

**MINUTES OF A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF
PERU, NEBRASKA ON THE 18th OF NOVEMBER 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 18th of November 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.

Agenda Item 1 – Roll Call

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

Agenda Item 2 – Recognition of Visitors

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, and read aloud by Councilmember T. Westfall.

Agenda Item 3 – Public Hearing

None for this meeting

Agenda Item 4 – Consent Agenda

A.) Approval of Minutes: Approval of Minutes from the October 21st, 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: JEO (Water/Flood) – \$236.25 // Black Hills Energy (Gen / Utility) - \$130.04 // Kinetic/Windstream (Internet / Utility) - \$842.54 // OPPD (Gen / Utility) - \$2,076.93 // Personnel Payroll including tax & retirement for check deposited 10/31 (Gen / Acct) - \$15,011.29 // Personnel Payroll including tax & retirement for check deposited 11/15 (Gen / Acct) - \$13,296.62 // Xpress Bill Pay (Wtr/Swr) - \$110.01 // Access Systems (Gen) - \$336.03 // American Recycling & Sanitation (Wtr/Swr) - \$2,570.00 // AKRS Equipment (Gen/Maint) - \$1,376.47 // Alpha Electrical Con (Gen) - \$58,500.00 // Auburn Auto (Gen/Maint) - \$725.43 // Auburn Board of Public Works (Wtr/Swr) - \$16,698.72 // Auburn Newspaper (Gen) - \$297.86 // Brent Lottman (Fire/Res) - \$556.53 // Casey's Business Mastercard (Gen) - \$1,053.22 // Eggers (Fire/Res) \$201.56 // First National Bank Omaha (Gen) - \$1,403.51 // GMP Environmental (Wtr/Swr) - \$448.00 // Grainger (Streets) - \$1,197.56 // HACH (Wtr/Swr) - \$261.05 // Heather Pemberton, CPA (Gen/ Acct) - \$1,349.00 // Keim Farm Equipment (Gen/Maint) - \$606.01 // MacQueen (Fir/Res) - \$806.49

// Midwest Laboratories (Wtr/Swr) - \$342.72 // Nebraska Public Health Env. Lab (Wtr/Swr) - \$15.00
// Pave LLC (Streets) - \$22,159.00 // Pitney Bowes (Gen) - \$169.29 // Power Manager (Gen) - \$3,029.62

C.) Approval of Monthly Treasurer's Report. State Audit for 22/23 has been completed and filed with the state! The frozen highway allocation funds have been released and money has been deposited into the Street account.

Closed Keno accounts to use toward match grants for light pole project. Closed small CDs on maturity placing funds in the general account.

D.) Approval: Permission to have an ol-light-pole decorating contest The Peru Community Impact Group (PCIG) Peru Community Christmas celebration, to be held December 8, 2024. Would like the Council's permission to have an al-light-pole decorating contest using the nine original light poles, if they have not been scheduled for removal prior to January 6, 2024. There was a discussion about how the Halloween decorations on these same poles had not been removed as of this meeting and a promise made by Marty Perogy that those decorations would be removed and that she would be responsible for the removal of Christmas ones as well.

E.) Approval: Removing Brenna McSweeney from Parks and Rec Commission due to having 6 unexcused absences from 6 consecutive regular meetings of the Parks and Rec commission.

Council Member T. Westfall requested that item D be removed from the consent agenda for further discussion. Item D was so removed.

Mayor Dave Pease presented the Consent Agenda. Councilmember T. Westfall made motion to approve the Consent Agenda. The motion was seconded by Councilmember K. Novak. Upon roll call vote for approval of consent agenda: 3 AYES, 0 NAYS, 1 ABSENT. The following voted AYE: K. Novak, T. Westfall, and B. Brown. The following voted NAY: None. Motion: Carried.

The Council took up Item D from the Consent Agenda. Council Member K. Novak made a motion to grant permission to PCIG to hold an ol-light-pole decorating contest on nine original light poles on December 8, 2024, with the scheduled removal of decorations to occur prior to January 6, 2024. Council Member T. Westfall seconded the motion. Discussion was had regarding prior delays in removing Halloween decorations. Council Members were reassured that the ol-light-pole decorations would be removed in a timely manner prior to January 6, 2024. Upon roll call vote for approval of consent agenda: 3 AYES, 0 NAYS, 1 ABSENT. The following voted AYE: K. Novak, T. Westfall, and B. Brown. The following voted NAY: None. Motion: Carried.

