

**MINUTES OF A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF PERU, NEBRASKA ON THE 15th DAY OF DECEMBER 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 15th of DECEMBER, 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, 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.

Said resolution was read aloud by Councilmember T. Westfall.

Agenda Item 3 – Public Hearing: None

Agenda Item 4 – Annual Elections and Appointments

A. **ELECTION:** President of the City Council

There was no discussion.

Councilmember B. Brown moved to elect Councilmember Theresa Westfall as President of the City Council. 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 – AYE

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

Motion Carried.

B. APPROVAL: List of Annual Appointments:

- (i.) Reappointment of Dennis Kirkpatrick as City Clerk/Treasurer.
- (ii.) Reappointment of Morgan Homolka as City Attorney.
- (iii.) Reappointment of Angelo Ligouri and Louie Ligouri as Deputy City Attorneys.
- (iv.) Reappointment of Heather L. Pemberton as City Accountant.
- (v.) Reappointment of Deputy Clerk Mary Williams as Floodplain Administrator.
- (vi.) Reappointment of Evan Wickersham as Street Superintendent.
- (vii.) Reappointment of JEO Consulting Group as the City Engineer.
- (ix.) Reappointment of Western National Bank as the Bank of Choice.
- (x.) Reappointment of Nemaha County Observer as the Paper of Record.

There was no discussion.

Councilmember R. Brown moved to approve the annual appointments as presented. Councilmember J. Whisler seconded the motion.

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

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

On this vote, the AYES are 3, the NAYS are 1.

Motion Carried.

C. APPROVAL: Annual Standing Commission and Committee Appointments

There was discussion regarding the membership of certain committees and commissions and the role that committees and commissions have. There was further discussion about vacancies on some committees. There was also discussion about how committees and commissions relate to the Open Meetings Act. There was no further discussion.

Councilmember R. Brown moved to approve the Annual Standing Commission and Committee Appointments. J. Whisler seconded the motion.

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

B. Brown – NAY, T. Westfall – NAY, R. Brown – AYE, J. Whisler – AYE, K. Novak (tie breaker) – AYE

On this vote, the AYES are 3, the NAYS 2.

Motion Carried.

Agenda Item 5 – Consent Agenda:

D. APPROVAL OF MINUTES:

- (i.) Approval of Minutes from the November 17th, Regular Council Meeting

There was no discussion.

Councilmember T. Westfall moved to approve the minutes from the November 17th, Regular Council Meeting. B. Brown seconded the motion.

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

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

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

Motion Carried.

Agenda Item 5 – Correspondence

None for this Meeting.

Agenda Item 6 – Old Business

E. APPROVAL OF CLAIMS:

(i.) Ratification of Claims Already Paid Pursuant to Resolution No. 2018-01.

(ii.) Claims Still Needing Approval.

There was discussion relating to the employee timecards, the usage of overtime, and the pay period schedule. There was also discussion about fuel usage. There was discussion about the mower repair bill and whether the bill can be partially paid out of the Neal Park Maintenance Fund. There was also discussion regarding tracking work that is done on Neal Park and how to charge the maintenance fund and general department billing practices. There was no further discussion.

Councilmember T. Westfall moved to approve claims as presented. J. Whisler seconded the motion.

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

J. Whisler – AYE, B. Brown – AYE, R. 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 and were subsequently reviewed, and approved for payment:

Claims Previously Paid: Auburn Board of Public Works (Wtr) - \$15,012.59 // Black Hills Energy (Fire/Res) - \$127.63 // Black Hills Energy (Gen) - \$65.70 // Kinetic (Gen) - \$626.47 // OPPD (Gen) - \$643.75 // OPPD (Gen) - \$1,497.77 // Personnel Payroll including taxes for 11/30 (Gen) - \$10,465.49 // Personnel Payroll including taxes for 12/15 (Gen) - \$12,284.25 // Sinclair/WEX Bank (Gen) - \$795.61 // Xpress-BillPay (Wtr/Swr) - \$164.48

Regular Claims: AKRS Equipment (Gen) - \$27.58 // American Recycling & Sanitation (Sanitation, Gen) - \$4,643.36 // Action Technology Services, Inc. (Gen) - \$312.50 // Auburn BPW (Wtr) - \$680.04 // Bohl Plumbing and Heating (Gen) - \$173.50 // Boundtree Medical (Rescue) - \$1,553.26 // Dana F. Cole & Company (Gen) - \$12,200.00 // Egger Bros, Inc. (Gen) - \$361.95 // Nebraska Public Health

