 5th Street, Peru, Nebraska 68421, on the 19th of April 2025, at 6:00 P.M., for a Regular Meeting, open 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 Katy Novak called the meeting to order and informed the public of the location of the Nebraska Open Meetings Act.

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 1 – Roll Call

Present at 6:00 p.m.: Mayor Katy Novak and Councilmembers Theresa Westfall, Josh Whisler, Brent Brown, and Rachel Brown. Upon roll call, a quorum was declared pursuant to Neb. Rev. Stat. 17-105.

Agenda Item 2 – Public Hearing

A. 1&6 YEAR PLAN – to obtain public comment on a revision to the One-&-Six-Year Plan for Street Improvements in the City of Peru, NE. Council Member T. Westfall explained that the City is just updating the one- and six-year plan. Basically, combining all of the work that makes up the 5th Street project. Included from the crosswalk in front of AWAC to 5th and Nebraska.

B. REZONING – to obtain public comment regarding an application to rezone, from R-1 to R-2 property owned by Brochelle Enterprises, Inc., identified as 709 6th Street, Peru, Nebraska, parcel No. 640019374. The request is to change the zoning to R-2 to build a multi-family dwelling. This went before the Zoning Committee, they reported there was positive discussion, and they agreed to the zoning change request. Their report stated in part, parcel 640019374 located at 709 6th street within the city of Peru to R2 for purposes of constructing a quadplex, potential benefits and detriments to both the city and Mr. Nickens were discussed. Mr. Nickens indicated he would prefer a zoning change to R2 over a special use permit. Chairman Lotman made a motion to the planning and Zoning Commission to forward a recommendation to the City Council on that parcel number in question. Motion was seconded by Hutchison. All present voted yes. Discussion was held, a structure will be constructed on a vacant lot, new construction.

Agenda Item 3 - Water Report

Mayor Novak shared that the water report is available to the public, in city office, during business hours

Agenda Item 4 – Consent Agenda

C. Approval of Minutes: Approval of Minutes from the April 21th, 2025 regular meeting.

D. Approval of Minutes from the April 28th, 2025 special meeting.

E. Approval of Claims: The following claims were presented to the Council by the City Clerk, review, and approved for payment: Regular Claims: Black Hills Energy (Fire/Rescue) - \$91.62 // Black Hills Energy (Gen/Utility) - \$58.58 // Kinetic/Windstream (Internet/Utility) - \$918.82 // OPPD (Gen/Utility) - \$967.43 // OPPD (Streets) - \$1,220.48 // Personnel Payroll including tax & retirement for check deposited 4/30 (Gen/Acct) - \$13,082.95 // Personnel Payroll including tax & retirement for check deposited 5/15 (Gen/Acct) - \$12,855.71 // Quick Med Claims (Fire/Rescue) - \$121.19 // Access Systems (Gen) - \$251.55 // American Recycling & Sanitation (Wtr/Swr) - \$2,660.00 // Auburn Board of Public Works (Wtr/Swr) - \$2,090.79 // Auburn Board of Public Works (Wtr/Swr) - \$18,295.49 // Auburn Auto Center (Gen/Maint) - \$47.00 // Auburn Newspaper (Gen) - \$216.00 // Arcs & Sparks (Gen/Maint) - \$1,770.00 // Bohl Plumbing (Wtr/Swr) - \$451.05 // Bound Tree (Rescue) - \$940.21 // Bulldog – NAPA (Gen/Maint) - \$119.40 // Casey's Business Mastercard (Gen/Maint) - \$1,112.48 // Chery Road Media (Gen) - \$787.68 // Cummins (Fire/Res) - \$674.90 // Feld Fire (Fir/Res) - \$219.00 // Fire Cat (Fire/Res) - \$3,906.00 // First National Bank (Card) (Gen) - \$4,180.23 // Heather L. Pemberton (Gen) - \$649.00 // Interstate Power System (Wtr/Swr) - \$2,232.04 // JB Excavating & Concrete (Streets) - \$20,000.00 // Lynch's Hardware (Gen) - \$247.17 // Miller Farrell (Gen) - \$3,996.00 // Municipal Supply (Wtr/Swr) - \$2,439.29 // Ne Public Health Enviro Lab (Wtr/Swr) - \$15.00 // Ne Rural Water Assoc (Wtr/Swr) - \$750.00 // Paper Tiger Shredding (Gen) - \$35.00 // Sara Harms (Gen) - \$320.00 // Vesperis (Gen/Maint) - \$9,826.40 // Wolf's Printing (Wtr/Swr) \$42.80.

