

MINUTES OF A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF PERU, NEBRASKA ON THE 17th DAY of FEBRUARY 2026 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 17th of FEBRUARY, 2026, 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, Rachel Brown, Theresa Westfall, and Josh Whisler.

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.

Agenda Item 3 – Consent Agenda

A. APPROVAL OF MINUTES:

- (i.) Approval of Minutes from the January 20th, Regular Council Meeting.
- (ii.) Approval of Minutes from the January 21st, Emergency Council Meeting.

B. APPROVAL OF CLAIMS:

- (i.) Ratification of Claims already paid pursuant to Resolution No. 2018-01.
- (ii.) Claims still needing approval.

C. RESOLUTION NO 2026-01: A RESOLUTION OF THE CITY COUNCIL OF PERU, NEBRASKA, CALLING A SPECIAL ELECTION IN THE CITY OF PERU, NEBRASKA AND RELATED MATTERS. | Agenda Item from City Clerk / Treasurer and City Attorney.

D. APPROVAL: Authorization to Donate Proceeds from Super Bowl Silent Auction to the Hearts United for Animals Non-Profit totaling \$177. Further approval of related claim therein. | *Agenda Item from Parks and Recreation Commission.*

E. APPROVAL: Acceptance of Free Will Donations from Parks and Recreation’s Super Bowl Event totaling \$514. | *Agenda Item from Parks and Recreation Commission.*

Councilmember T. Westfall removed items 3B. “**APPROVAL OF CLAIMS**” & 3D. “**APPROVAL:** Authorization to Donate Proceeds from Super Bowl Silent Auction to the Hearts United for Animals

Non-Profit totaling \$177. Further approval of related claim therein” from the consent agenda. Councilmember B. Brown removed item C. “RESOLUTION NO 2026-01: A RESOLUTION OF THE CITY COUNCIL OF PERU, NEBRASKA, CALLING A SPECIAL ELECTION IN THE CITY OF PERU, NEBRASKA AND RELATED MATTERS” from the consent agenda.

Councilmember T. Westfall moved to approve the remaining items on the consent agenda. B. Brown seconded the motion

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

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

On this vote, the AYES are 4, the NAYS are 0.

Motion Carried.

Item 3B. – There was discussion about some of the claims. There was discussion about ATSI claim and the upgrade of internet services at the Auburn Booster Station. There was discussion regarding the First National Bank of Omaha claim as well. It was noted that the Embassy Suites charge for the Public Works Conference was above federal per diem rate at \$139/n. There was also discussion about the employee timecards including holiday pay, overtime, and mileage reimbursements. There was no further discussion.

Councilmember T. Westfall moved to approve item 3B. “APPROVAL OF CLAIMS” and “with the caveat that the overtime and mileage will be investigated and corrected as required.” B. Brown seconded the motion.

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

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

On this vote, the AYES are 4, the NAYS are 0.

Motion Carried.

The following claims were presented to the City Council by the City Clerk/Treasurer and were subsequently reviewed, and approved for payment:

Claims Previously Paid: Auburn Board of Public Works (Wtr) - \$17,866.43 // Black Hills Energy (Fire/Res) - \$306.47 // Black Hills Energy (Gen) - \$65.97 // Kinetic (Gen) - \$806.51 // OPPD (Gen) - \$886.31 // OPPD (Street) - \$1,665.97 // Personnel Payroll including taxes for 01/31 (Gen) - \$13,711.53 // Personnel Payroll including taxes for 02/15 (Gen) - \$8,910.75 // Sinclair/WEX Bank (Gen) - \$937.20 // Xpress-BillPay (Wtr/Swr) - \$200.88