Environmental Lab (Wtr) - \$15.00 // FeldFire (Gen) - \$143,821.91 // First National Bank of Omaha (Gen) - \$1,934.70 // Heather Pemberton, CPA (Gen) - \$665.00 // Harms, Sara (Gen) - \$320.00 // JEO Consulting Group (Streets) - \$1,000.00 // Koch's Auto Service, Inc. (Streets, Water, Sewer) - \$425.80 // Lottman, B. (City Fire, Rural Fire) - \$521.53 // Miller Farrel Insurance Agency (Gen) - \$14,248.42 // Merz Ink (P&R) - \$785.38 // NAPA Autoparts (Gen) - \$160.07 // Nemaha Valley Observer (Gen) - \$306.47 // One Call Concepts (Gen) - \$11.87 // PowerManager (Wtr/Swr) - \$3,609.54 // Titan Machinery – Lincoln (Gen) - \$142.63 // Ty's Outdoor Power & Service (Streets) - \$89.73 // Verizon (Gen) = \$20.02 // Wildland Warehouse (City Fire, Rural Fire) - \$23,685.00

F. APPROVAL: Authorizing City Clerk and Deputy Clerk to renew membership of the International Institute of Municipal Clerks.

There was no discussion.

Councilmember R. Brown motions to approve item 6F. "Authorizing City Clerk and Deputy Clerk to renew membership of the International Institute of Municipal Clerks."

Motion Fails due to Lack of a Second. There was no further action.

G. CITY REPORTS:

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

(ii.) Mayor's Report: Mayor Katy Novak stated that she had been busy this month and there was not much to report for her Mayor's Report. There was no further discussion.

(iii.) Clerk's Report: City Clerk / Treasurer Dennis Kirkpatrick gave the Clerk's Report.

TREASURER – He reported that he had been getting more acquainted with the city's QuickBooks Accounting software and the bank accounts. And that he had been correcting errors as he finds them.

He reported that he would be meeting with City Accountant Heather Pemberton later this month to discuss what actions need to be done to clean up the books and figure out how to bill departments appropriately for bills that were paid out of general, water/sewer, or streets.

CLERK – He reported that he had turned in the 2026 Midterm Election paperwork for the city, and that there were two council seats up for election. Those being Councilmembers Brent Brown and Rachel Brown's seats and that as of now there are no other elections.

He reported that enforcement of the Housing Numbers Ordinance is on hold due to the enforcement mechanism being taking someone to court, which he felt is not worth the city's resources.

He reported that he attended the Board of Health meeting.

He reported that pet tag registration was open and that the forms can be found on the website or in City Hall and that the first delinquencies are on January 31st.

He reported that in the future he will be enforcing an internal policy for all items that are to be put on the Council's agenda. He stated that any items to be put on the agenda and any accompanying items will be due at noon on the Thursday before council.

He stated that the Employee Recognition Dinner was going to take place on Saturday, December 20th in City Hall.

There was no further discussion.

(1.) **Financial Reports**, December 2025: D. Kirkpatrick stated that the financial reports for December 2025 were included in the council packet under the Clerk's Report. There was no further discussion.

(iv.) **Grant Report**: Deputy Clerk / Grant Coordinator Mary Williams gave the Grant Report.

She reported that she had discussed street grants that were coming open with Councilmember Theresa Westfall. She stated that they had explored a couple of projects including 7th Street and also 5th Street from Main Ave to Nebraska Street. She noted that the grants are 0 match grants as well. T. Westfall also stated that they would explore possibly replacing some water and sewer lines in 5th Street, so that any match grants could also be taken out of those departments to lighten the load on the Streets Department.

M. Williams reported that they had been looking at other grants including the installation of speed bumps in certain areas downtown and bus stops.

There was no further discussion.

(v.) **Facilities Report**: Maintenance Supervisor Donald Roberts gave the Facilities Report.

He reported that the city had its first winter event of the season and he believed that it went pretty well. He also noted that the snow emergency routes are: 5th Street, Washington Street, and 3rd Street between Washington St. and California St. He requested that if there is a snow emergency for any cars to move off of those emergency routes.

He reported that the Auburn Board of Public Works had their monthly meeting last month. He reported that the Board achieved first place for best drinking water in the state of Nebraska and fifth place in the nation.

He reported that the tree dump was closed until there was a good burn date that wasn't windy. He also reported that he had been working with Fire Chief Brent Lottman to try and set up a good date to burn off the waste in the tree dump. There was discussion about possible alternative places to dump green waste.

D. Roberts reported that NPPD had sent out letters with forms for people to get NOAA weather radios. He stated that city staff would be willing to assist in that process. There was no further discussion.