Agenda Item 5 – Correspondence

G.) None for this meeting

Agenda Item 6 – Old Business

H.) Water Report: 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.

I.) Mayor's Report: Monitoring progress on the hazard mitigation buyout, we still need to gather a few financials from the accountant and then everything is ready to send. We need a resolution to move the shed for the fire department and community input on greenspace uses, the demolition extension has been approved to 12/1/24. The building Inspector Dave Hibbler is working on several nuisance abatement issues, some of which are in progress. The November election resulted in all seats being filled. And since all of the victors from the election were present The Mayor offered his sincere congratulations to Teresa and Josh and Katie for winning in the election.

J.) Report from City Clerk T. Riehle: Phil Wemhoff is now a Class L Wastewater Treatment Operator! Everyone was encouraged to Save the DATE! (Nov25th at 6:30pm) and to Join us at City Hall for hot chocolate and a surprise. Farewell and thank you to Dave Pease and Quinten Kieler, they both served the community of Peru well and they will be missed.

K.) Grant Report from M. Willams: She announced that the light pole project finished early and under budget. The water line project is 95% complete. We are waiting for the recirculation to be addressed, in the meantime we've put in for a lot of reimbursements, and those will be used toward paying off the loan. She is currently working on qualifying Peru to get 'Tree City USA' status. Mary let everyone know that the Revitalization grants open in January, it is a very short window and we have to be ready. She put out a request that in the month of December she need to meet with committees, to come up with a plan. What do we want to revitalize? Where do we want to target? And each committee needs to offer their input, we need to come up with a plan!

L.) Committee Reports: Streets & Alley's, Theresa Westfall Chair commented that she hoped everybody has noticed, that the surface of Park Ave had been sealed on schedule on November 8th. Streets and Alley committee would like to thank the Streets Committee, but especially Phil for helping do a lot of the day-to-day coordinating with everything. He was able to schedule the project to a Friday, so there would be less impact to the College. We want to thank Prue State College, Brookshire and CASEYS for coordinating with the city, and to all who live on the closed road for working with us to ensure that Main Street into Peru received the needed upkeep. Also thank you to our maintenance crew for managing the barricades and detours and our clerk and deputy for answering many, many, many questions from our community while the closure was happening. Park & Rec, Nick Novak, Chair, they remain focused on putting together some fundraisers, working with Mary to get grants and make plans for extended park maintenance, and improvements to both city parks. Finance, Brent Lottman, Chair, Due to not receiving the financial report from the city

accountant, there was not much to report on, however that progress was being made on the water project and we are getting close to figuring out the cash position and will be getting that wrapped up in a few months. BOH met on 11/7/24, the Action items that came out of that meeting are: 1.) 612 California Street Neumeister Dave will send first notice. 2.) 800 6th Street Eltiste, the agreement made with the city was not followed, so will send second notice. 3.) 412 California Street, entered into a cleanup agreement, they are making progress. 4.) 602/604 5th Street, some progress has been made BOH granted extension 5.) 408 Main Clean, 90% of the work has been done, more time granted. A letter sent with the detailed items to be finished.

Agenda Item 7 – New Business

M.) Discussion and Possible Action: Tree removal from the water tower area, \$3,750.00, preventative maintenance, to be paid out of the water account. T. Westfall made motion to approve, the motion was seconded by Councilmember K. Novak. Upon roll call vote for approval for the tree removal: 3 AYES, 0 NAYS, 1 ABSENT. The following voted AYE: K. Novak, T. Westfall, and B. Brown. The following voted NAY: None. Motion: Carried

N.) Discussion and Possible Action: Trim trees above streets, \$9,750.00, preventative maintenance and preventative measure before the snow flies, paid out of the Streets accounts. T. Westfall made motion to approve, the motion was seconded by Councilmember B. Brown. Upon roll call vote for approval for the tree removal: 3 AYES, 0 NAYS, 1 ABSENT. The following voted AYE: K. Novak, T. Westfall, and B. Brown. The following voted NAY: None. Motion: Carried