F. Approval of Street Closure: Nick Novak is requesting a closure of 5th Street from Main to just before the "Market" building 6pm on Friday June 6th thru noon on Sun June 8th. This is for the Old Man River Days event. This will replace all previous street closure request.

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

Agenda Item 5 – Old Business

G. Mayor Report: Mayor Novak reported that we held two housing town halls. One we talked about last month and the second one we had this month. Thursday is when the grant submission is due. We are sumitting the paperwork and see where it goes from there. She went on to say that several of our staff, including Phil, Teresa, herself attended the Auburn Board of Public Works Water public hearing regarding the water situation. She was glad they were there. The subject of Peru came up a little bit, but she said that the Board of Public Works chair was complementary toward our community. He stated that he can tell by the numbers that our community was working hard to preserve water and that they appreciated our efforts. Peru and just said he can. They can tell by the numbers that we're working hard and that people, you know that they appreciated our efforts and things. Peru and just said he can. They can tell by the numbers that we're working hard and that people, you know that they appreciated our efforts and things. She reported that we had a very successful citywide cleanup. A great job was done at the cemetery.

H. City Clerk Report: the water tower rehab was scheduled for this month. It has been delayed until mid-July. And we've had a few personnel changes. We've dismissed an employee, but have already found someone to fill that vacancy. And, another one our long-term employees will be retiring at the end of June and we are currently accepting applications to fill that slot.

I. Grant Report: none

J. Facilities Report: none

K. Committee Reports: 1. T. Westfall chair of Streets & Alleys: Theresa said that if you haven't seen work has commenced on the 5th St. project. It is from the crosswalk in front of the AWAC to the 5th and Nebraska intersection. Street closures will shift as the work continues. Please be cautious if there are barricades up there because like right now there's a giant hole in 5th and Nebraska and with the rain it will take a little few days before he can get back to that as he works on the culverts and the drainage and the curbing on Park Ave. Also, there is a dip in the road between Neal Park and the complex. A previous Council had approved replacing the culvert under the road, but the work was never completed. This Culver is continuing to fail. We're hoping for a proposal from the company that is currently doing work on 5th street. We want to get ahead of this because we don't want a collapse that would disrupt our main entrance into town.

2. Animals and Humanity: T. Westfall Chair. She reported that we continue to make progress on licensing. We are up to 124 animals licensed; every new license is a new record for the city of Peru. But we have also seen an increase in animal complaints. And I kind of just wanted to give an overview of how the complaint process works with animals. If somebody has a complaint about a dog or cat running at large, barking, etc... etc. the city asks that you fill out a complaint form which can be picked up from our City offices. Photos are Always helpful if the problem is a loose dog situation. Then, the Chair of Animal and Humanity (me) typically sends the 1st letter from the city and hopes it results in compliance with our ordinances. Usually that first letter does its job, because people don't like getting letters and they want to be in compliance. If the behavior continues, however, a new complaint form will need to be completed, at which time the city attorney is asked to prepare a letter that is sent by certified mail by the city. The next step, which we haven't yet had to do since she has been on council, but we could see in the future, is our asking the complainant to request to be put on the agenda at the next Council meeting. The City Council would then need to discuss and possibly approve escalating the complaint and taking it to court. Again, the good news is usually the first letter sent from the city is enough to change the behavior. She was hoping that this explanation helps make everyone aware of the process.

3. Lottman Chair of the finance Committee was not able to be at the meeting, but he provided the following report, and it was read by T. Westfall: During the monthly meeting of the Finance Committee, the following items were reviewed and discussed along with considerations for the Mayor and Council: It appears that the Audit for 2023/24 FY is in progress. There was not a great deal of time to look over the financial report from the CPA's office prior to our meeting; however, it looking at the report we discussed possible next steps to allow for more timely entry of financial information, whether that mean allowing for this to be done by the City Clerk, or via some other avenue. We are starting to get some numbers that can be utilized to better determine the actual cash position of the City as it relates to received, incoming and expended funds relate to the water project and the flood projects overall. Because of the lack of time between finance committee meeting and Council Meeting, we are planning

to move the finance committee meetings to the second Monday of the month, or a week ahead of the Council meeting. Accounts, overall, appear to be about where they are expected to be.

