

MINUTES OF A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF PERU, NEBRASKA ON THE 17th DAY of MARCH 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 MARCH, 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:

Mr. Dennis Meyers addressed the council about his discovery of founding documents for Peru State College and their historical significance.

Agenda Item 3 – Consent Agenda

A. APPROVAL OF MINUTES:

(i.) Approval of Minutes from the February 17th, 2026, Regular Council Meeting.

B. APPROVAL OF CLAIMS:

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

(ii.) Claims still needing approval.

C. APPROVAL: Special Designated Liquor License for the “BBQ Contest” on 5th and Olive Street during Old Man River Days. | *Agenda Item Request from Kim Allgood.*

D. APPROVAL: The Closure of 5th Street from Main St. to Park St. for Old Man River Days on June 6th, 2026 from 8:00am to 4:00pm. | *Agenda Item Request from Peru Community Impact Group (PCIG)*

E. APPROVAL: The Closure of 5th Street from Main St. to Park St. for Trunk or Treat on October 25th, 2026 from 2:00pm to 6:00pm. | *Agenda Item Request from Peru Community Impact Group (PCIG).*

F. APPROVAL: Acceptance of the following donation to Parks and Recreation Commission’ David and Susan Pease - \$50.00, Doubletake Farms, Inc. - \$200.00. | *Agenda Item from Parks and Recreation Commission.*

Councilmember T. Westfall removed item 3B. "APPROVAL OF CLAIMS" from the consent agenda.

Councilmember T. Westfall moved to approve the remaining items on the consent agenda. J. Whisler seconded the motion

On this roll call vote, the vote is 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.

Item 3B. – There was discussion about employee timecards, overtime, and mileage policies. There was no further discussion.

Councilmember T. Westfall moved to approve item 3B. "APPROVAL OF CLAIMS." B. Brown seconded the motion.

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

B. Brown – AYE, T. Westfall – AYE, R. Brown – AYE, J. Whisler - 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) - \$10,060.84 // Black Hills Energy (Gen, Fire/Res) - \$282.86 // Kinetic (Gen) - \$786.79 // OPPD (Gen) - \$998.43 // OPPD (Street) - \$1,671.06 // Personnel Payroll including taxes for 02/28 (Gen) - \$8,910.75 // Personnel Payroll including taxes for 03/15 (Gen) - \$8,933.42 // Sinclair/WEX Bank (Gen) - \$655.14 // Xpress-BillPay (Wtr/Swr) - \$181.84

Regular Claims: Access Systems Leasing (Gen) - \$355.15 // American Recycling & Sanitation (Sanitation, Gen) - \$2,660.00 // Auburn Board of Public Works (Wtr) - \$137.44 // Egger Bros, Inc. (Rural Fire) - \$325.40 // Feld Fire (City & Rural Fire) - \$1,410.40 // First National Bank of Omaha (Gen) - \$875.88 // Grainger (Streets) - \$112.20 // Harms, Sarah (Gen) - \$270.00 // Heather Pemberton, CPA (Gen) - \$720.00 // KanEquip (Gen, Streets, Water) - \$264.43 // Miller Farrell (Gen) - \$414.00 // Nemaha County Clerk (Gen) - \$46.00 // Nemaha County Treasurer (Gen) - \$24,464.34 // Nemaha Valley Observer (Gen) - \$233.26 // Novak, Katy (Gen) - \$13.50 // One Call Concepts (Wtr/Swr) - \$3.67 // Pitney Bowes Leasing (Gen) - \$169.29 // Roberts, Donald (Gen) - \$64.74 // Verizon Wireless (Gen) - \$20.02 // Westfall, Theresa (Gen) - \$114.23

Agenda Item 4 – Old Business

G. DISCUSSION AND POSSIBLE APPROVAL: Bids for the Lease of Pasture Land East of Neal Park | *Agenda Item from Previous Meeting.*

There was discussion regarding the bids that were submitted and the terms of the lease. There was discussion regarding the responsibilities for the lessee, including general upkeep and the payment of taxes on the property. There was no further discussion.

Councilmember R. Brown moved to accept Tucker Arban's Pasture Land Lease Bid as presented. T. Westfall seconded the motion.

On this roll call vote, the vote is 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.