O.) Discussion and Possible Action: Permission to proceed with nuisance abatement/removal of residential structures and ancillary structures at 314 Mulberry Street (J. Adams & P. Adams). Council Member T. Westfall made a motion to grant permission to proceed with nuisance abatement/removal of residential structures and ancillary structures at 314 Mulberry Street. Council Member B. Brown seconded the motion. Discussion was had. The City Building Inspector, the City Attorney, Council Members, the property owner, and members of the community all provided input on this issue. Property owner P. Adams provided an update to the City Council stating that she has applied for a loan to help fund the clean up of property, and correspondence concerning whether or not she will receive the grant should be made by the January meeting. Upon roll call, 2 AYES, 2 NAYS, 1 ABSENT. The following voted AYE T. Westfall, and B. Brown. The following voted NAY: K. Novak, and Mayor D. Pease as tie breaker. Motion: Failed. Council Member K. Novak made a motion to allow property owners of 314 Mulberry Street to collaborate with the City Building Inspector to create a rehabilitation agreement between the City and the property owners, that lays out clear parameters for progress and deadlines, to be ready to be presented to the Council by January 13, 2024. Council Member B. Brown seconded the motion. Discussion was had. It was clarified that the City needs to see an agreement that contains reasonable attainable goals with attainable timelines and clearly stated

consequences for non-compliance to ensure that progress has been and will continue to be made to bring this property out of it's nuisance status. Upon roll call, 3 AYES, 0 NAYS, 1 ABSENT. The following voted AYE: K. Novak, T. Westfall, and B. Brown. The following voted NAY: None. Motion: Carried

P.) Discussion and Possible Action: On behalf of the Parks and Recreation Commission, Nick Novak, the commission chair, is asking permission for the commission to spend up to \$1,000.00 from our account to purchase shirts for all ages and sizes in order to start raising funds for improvement projects for to the City's Parks. Also, we will be setting up an on-line direct purchase of these shirts thru Scarlet and Green out of Auburn. T. Westfall made motion to approve, the motion was seconded by Councilmember K. Novak. Upon roll call vote for approval for use of funds to purchase shirts for a fundraiser: 3 AYES, 0 NAYS, 1 ABSENT. The following voted AYE: K. Novak, T. Westfall, and B. Brown. The following voted NAY: None. Motion: Carried

Q.) Discussion and Possible Action: Repair and ADA upgrade to the front door and replacement of the back door to City Hall. Total cost is \$7,605.62, this has been the best bid by far from the only company that can do all the necessary work. Dave Hibbler has confirmed that this is an excellent price. The door has become dangerous, and the insulation of the ADA door opening buttons is a must, one of our own employees uses a wheelchair and is not able to open the door for herself, the traffic on Election Day drove home the need for city hall to be accessible to all. I personally counted 14 individuals using either wheelchairs, walkers, canes, or simply were frail and in need of assistance. If it were not for them having a companion, they would not have been able to get in or out of the door at all. Failure to become ADA compliant can result in massive fines that would make the cost of this repair seem like chump change. The back door is simply being replaced, but instead of a rusty hard to open door we would have a clean, updated door with a push (or panic) bar to open it, the possibility of an emergency makes this a must. We can use LID funds to pay for this. K. Novak made motion to approve, the motion was seconded by Councilmember T. Westfall. Upon roll call vote for approval for the repair and replace of doors: 3 AYES, 0 NAYS, 1 ABSENT. The following voted AYE: K. Novak, T. Westfall, and B. Brown. The following voted NAY: None. Motion: Carried

R.) Discussion and Possible Action: Maintenance Superintendent request for a software program... This is a program to help keep track both physically and financially of the maintenance of our equipment (12 machines and vehicles in all). Track inventory of water and sewer lines, all meters, valves, and all parts needed. Also keep track of fire hydrants, maintenance and flushing and replacements. Maintenance of Streets, past/present/future needs. Work orders. It will also track all maintenance needs or all city buildings. Includes technical support. The city of auburn uses this as well. It is my recommendation that we purchase the infrastructure program option, for a yearly fee of \$5,500.00. For the initial purchase we can use the money from the cashed-out CD's \$3,436.04 (\$2,720.01 + \$716.03) and split the remaining \$2,063.96 from the sewer/water, street & park maintenance accounts. Then budget for it each year. T. Westfall made motion to approve, the

motion was seconded by Councilmember K. Novak. Upon roll call vote for approval for the purchase: 3 AYES, 1 NAYS, 1 ABSENT. The following voted AYE: Mayor D. Pease as tie breaker, T. Westfall, and B. Brown. The following voted NAY: K. Novak. Motion: Carried