Regular Claims: Access Systems Leasing (Gen) - \$196.31 // Action Technology Services, Inc. (Wtr) - \$250.00 // American Recycling & Sanitation (Sanitation, Gen) - \$2,660.00 // Auburn Board of Public Works (Wtr) - \$367.74 // Bound Tree Medical (Rescue) - \$174.56 // Nebraska Public Health Environmental Lab (Wtr) - \$515.00 // Federal Surplus Property – NE Dept. of Corrections (Gen) - \$500.00 // First National Bank of Omaha (Gen) - \$2,788.55 // Grainger (Streets) - \$112.80 // Harms, Sarah (Gen) - \$360.00 // Heather Pemberton, CPA (Gen) - \$670.00 // Hopkins Automotive, Inc. (Gen) - \$209.95 // Hydro Optimization & Automation Solutions, Inc. (Wtr) - \$372.75 // Interstate All Battery Center (City & Rural Fire) - \$153.58 // JEO Consulting Group (Wtr) - \$833.75 // Ligouri Law Office (Gen) - \$4,770.44 // Lottman, Brent (Gen, Rescue) - \$122.00 // NAPA Autoparts (Gen, City Fire) - \$239.44 // Nemaha Valley Observer (Gen) - \$361.26 // One Call Concepts (Wtr/Swr) - \$10.66 // Paper Tiger

Shredding (Gen) - \$35.00 // Sack Lumber (Wtr) - \$23.96 // Verizon Wireless (Gen) - \$20.02 // Westfall, Theresa (Gen) - \$443.00 // Williams, Mary (Wtr) - \$6.70 // WinWater (Wtr/Swr) - \$4,933.34.

Item 3C. – There was discussion regarding the holding of a special recall election, including whether or not council can vote no. It was noted that this vote was really more about setting a date for the recall election, and that if the council refused to authorize the election, it could go the county prosecutor’s office. There was further discussion regarding the reasoning for the recall and about the costs of the election. There was no further discussion.

Councilmember R. Brown moved to approve item 3C. “**RESOLUTION NO 2026-01: A RESOLUTION OF THE CITY COUNCIL OF PERU, NEBRASKA, CALLING A SPECIAL ELECTION IN THE CITY OF PERU, NEBRASKA AND RELATED MATTERS.**” B. Brown seconded the motion.

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

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

On this vote, the AYES are 4, the NAYS are 0.

Motion Carried.

Item 3D. – There was discussion regarding the agreement with Hearts United about the fundraiser and where the money should go. There was discussion regarding how the money may be allocated in the future. There was no further discussion.

Councilmember T. Westfall moved to accept the proceeds from the Super Bowl silent auction for the Parks and Recreation Commission in the total of \$177. R. Brown seconded the motion.

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

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

On this vote, the AYES are 4, the NAYS are 0.

Motion Carried.

Agenda Item 4 – Old Business

F. DISCUSSION AND POSSIBLE APPROVAL: Purchase Proposal to Upgrade Computers and Networking Technology in City Hall. Further Authorization to Autopay Zoom Phone and Pinpoint Services. | *Agenda Item from City Clerk/Treasurer.*

There was discussion regarding the cost of the proposal and the technical aspects of it. There was also discussion regarding the city’s current IT specialist and putting together a different plan. There was no further discussion. No action was taken.

G. DISCUSSION AND POSSIBLE ACTION: Authorization of Maintenance Work Phones from Straight-Talk Wireless and Autopay Authorization. Further Authorization of \$500 Yearly Stipend for Maintenance Supervisor for Supervisor Phone. | *Agenda Item from City Clerk/Treasurer and Maintenance Department.*

There was discussion regarding the need for on-call maintenance phones. There was discussion about the price, and the current practices for said phone. There was also discussion about the Verizon tablet and using it as a phone. There was no further discussion.

Councilmember R. Brown moved to approve a \$500 yearly stipend for the Maintenance Supervisor's work phone. Motion Fails due to Lack of a Second. There was no further action.

H. CITY REPORTS:

(i.) Water Report: Mayor Katy Novak stated that a copy of the water report can be found in the City Clerk's Office.

(ii.) Mayor's Report: Mayor Katy Novak gave the Mayor's Report.

She reported she had attended the Super Bowl Fundraiser held by Parks & Recreation Commission.

She also reported that she spoke at the Nemaha County Leadership Class's Local Government Day. She stated that she talked about what has been going on in Peru. She also reported that she had attended some citizen group meetings in town as well.

She reported that she had a meeting with the PSC Board of Trustees about what's going on with the city. She also reported that Peru State College President Dr. Robert Mock was at council that evening. She stated that she attended the PSC Alumni Chili Feed as well.