4. **N. Novak of the Park and Rec Commission:** Nick reported there is good news on P&R's front. We are moving forward with quite a bit of stuff. Phil has been helping with the softball field, getting things ready for the tournament. The water is turned on to the concession stands and there are now two toilets that both flush and fill! We have one sink that works, the other one is going to be fixed. We're trying to get the limbs and the fences cleaned up also. Old Man River Days is coming, so the Commission fundraiser for Parks and REC is the softball tournament and the Kids Fishing Tournament. A pancake breakfast at fishing tournament is also a part of the fund-raising money for Sid Brown playground. He also wanted say Lifetime Visions in Auburn, is contributing the profits from their End of School BBQ. And finally, once we get through Old Man River Days, they will be turning their efforts to build our 1- 5- and 10-year plan to start bettering all the parks in Peru.

Agenda Item 6 – New Business

L. RESOLUTION: Resolution No. 2025-03: To approve and adopt the revised One-&-Six-Year Plan for Street Improvements in the City of Peru, NE. Councilmember T. Westfall made a motion to approve and adopt the revised the One-&-Six Year Plan for Street improvements in the City of Peru. The motion was seconded by Councilmember J. Whisler. Upon roll call vote: 4 AYES, 0 NAYS. The following voted AYE J. Whisler, T. Westfall, B. Brown, R. Brown. The following voted NAY: None. Motion: Carried

M. Discussion and Possible Action: Discussion lead by B. Brown. He explained he was recommending choosing from two options for security cameras for the purpose of surveilling some of the city's properties to help control vandalism. He explained these are the type of cameras that he uses personally for hunting. Sheriff's Office also use them for different surveillance locations. He took us thru the pros, cons and differences of each style of cameras, comparing the cameras themselves, the accessories such as solar or battery power, quantity of pictures and videos, and cell service needs. Either camera would send video to a cell or computer. Of the two he recommended the "Defend" style camera. They are produced by the same company, but it's the model that they have recently come out with in the last few months that this specifically for security purposes. We can open the app, click the camera and it'll show you what's in front of the camera right there. The unlimited plan is \$120.00 per year for one camera. Each additional camera is \$96 per camera and that's per whole year of unlimited. The question was asked about which properties we wanted covered? The green dump and the East building. And as needed more could be added. He offered to help with the install, to insure they were working and to train us. Councilmember T. Westfall made a motion to start with two defend cameras purchase and aftermarket solar panels to charge them along with two SD cards as the recommendation. Also, with the unlimited photo and Five Live view sessions per month package well per year. The motion was seconded by Councilmember J. Whisler. Upon roll call vote: 4 AYES, 0 NAYS. The following voted AYE: R. Brown, J. Whisler, T. Westfall, B. Brown. The following voted NAY: None. Motion: Carried.

N. Approval: Approval of: Purchase of 200-gallon Broadcast sprayer for the Maintenance Department in lieu of the mosquito sprayer approved at April council meeting. They were approved to purchase the mosquito sprayer and the insurance did cover the mosquito sprayer. However, in conversations with Phil looking at his wants and needs for the coming year, he said he would rather have this this sprayer at

this time. It also is completely covered by the insurance money, so there's no additional cost. Phil explained he had the whole north end, the lagoons, and much more land he needed to control weeds. The job would be much easier to accomplish much more efficient with a 200-gallon tank instead of going back and forth with a little 15-gallon sprayer. Councilmember T. Westfall made a motion to approve the purchased the 200-gallon bar Crest broadcast sprayer for the maintenance department in lieu of the mosquito sprayer previously approved. The motion was seconded by Councilmember R. Brown. Upon roll call vote: 4 AYES, 0 NAYS. The following voted AYE J. Whisler, T. Westfall, B. Brown, R. Brown. The following voted NAY: None. Motion: Carried

O. ORDINANCE NO. 2025-06: was presented for consideration on its first 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, which motion was seconded by J. Whisler. Upon roll call vote: 4 AYES, 0 NAYS. The following voted "AYE": B. Brown, R. Brown, J. Whisler, T. Westfall. The following voted NAY: none. Motion Carried. Council Member T. Westfall introduced the proposed ordinance as **Ordinance No. 2025-06 entitled: AN ORDINANCE TO AMEND ZONING CLASSIFICATION/DESIGNATION TO REAL PROPERTY IN PERU, NEMAHA COUNTY, NEBRASKA, CITY LIMITS; TO DESIGNATE COST OF FEES; TO AUTHORIZE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY TO SHOW SAID CHANGE; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS THEREOF; AND TO PROVIDE FOR AN EFFECTIVE DATE.** Having read Ordinance 2025-06, Councilmember T. Westfall moved for its approval on its first reading and its title agreed to, which motion was seconded by Councilmember B. Brown. Upon roll call vote: 4 AYES, 0 NAYS. The following Council Members votes "AYE" J. Whisler, T. Westfall, B. Brown, R. Brown. The following voted Nay: none. Motion Carried. The Mayor declared that said Ordinance No. 2022-06 be approved on its first and its title agreed to.