S.) Discussion and Possible Action: Finding the piano a new home... Sell, give away, donate, or dispose of. B. Brown made motion to approve, the motion was seconded by Councilmember K. Novak. Upon roll call vote for approval for the purchase: 3 AYES, 1 NAYS, 1 ABSENT. The following voted AYE: K. Novak, T. Westfall, and B. Brown. The following voted NAY: none. Motion: Carried

U.) Proposed Ordinance No. 2024-02 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 K. Novak. Upon roll call vote: 3 AYES, 1 NAYS, and 1 ABSENT. The following voted "AYE": T. Westfall, K. Novak, D. Pease. The following voted NAY: none. Motion: Carried. Council Member T. Westfall introduced the proposed ordinance as Ordinance No. 2024-02 entitled: **ORDINANCE NO.2024-02 AN ORDINANCE AMENDING THE COMPENSATION OF THE MAYOR AND CITY COUNCIL MEMBERS; FIXING COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE CITY OF PERU; TO PROVIDE 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.** : I declare that said proposed Ordinance No. 2024-02 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 K. Novak. With no further discussion roll call. Upon roll call vote: 3 AYES, 1 NAYS and 1 ABSENT. The following Council Members votes "AYE" K. Novak, T. Westfall, D. Pease. The following voted Nay: B. Brown. Motion Carried. The Mayor declared that said Ordinance No. 2024-02 be approved on its second reading and its title agreed to. The passage and adoption of Ordinance No. 2024-02 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. 2024-02 adopted and approved as said Ordinance No. 2024-02 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.

V. ORDINANCE NO. 2024-05 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 K. Novak. Upon roll call vote: 3 AYES, 0 NAYs, and 1 ABSENT. The following voted "AYE": T. Westfall, K. Novak, B. Brown. The following voted NAY: none. Motion: Carried. Council Member T. Westfall introduced the proposed ordinance as Ordinance No. 2024-05 entitled: **ORDINANCE NO. 2024-05 An Ordinance OF THE CITY OF PERU, NEMAHA COUNTY, NEBRASKA AN ORDINANCE COMBINING AND MERGING THE OFFICES AND EMPLOYMENT OF THE DEPUTY CITY CLERK AND GRANT COORDINATOR POSITIONS; PROVIDING FOR DUTIES, COMPENSATION, AND OTHER ADMINISTRATIVE DETAILS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE AND PUBLICATION.** I declare that said proposed Ordinance No. 2024-05 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 K. Novak. With no further discussion roll call. Upon roll call vote: 3 AYES, 0 NAYs and 1 ABSENT. The following Council Members votes "AYE" K. Novak, T. Westfall, and B. Brown. The following voted Nay: none. Motion Carried. The Mayor declared that said Ordinance No. 2024-05 be approved on its third reading and its title agreed to. The passage and adoption of Ordinance No. 2024-05 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. 2024-05 adopted and approved as said Ordinance No. 2024-05 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.

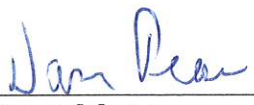
W. Proposed Ordinance No. 2024-08 was presented for consideration on its first reading. The Mayor announced that the proposed ordinance was in order. Councilmember K. Novak moved that these proceedings be kept in a separate and distinct volume known as the "Ordinance Record of the City of Peru," and that said volume be made part of these proceedings the same as though it were spread at large herein, which motion was seconded by T. Westfall. Upon roll call vote: 3 AYES, 0 NAYs and 1 ABSENT. The following voted "AYE": T. Westfall, Brown, K. Novak. 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 STANDARS, 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 K. Novak. With no further discussion roll call. Upon roll call vote: 3 AYE, 0 NAYs, and 1 ABSENT. The following Council Members votes "AYE" K. Novak, T. Westfall, B. Brown. The following voted Nay: none. Motion Carried. The Mayor declared that said Ordinance No. 2024-08 be approved on its first and its title agreed to.

ADJOURNMENT

Meeting adjourned on the same day at 7:48 p.m.

HEREBY ATTESTED AND ACKNOWLEDGED:



Dave Pease, Mayor



City Clerk