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 that she attended the LONM Midwinter Conference and she learned about resources available to communities including economic development and USDA grants.

She also reported that she is hoping to have another town hall in April. She stated that it would be more focused on the city budget.

She reported that she had the change to sit down with Nebraska State Senator Bob Hallstrom and Nebraska Governor Jim Pillen about Peru and its needs.

She reported that the city had hired Whitney Beck as the new Maintenance Worker and that her first day was the Friday before council. She stated that Whitney was in training with Maintenance Supervisor Donald Roberts. She also reported that the city has interviewed a Building Inspector candidate and that they were waiting to hear back from him.

She reported that she had a meeting with PSC President Mock on Friday and that she is looking forward to working with him and the college to bring the community and the college closer together. She also reported that she would be a judge at Peru State College's History Day.

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

(1.) Financial Reports, March 2026.

He reported that he was attending the Clerk's Academy during the week and that he was learning a lot of things that week and he was looking forward to learning more as the week went on.

He reported that Deputy Clerk Mary Williams and himself were going to meet with other utility billing companies including gWorks and Caselle due to numerous issues with Power manager and Xpress Bill-Pay.

He reported that Mary had been working on finding auditing firms since Dana Cole dropped the city as a client. And that they had called nearly twenty firms by that point.

He reported that the Nebraska State Auditor's Office had been in contact with some standard document requests. He stated that the city has already sent over one batch of documents and that he was planning on sending over another batch in the next week.

He reported that in terms of the budget, the city was running a \$18,000 deficit but the city was waiting for around \$180,000 in revenue from property taxes and municipal equalization. He also stated that in terms of operating expenses, the city was under budget.

He reported that he was beginning budget discussions for the next fiscal year.

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

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

He reported that that the city hired a new maintenance worker.

He reported that he attended the Nebraska Rural Water Association Annual Conference. He stated that he did a lot of networking with vendors and other municipalities.

He reported that Tucker Arban of Arban Construction was going to be working on the fire hydrants as approved previously by council. He confirmed that they would stay under the previous quote barring any unforeseen expenses.

I. COMMISSION AND COMMITTEE REPORTS:

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

He reported that they were going to cleanup some trees around town and cut up some of the logs down in Neal Park for the slide at Sid Brown.

He reported that they hoped to hear back from the CFF grant they applied for last month. That would give them an additional \$15,000 towards the playground.

He reported that they had started on the T-Mobile Small Town grant as well. He stated that the grant committee meets with Deputy Clerk/Grant Coordinator Mary Williams and that they will hopefully begin pumping stuff her way soon.

(ii.) Board of Health

It was reported that the Board of Health met on Wednesday, March 11th. And that they considered some properties for nuisance abatements.

There was discussion regarding the nuisance abatement process.

(iii.) Finance Committee,

It was noted that the financial committee report is in the council packet.

(iii.) Water and Sewer Committee,

There was no report.

(iv.) Streets and Alleys Committee.

There was discussion regarding the lease with KanEquip and the city's skid steer.

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

Agenda Item 5 – New Business

K. DISCUSSION AND POSSIBLE ACTION: Reimbursement of Plumber Bill Due to Broken Meter at 1101 6th Street. | *Agenda Item Request from Jasmine Cash.*

There was a discussion regarding the broken meter and the situation that caused the need for the plumber to be called. There was also discussion regarding the work that was done by the plumber. It was also noted that a new invoice was presented on Monday that put the total at \$1,558.00. There was further discussion regarding actions to be taken to avoid a situation like this in the future. There was no further discussion.

Councilmember R. Brown moved to approve payment of \$1,558.00 to Jasmine Cash for reimbursement of the plumber bill. T. Westfall seconded the motion.

On this roll call vote, the vote is 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.

L. DISCUSSION AND POSSIBLE APPROVAL: Issuance of Building Permit for Stacey Baldwin for the construction of a “New Garage” at 720 Washington Street. | *Agenda Item from Ryan Conn of Conn Construction.*

There was discussion regarding updating the building permit ordinances. There was also discussion regarding the building permit fee. There was no further discussion.

Councilmember T. Westfall moved to approve item 5L. “Issuance of Building Permit for Stacey Baldwin for the construction of a “New Garage” at 720 Washington Street.” J. Whisler seconded the motion.