H. COMMISSION AND COMMITTEE REPORTS:

(i.) Parks and Recreation Commission: Commission Chair Nick Novak gave the Parks and Recreation Commission Report.

He stated that the commission had a couple of agenda items later in the meeting. He also stated that the commission was working on a possible event for Superbowl Sunday. There was no further discussion.

(ii.) Board of Health Mayor Katy Novak gave the Board of Health Report.

She reported that the Board of Health met on the 1st of December, 2025 at 6:00PM. She stated that the Board would be pursing nuisance abatement for properties at 5th and Mulberry, 619 5th Street, and 612 California Street. She stated that City Attorney Morgan Homolka is dealing with that process. There was discussion about some other properties around the city. There was no further discussion.

(iii.) Finance Committee: Committee-member Theresa Westfall gave the Finance Committee report.

She reported that the Finance Committee met on December 11th. She stated that major income had slowed down and that the City is operating on existing funds and likely would do so until spring.

She stated that the proprietary accounts were discussed. She stated that sanitation and sewer were operating as they should, but the water account was operating at a deficit.

She stated that the city was in acceptable financial condition and that the city would have to have minimal income spending. There was no further discussion

(iv.) Streets and Alleys Committee: Committee Chair Theresa Westfall gave the Streets and Alleys Committee Report.

She reported that the committee met on Friday, December 12th. She stated that the street lights had been installed. She stated that the street light at 5th and Walnut had been repaired and that OPPD was contacted about upgrading the light to an LED due to the bus pickup location.

She reported that there was discussion regarding the skid steer lease and that there was not a response to the request to use the assorted attachments. And that the snow plow blade had not been ordered.

She reported that there were concerns presented about snow removal from downtown sidewalks and salting at PSC.

She reported that there was discussion regarding the storage of cold patch and the repair of certain potholes.

There was some discussion regarding the usage of a skid steer on the city sidewalks and concerns about the sewer pipes under the sidewalks. There was no further discussion.

I. REPORTS FROM OTHER ORGANIZATIONS: There was no report.

Agenda Item 7 – New Business

J. DISCUSSION AND POSSIBLE ACTION: “Helping Pay for the Rest of the Concrete Job” Agenda Item Request. | *Agenda Item Request from Joe Burgert*

Joe Burgert from JB Excavating addressed the council with a request to assist him in paying for the outstanding debt from his work for the 5th Street Culvert project completed earlier in the year. He stated that his concrete supplier had overcharged him and that he used more concrete than he initially bid for. He also stated that he had fixed some pipes underneath the road as well. He stated that being overcharged had been a financial burden for him.

There was discussion about the amounts that the city had paid JB Excavating including overpaying him around \$5000. There was discussion about what the remaining payment would be. There was discussion regarding more information being needed and possible further actions. There was no further discussion. No action was taken.

K. DISCUSSION AND POSSIBLE ACTION: Installation of Military Flags on City Hall.

There was discussion about the installation of flags from the six branches of the military on city hall. There was discussion about pursuing a purple heart city designation. There was further discussion regarding other places to install banners and flags. There was no further discussion.

Councilmember B. Brown moved to approve the installation of Military Flags on City Hall.

Motion Fails due to Lack of a Second. No further action was taken.

L. DISCUSSION AND POSSIBLE APPROVAL: Authorization to purchase a 5-8' slide and mulch for new play area at Sid Brown Park not to exceed \$1,000 total. Further approval of placement and plans thereof. | *Agenda Item from Parks and Recreation Commission*

There was discussion about the purchase of the slide and the procurement of the mulch. There was also discussion about using shredding rubber tires instead of mulch, and the potential hazards of using said rubber tires. There was no further discussion.

Councilmember J. Whisler moved to approve item 8L. “Authorization to purchase a 5-8' slide and mulch for new play area at Sid Brown Park not to exceed \$1,000 total.” R. Brown seconded the motion.

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

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

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

Motion Carried.

M. DISCUSSION AND POSSIBLE ACTION: Authorization for the creation of a Parks and Recreation Facebook Page ran by the commission. | *Agenda Item from Parks and Recreation Commission*

There was discussion regarding the purpose of the Facebook page is. It was noted that there is no cost associated with the page and that its purpose is to reach to more people and potentially raise money. There was no further discussion.

Councilmember R. Brown moved to approve item 8M. "Authorization for the creation of a Parks and Recreation Facebook Page ran by the commission. | *Agenda Item from Parks and Recreation Commission.*" J. Whisler seconded the motion.

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

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

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

Motion Carried.