(iii.) Clerk's Report: City Clerk/Treasurer Dennis Kirkpatrick gave the Clerk's Report
(1.) Financial Reports, February 2026.

He reported that the Rescue Squad Ambulance had sold for \$6,000 on Purple Wave and that when he receives the check, it will be deposited into general fund.

He reported that the city was still looking for Auditing firms to replace Dana Cole. And that he was looking into having Dana Cole do our audit for one more year.

He reported that he will be attending the Midwinter Conference on Monday and Tuesday. He also stated that Deputy Clerk Mary Williams and himself would be attending Clerk's Academy and that he would not be here for the council meeting in March.

(iv.) Grant Report: There was no report.

(v.) Facilities Report: Maintenance Supervisor Donald Roberts gave the Facilities Report. He reported that he had received the locator and that it was working well. He also noted a status update on the water line break at 700 Washington Street.

I. COMMISSION AND COMMITTEE REPORTS:

(i.) Parks and Recreation Commission,
City Clerk/Treasurer Dennis Kirkpatrick gave the Parks and Recreation Commission Report.

He reported that they had applied for a grant for a playground that could be an additional \$15,000. He reported that the "Souper Bowl Sunday" report was a success and brought in almost \$600.00 and that the "14 for 14" fundraiser from PCIG brought in over \$1,000. He reported that the commission will finalize plans for the log climb and slide for approval at the next council meeting. He also reported that they added a beautification subcommittee to give ideas on how to beautify public spaces.

(ii.) Finance Committee,
Mayor Katy Novak gave the Finance Committee Report.

She reported that the committee had been talking about water billing. She reported that there had been a long-running concern that the amount being billed to water customers was significantly lower than what was being billed to the City by the Auburn Board of Public Works.

She also reported that the committee had looked over the other accounts as usual. She also reported that they expect the FEMA/NEMA money for the water line loan to be deposited into the account before next finance committee.

(iii.) Water and Sewer Committee,

Committee Chair Josh Whisler gave the Water Committee Report. He reported that the committee was considering the cost of repairing the concrete at 700 Washington Street that the city had to tear up to repair the broken shutoff. And that they were getting quotes before bringing it to council.

(iv.) Streets and Alleys Committee.

City Attorney Morgan Homolka reported that she had been in contact with Burton Asphalt regarding the lack of work that had been done on the North-End Street project and she was waiting to hear back from his attorney.

J. REPORTS FROM OTHER ORGANIZATIONS: None for this meeting.

Agenda Item 5 – New Business

K. DISCUSSION: Peru State College Water Account Billing. | *Agenda Item from City Clerk / Treasurer and Finance Committee.*

City Clerk/Treasurer Dennis Kirkpatrick informed the council of a past billing issue with Peru State College's main water meter. He stated that past Clerks had been underbilling PSC around 50 million gallons since January of 2021. There was an issue with how the online billing read had been read, and that issue will be resolved going forward. There was discussion about the extent of the underbilling, and potential solutions for the unbilled water usage. There was discussion about other potential underbilling issues in the city and ongoing efforts to reconcile the difference. There was no further discussion. No action was taken.

L. DISCUSSION AND POSSIBLE ACTION: Authorization to Purchase Sewer Pipe Camera. | *Agenda Item from Maintenance Department.*

Maintenance Supervisor Donald Roberts addressed the council about the need for a sewer pipe camera. There was discussion regarding usage of the camera, and if one would be used enough to justify the purchase. There was also discussion about possibly renting a camera. There was no further discussion and no action was taken.

M. DISCUSSION AND POSSIBLE ACTION: Granting New Lease Agreement to F. Crister for

Farm Property West of Neal Park. | *Agenda Item from City Clerk and J. Renee Critser.*

There was discussion regarding the current lease agreement with F. Critser for the land, including the terms of the previous extension in 2023. There was discussion about the value of the land, and any improvements that had been made since the lease was enacted. There was further discussion regarding the new lease offer, and if a bidding process would be beneficial. There was no further discussion.