On this vote, the vote is 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 APPROVAL: Quote from Arban Excavating for the Repair of the Sewer Line on 5th Street. | *Agenda Item from Maintenance Department.*

There was discussion regarding putting the work out for sealed bid. There was also discussion about the work to be done, and about bonding requirements for the work. There was no further discussion.

Councilmember B. Brown moved to approve the quote from Arban Excavation for the Repair of the Sewer Line on 5th Street for \$28,994.35. J. Whisler seconded the motion.

On this vote, the vote is as follows:

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

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

N. DISCUSSION AND POSSIBLE APPROVAL: Authorization of additional \$1,500 for the

purchase of an in-grade slide. | *Agenda Item from Parks and Recreation Commission.*

There was discussion about the reasoning for increasing the purchase amount for an in-grade slide. It was stated that they are looking at purchasing a new slide from a vendor, due to the lack of suitable second-hand slides. There was further discussion regarding the specific slide they wanted to buy. There was no further discussion.

Councilmember T. Westfall moved to approve item 5N. "Authorization of additional \$1,500 for the purchase of an in-grade slide." R. Brown seconded the motion.

On this roll call vote, the vote is 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.

O. DISCUSSION AND POSSIBLE ACTION: Proposal from HBE for Auditing Services for 2025-2027 Fiscal Years. | *Agenda Item from City Clerk / Treasurer.*

There was discussion regarding the price and the services provided. There were discussions regarding other cities who used HBE for their auditing services, and the quality of past auditing services. There were no further discussion.

Councilmember T. Westfall moved to approve item 5O. "Proposal from HBE for Auditing Services for 2025-2027 Fiscal Years." R. Brown seconded the motion.

On this roll call vote, the vote is 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.

P. ORDINANCE NO. 2026-03 (First Reading): AN ORDINANCE REPEALING ORDINANCE NO. 2024-05 WHICH COMBINED AND MERGED THE POSITIONS OF DEPUTY CLERK AND GRANT COORDINATOR POSITIONS; REESTABLISHING THE POSITIONS AS SEPARATE AND DISTINCT OFFICES; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE. | *Agenda Item from Theresa Westfall.*

There was discussion regarding the reasoning for combining the two roles in the first place and general community sentiment regarding the grant coordinator position. There was also discussion regarding the impact to the city's operations that this ordinance may bring and community sentiment regarding the functioning of government. 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 is 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.

Councilmember T. Westfall introduced the proposed Ordinance as Ordinance No. 2026-03. Councilmember T. Westfall read the proposed Ordinance No. 2026-03 entitled, “AN ORDINANCE REPEALING ORDINANCE NO. 2024-05 WHICH COMBINED AND MERGED THE POSITIONS OF DEPUTY CLERK AND GRANT COORDINATOR POSITIONS; REESTABLISHING THE POSITIONS AS SEPARATE AND DISTINCT OFFICES; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.” and moved to approve the proposed Ordinance 2026-03 for its first reading and that its title be agreed to. B. Brown seconded the motion.

On this roll call vote, the vote is as follows:
J. Whisler – AYE, B. Brown – AYE, T. Westfall – AYE, R. Brown - NAY
On this vote, the AYES are 3, the NAYS 1. Motion Carried.

Mayor K. Novak declared that said Ordinance No. 2026-03 be approved on its first reading and its title agreed to.

Q. ORDINANCE NO. 2026-04: (First Reading) 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. | *Agenda Item from Theresa Westfall.*

There was discussion regarding the budgetary impacts of this ordinance. There were further discussions regarding the effect of the ordinance on the functionality of the City Clerk’s office, the city, and the community at-large. 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 is 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.

Councilmember T. Westfall introduced the proposed Ordinance as Ordinance No. 2026-04.

Councilmember T. Westfall read the proposed Ordinance No. 2026-04 entitled, “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.” and moved to approve the proposed Ordinance 2026-04 for its first reading and that its title be agreed to. J. Whisler seconded the motion.

On this roll call vote, the vote is as follows:
T. Westfall – AYE, B. Brown – AYE, J. Whisler – AYE, R. Brown - NAY
On this vote, the AYES are 3, the NAYS 1. Motion Carried.