N. APPROVAL: Bid for the Cleaning of City Hall.

There was discussion about the terms of the bid and the price from Sara Harms, specifically the terms about washing dishes. There was also discussion regarding their general duties of cleaning city hall. There was no further discussion.

Councilmember R. Brown moved to approve Sara Harms' Bid for the Cleaning of City Hall. J. Whisler seconded the motion.

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

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

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

Motion Fails.

Councilmember T. Westfall moved to approve Sara Harms' Bid for the Cleaning of City Hall except for the washing of dishes. R. Brown seconded the motion.

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

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

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

Motion Carried.

O. APPROVAL: Dana F. Cole & Company, LLP Contract for FY 24-25 Audit.

There was discussion regarding the previous engagement letters with Dana Cole and the difficulties that have happened in the past as a result. It was stated that the presented terms were flexible and that they would see what they would come back with. There was also discussion regarding the provisions of the contract and the timeline as presented. There was no further discussion.

Councilmember T. Westfall moved to approve item 8O. "Dana F. Cole & Company, LLP Contract for FY 24-25 Audit." B. Brown seconded the motion.

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

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

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

Motion Carried.

P. DISCUSSION AND POSSIBLE APPROVAL: Purchase and Installation of Security System at Auburn Booster Station. | *Agenda Item from Maintenance Department*

There was discussion regarding the need for new cameras and the quotes that were provided. There was also discussion about potentially pursuing a grant for cameras at the Water Tower in the future. There was also discussion about how a new camera system would work and the current security protocols that exist at the Booster station and past security incidents. There was no further discussion. No action was taken.

Q. DISCUSSION AND POSSIBLE APPROVAL: Allowing Maintenance Supervisor to Attend 2026 Utilities/Public Works Section Annual Conference from the League of Nebraska Municipalities. | *Agenda Item from Maintenance Department*

There was discussion about the benefits that attending this conference would provide to the city. There was no further discussion.

Councilmember R. Brown moved to approve item 8Q. "Allowing Maintenance Supervisor to Attend 2026 Utilities/Public Works Section Annual Conference from the League of Nebraska Municipalities." J. Whisler seconded the motion.

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

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

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

Motion Carried.

R. DISCUSSION AND POSSIBLE APPROVAL: Allowing interested council members to attend the League of Municipalities Midwinter Conference on February 23-24 at the Cornhusker in Lincoln, including authorization for registration fees, mileage and related expenses if applicable pursuant to City Ordinance 2024-02. | *Agenda Item from Councilmember Theresa Westfall*

There was discussion regarding the benefits that attending the conference would provide to council members. There was further discussion about the cost of attendance and the justification of allowing council members to attend the conference. There was no further discussion.

Councilmember T. Westfall moved to approve item 8R. "Allowing interested council members to attend the League of Municipalities Midwinter Conference on February 23-24 at the Cornhusker in Lincoln,

including authorization for registration fees, mileage and related expenses if applicable pursuant to City Ordinance 2024-02," and to include the City Clerk/Treasurer as well. 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 – NAY

On this vote, the AYES are 3, the NAYS are 1.

Motion Carried.

S. DISCUSSION AND POSSIBLE APPROVAL: Purchase of additional checks for commonly used city bank accounts. | *Agenda Item from City Clerk/Treasurer*

There was discussion regarding the need for additional printable checks 3 accounts for bookkeeping purposes. There was further discussion regarding the need for secure checks and the cost associated with purchasing checks for 3 accounts. There was no further discussion.

Councilmember T. Westfall moved to get more information and more options for the purchasing of the checks. B. Brown seconded the motion.

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

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

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

Motion Carried.

T. RESOLUTION NO. 2025-13: A RESOLUTION FOR THE SALE OF PERSONAL PROPERTY OWNED BY THE CITY OF PERU, NEBRASKA BY PUBLIC AUCTION USING AN ONLINE AUCTION PLATFORM; DIRECTING NOTICE; AND PROVIDING FOR AN EFFECTIVE DATE. | *Agenda Item from Peru Rescue Squad*

There was discussion regarding the process for selling the ambulance under this resolution and the next steps to be taken. There was no further discussion.

Councilmember T. Westfall moved to approve Resolution No. 2025-13. J. Whisler seconded the motion.

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

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

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

Motion Carried.

Agenda Item 8 – Adjournment

The meeting adjourned on the same day at 8:05pm CT.

HEREBY ATTESTED AND ACKNOWLEDGED:

Katy Novak
KATY NOVAK, MAYOR

Dennis Kirkpatrick
DENNIS KIRKPATRICK, CITY CLERK