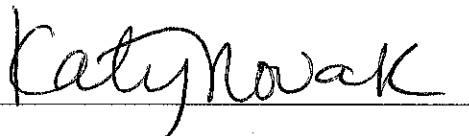
P. Ordinance No. 2025-03: was presented for consideration on its third reading. The Mayor announced that the proposed ordinance was in order. Councilmember T. Westfall moved that these proceedings be kept in a separate and distinct volume known as the "Ordinance Record of the City of Peru," and that said volume be made part of these proceedings the same as though it were spread at large herein, which motion was seconded by J. Whisler. Upon roll call vote: 4 AYES, 0 NAYS. The following voted "AYE": J. Whisler, T. Westfall, B. Brown, R. Brown. The following voted NAY: none. Motion: Carried. Council Member T. Westfall introduced the proposed ordinance as Ordinance No. 2025-03 entitled: **Ordinance No. 2025-03 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERU, NEBRASKA, AMENDING THE ORIGINAL CHAPTER 93 OF THE MUNICIPAL CODE OF THE CITY OF PERU, NEBRASKA CODE OF ORDINANCES BY ADDING AN ADDITIONAL SECTION WHICH SHALL BE ENTITLED "93.11 KEEPING OF LIVESTOCK"; CREATING POLICIES FOR KEEPING LIVESTOCK WITHIN CITY LIMITS; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT MATTER HEREIN; SETTING AN EFFECTIVE DATE HEREOF AND ORDERING THE PUBLICATION OR POSTING OF THE ORDINANCE.** I declare that said proposed Ordinance No. 2025-03 of the City of Peru, Nemaha County, Nebraska, having been read by title the first, second and third times, the "yeas," "nays," having been called and recorded, and said proposed Ordinance called and recorded, and said proposed Ordinance having been duly approved on each reading and its title agreed to Councilmember T. Westfall moved which motion was seconded by Councilmember J. Whisler. With no further discussion roll call. Upon roll call vote: 4 AYES, 0 NAYS. The following Council Members votes "AYE" J. Whisler, T. Westfall, B. Brown and R. Brown. The following voted Nay: none. Motion Carried. The Mayor declared that said Ordinance No. 2025-03 be approved on its third reading and

its title agreed to. The passage and adoption of Ordinance No. 2025-03 of the City of Peru, Nemaha County, Nebraska, having been concurred in by a majority of all members of the Council of the City of Peru, Nemaha County, Nebraska, I declare said Ordinance No. 2025-03 adopted and approved as said Ordinance No. 2025-03 of the City of Peru, Nemaha County, Nebraska, attesting my signature by subscribing my name thereto and affixing thereon the seal of the City of Peru, Nemaha County, Nebraska, and order that said Ordinance be published in pamphlet form as provided herein.

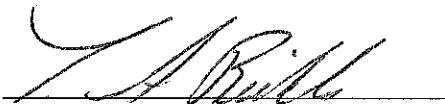
Q. Approval for: Electrical work on concession stand to bring it up to code, work to be done by-AP electrical for \$7,860.00. The work would be complete to the point it can be inspected by OPPD on Thursday the 29th. Work should be paid for by the Park & Rec commission. Phil was asked to explain the situation. OPPD was asked to restore power to the Ball Field concession stand, upon inspection he was informed that the facility had to be brought up to code. A new breaker box and service brought in. Time was of the essence, calls were made and Brian Pugh was the only electrician to respond gave the estimate and said he could get the work done by Old Man River Days. Discussion followed and the general consistence was there was too much work needed and no money available. Councilmember T. Westfall made a motion to vote on approving this repair, The motion was seconded by Councilmember R. Snyder. Upon roll call vote: 0 AYES, 4 NAYS. Motion: failed

Meeting adjourned on the same day at 6:45 p.m.

HEREBY ATTESTED AND ACKNOWLEDGED:



Katy Novak, Mayor



Traci Riehle, City Clerk