Mayor K. Novak declared that said Ordinance No. 2026-04 be approved on its first reading and its title agreed to.

R. RESOLUTION NO. 2026-02: (First Reading) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERU, NEBRASKA, APPROVING AMENDMENTS TO THE CITY'S EMPLOYEE HANDBOOK AND PROVIDING FOR AN EFFECTIVE DATE. | Agenda Item from Theresa Westfall.

There was discussion regarding the implications of this resolution on the city staff, and the reasoning for the resolution's introduction. There was further discussion regarding the drafted language. There was no further discussion.

Councilmember T. Westfall moved to approve Resolution 2026-02, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERU, NEBRASKA, APPROVING AMENDMENTS TO THE CITY'S EMPLOYEE HANDBOOK AND PROVIDING FOR AN EFFECTIVE DATE." J. Whisler seconded the motion.

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

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

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

Councilmember T. Westfall moved to approve Resolution 2026-02, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERU, NEBRASKA, APPROVING AMENDMENTS TO THE CITY'S EMPLOYEE HANDBOOK AND PROVIDING FOR AN EFFECTIVE DATE" with the following amendment; "Amend the proposed amendments to the Employee Handbook (Exhibit A) as follows: 'Un-strike the stricken language on 'Bereavement Leave' Clause 12.19 so that sick or vacation time would be allowed for additional leave for bereavement.'" J. Whisler seconded the motion.

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

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

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

S. RESOLUTION NO. 2026-03: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERU, NEBRASKA, IMPLEMENTING AN AMENDED MAINTENANCE EMPLOYEE "ONCALL" POLICY TO BEST SERVE THE COMMUNITY DURING EMERGENCY INFRASTRUCTURE ISSUES AND SNOW AN/OR ICE REMOVAL DEMANDS, AND PROVIDING FOR AN EFFECTIVE DATE. | Agenda Item from Theresa Westfall.

There was discussion regarding the implications of this resolution and how it would affect the current on-call policy for the city. There was no further discussion.

Councilmember T. Westfall moved to approve Resolution No. 2026-03, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERU, NEBRASKA, IMPLEMENTING AN AMENDED MAINTENANCE EMPLOYEE "ONCALL" POLICY TO BEST SERVE THE COMMUNITY DURING EMERGENCY INFRASTRUCTURE ISSUES AND SNOW AN/OR ICE REMOVAL DEMANDS, AND PROVIDING FOR AN EFFECTIVE DATE" with the following amendment; "Strike the last sentence in Section 2 that states: 'Maintenance employees shall.'" J. Whisler seconded the motion.

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

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

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

T. DISCUSSION AND POSSIBLE ACTION: PSC Past Water Billing Issues | *Agenda Item from Finance Committee and City Clerk/Treasurer.*

There was discussion regarding asking the college about the unbilled water and sewer usage. There were discussions about the implications of pursuing the unbilled usage, and how general funds were used to subsidize the underbilling. There were also discussions regarding other solutions and how to pursue it with the college. There was no further discussion.

Councilmember T. Westfall moved that council enter into executive session for a strategy session regarding possible litigation under Section 1A of Nebraska Revised Statute § 84-1410. B. Brown seconded the motion.

On this roll call vote, the vote is 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.

The Council went into Executive Session at 8:41pm CT for the purposes of a strategy session regarding possible litigation under Section 1(a) of Nebraska Revised Statute §84-1410 of the “Open Meetings Act”.

Councilmember J. Whisler moved to exit Executive Session. B. Brown seconded the motion.

On this roll call vote, the vote is 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.

The Council exited Executive Session at 9:05pm CT.

Councilmember T. Westfall moved to, “Approve the authority for the Mayor and Councilman Brent Brown to bring a proposal to the college president for recuperation of unpaid water and sewer since March of 2022 through December of 2025, to the nearest whole number of that calculation with the option to pay in installments prior to the April council meeting.” J. Whisler seconded the motion.

On this roll vote, the vote is 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.

Agenda Item 8 – Adjournment

The meeting adjourned on the same day at 9:10pm CT

HEREBY ATTESTED AND ACKNOWLEDGED:

Katy Novak
KATY NOVAK, MAYOR

Dennis Kirkpatrick
DENNIS KIRKPATRICK, CITY CLERK