Councilmember T. Westfall moved to authorize the city to receive bids for the lease of the pasture land. J. Whisler seconded the motion.

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

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

On this vote, the AYES are 4, the NAYS are 0.

Motion Carried.

N. DISCUSSION: Status Water Operator’s License Agenda Item Request | *Agenda Item Request from Theresa Westfall.*

There was a discussion regarding the status of Maintenance Supervisor Donald Roberts’ Water Operators License. He stated that he was in the process of testing to attain the license and that he would be testing later that month. There was also discussion about how water samples are taken and who is our water operator at the time. There was also discussion about the timeframe for when he would need to get his license. There was no further discussion and no action was taken.

O. DISCUSSION AND POSSIBLE ACTION: Status of Sewer Line Repair on 5th Street and Request to Waive the Base Water and Sewer Charge for Water Bill for Plum Crazy Lady Boutique Agenda Item Request. | *Agenda Item Request from Phillip and Brenda Wemhoff.*

There was discussion regarding the status of a sewer line repair on 5th Street. There was a discussion regarding the effect on local businesses, most specifically the Plum Crazy Lady Boutique. There was also a discussion regarding potential insurance complications from the damage to the sewer line. There was discussion regarding the work that would be needed to find and fix any potential sewer break as well as past work that had been done to that point. There was no further discussion.

Councilmember J. Whisler moved to authorize the city to receive bids to fix the sewer issue at Plum Crazy Lady Boutique and to waive water & sewer charges until the issue is resolved. T. Westfall seconded the motion.

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

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

On this vote, the AYES are 4, the NAYS are 0.

Motion Carried.

P. ORDINANCE NO. 2026-02 (First Reading): AN ORDINANCE ESTABLISHING THE DATE AND TIME OF REGULAR MEETINGS OF THE CITY COUNCIL; ESTABLISHING QUORUM REQUIREMENTS FOR CITY COUNCIL MEETINGS; REPEALING ANY PRIOR ORDINANCES; AND PRESCRIBING THE EFFECTIVE DATE HEREOF.

There was discussion regarding the previous discussions in council about changing the date. It was noted that this ordinance only changes the date of council meetings to the third Tuesday of the month, and adds a provision allowing the mayor to change the meeting place for an emergent reason. It was also noted that nothing else about the process would change, including when materials are available for council. There was no further discussion.

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

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

On this vote, the AYES are 4, the NAYS are 0.

Motion Carried.

Councilmember T. Westfall introduced the proposed Ordinance by Ordinance No. 2026-02. Councilmember T. Westfall moved for the suspension of the rules. J. Whisler seconded the motion.

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

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

On this vote, the AYES are 4, the NAYS 0.

Motion Carried.

Mayor K. Novak declared that the statutory rules in regard to the passage and approval of Ordinances be suspended so that Ordinance No. 2026-02 might be introduced, read by title, and then moved for final passage at the same meeting.

Councilmember B. Brown introduced the proposed Ordinance No. 2026-02 entitled, "AN ORDINANCE ESTABLISHING THE DATE AND TIME OF REGULAR MEETINGS OF THE CITY COUNCIL; ESTABLISHING QUORUM REQUIREMENTS FOR CITY COUNCIL MEETINGS; REPEALING ANY PRIOR ORDINANCES; AND PRESCRIBING THE EFFECTIVE DATE HEREOF." and moved for final passage. J. Whisler seconded the motion.

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

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

On this vote, the AYES are 4, the NAYS 0.

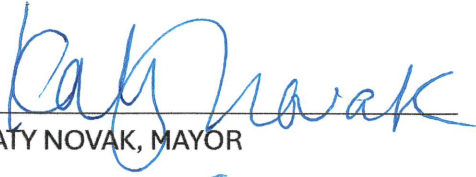
Motion Carried.

Mayor K. Novak declared that said Ordinance No. 2026-02 be approved on its first reading and its title agreed to.

Agenda Item 8 – Adjournment

The meeting adjourned on the same day at 7:46pm CT.

HEREBY ATTESTED AND ACKNOWLEDGED:



KATY NOVAK, MAYOR



DENNIS KIRKPATRICK, CITY CLERK

