



CITY COUNCIL MEETING

Minutes

Tuesday, August 13, 2024 – 5:30 P.M.

A regular meeting of the Mayor and Council of the City of Lyons was called to order by Mayor Brink at 5:30 P.M., August 13, 2024, at Lyons City Hall. Upon roll call, the following Council members were present: Allen Steinmeyer, Kyle Phillips, and Matthew Carr. Councilmembers Absent: Tyler Vacha. Also in attendance were City Clerk Whitney Anderson, Utility Supervisor Terry Ueding, Library Director Mike Heavrin, and City Attorney Matthew Munderloh.

Visitors included Dale Webster and Brad Brink with the Park and Rec Advisory Board, Clint Simmons with LARM, as well as Dave and Theresa Nelson.

I. ROUTINE BUSINESS

Mayor Brink publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held. Advance notice of said regular meeting was given to the Mayor and all members of the Council, and a copy of their receipt of such notice and the agenda is filed in the City Clerk’s office. Availability of the agenda was communicated by posting notices in three public places and in the notice to the Mayor and Council. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

II. PUBLIC HEARING

1. None.

III. CONSENT AGENDA

1. Dispense with reading of minutes of meeting held July 29, 2024.
2. Claims as presented except claims of KB’s Mini Mart and Steiny’s General Store.

JULY 27-31, 2024 CLAIMS

CITY OF LYONS UTILITIES	UTILITIES	\$ 2,812.60
ACCO UNLIMITED CORPORATIO	CHEMICALS	\$ 1,721.00
APPEARA	CLOTHING	\$ 347.80
AUTO VALUE	MTCE	\$ 40.11
BLANC'S BODY & GLASS	MTCE/REPAIRS	\$ 739.18
BORDER STATES INDUSTRIES	SUPPL	\$ 411.38
BURT COUNTY TREASURER	DOG @ LARGE FINE	\$ 50.00
CNA AUTO SERVICE	MTCE - CHARGER	\$ 95.89
COLONIAL RESEARCH CHEMICA	SUPPL	\$ 452.41
DEPOSIT REFUNDS	REFUND DATE 07/31/2024	\$ 411.76
FASTWYRE BROADBAND	SERV	\$ 745.59
FP MAILING SOLUTIONS	POSTAGE	\$ 600.00
JOHNSON & MOCK, PC, LLO	LEGAL FEES	\$ 1,291.50



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JOHNSON-ERICKSON-O'BRIAN	ZONING MAP UPDATE	\$ 2,295.00
KOONS GAS MEASUREMENT	SUPPL-METERS	\$ 10,031.77
LAYNE CHRISTENSEN COMPANY	WELL MTCE 78-1	\$ 16,351.00
LEAGUE OF NE MUNICIPALITI	ANNUAL DUES	\$ 2,124.00
LORENSEN GRAIN & READY MI	CONCRETE/ROCK	\$ 2,949.95
LOVE SIGNS	MTCE - LIB SIGN	\$ 1,646.77
LYONS MIRROR-SUN	LEGAL PRINTING	\$ 148.62
MAIN STREET SERVICES LLC	MTCE-MOWER	\$ 102.65
MIDWEST LABORATORIES INC	TESTING	\$ 120.05
MUNICIPAL SUPPLY INC OF	SUPPL	\$ 1,985.59
NOVUS COMPUTERS	365 EXCHANGE/BUSINESS	\$ 224.00
PORT-A-JOHNS	JULY SERV	\$ 70.00
POWERPLAN	REPAIRS - JD 770G	\$ 18,128.15
SAVEMORE MARKET	SUPPL	\$ 176.34
STAN HOUSTON EQUIPMENT CO	SUPPL	\$ 179.10
UCI	TESTING-FRAHM	\$ 75.00
US BANK	ANNUAL SUB	\$ 507.12
UTILITIES SECTION	ANNUAL DUES	\$ 686.00
VERIZON WIRELESS	SERV-UTIL	\$ 152.82
WASTE CONNECTIONS OF NE	GARBAGE SERV	\$ 8,607.36
WESCO RECEIVABLES CORP	SUPPL	\$ 1,754.80
WEST POINT IMPLEMENT	MTCE-ORANGE TRUCK	\$ 1,436.36

AUGUST 1-13, 2024

EFTPS	FED/FICA TAX	\$ 5,427.52
CITY OF LYONS UTILITIES	UTILITIES	\$ 196.87
BURT COUNTY TREASURER	TAXES PARCEL 311611900	\$ 750.88
LYONS MIRROR-SUN	LEGAL PRINTING	\$ 69.08
NEBRASKA DEPT OF REVENUE	SALES & USE TAX	\$ 8,795.43
VERIZON WIRELESS	SERV-POLICE	\$ 165.82
BURT COUNTY PUBLIC POWER	ELECTRIC	\$ 2,823.60
CITY EMPLOYEES	HSA	\$ 700.00
AMERITAS LIFE CORP	RETIREMENT PLAN	\$ 2,195.26
MEGAN VAVRA	JULY SERV	\$ 175.00
NCSPC	GARNISHMENT PAYABLE	\$ 225.23



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PAYROLL CHECKS	PAYROLL CHECKS ON 08/09/2024	\$ 23,433.31
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Motion by Carr, seconded by Steinmeyer to approve the consent agenda. On roll call, AYE: Phillips, Steinmeyer, Carr. NAY: None. ABSENT: Vacha. **MOTION CARRIED.**

IV. REGULAR AGENDA / NEW BUSINESS

Mayor Brink stated that during this time, comments from members of the public are permitted only on the agenda items listed below. Comments are limited to 2 minutes per individual and 20 minutes total per meeting. If speaking tonight, please state your name, address, and the name of the organization you represent. There was no public comment.

1. Motion by Phillips, seconded by Carr to approve Justin Taylor’s building permit #2024-019 for an egress window. On roll call, AYE: Steinmeyer, Carr, Phillips. NAY: None. ABSENT: Vacha. **MOTION CARRIED.**
2. Dale Webster and Brad Brink with the Park and Rec Advisory Board reported to council regarding park updates. They are asking that the west bank of the old Logan get sprayed every April and September. They are going to apply for funding from Burt County Economic Development to repair the island fountain. Webster ask council for an update on the park project and if we are able to start demolition. Mayor Brink advised that we can’t start and demolition until we received release of funds from DED and that should be coming soon.
3. Clint Simmons from LARM presented council with a valuation update.
4. Dave & Theresa Nelson spoke with council regarding concrete crushing and zoning issues. He submitted a zoning change application to change parcel: 212009800 from C-2 to I-1. Council agreed to let him start crushing during the zoning change process to eliminate the rubble at Main St & Hwy 77.
5. Motion by Steinmeyer, seconded by Phillips to adopt **Resolution 2024-10**: Authorizing the Mayor to sign the Municipal Annual Certification of Program Compliance Form 2024 to Nebraska Board of Public Roads Classifications and Standards. On roll call, AYE: Carr, Phillips, Steinmeyer. NAY: None. ABSENT: Vacha. **MOTION CARRIED.**
6. Motion by Steinmeyer, seconded by Carr to approve the automatic renewal of a Class C Liquor License to Ruth Cole, dba Merly’s. On roll call, AYE: Phillips, Carr, Steinmeyer. NAY: None. ABSENT: Vacha. **MOTION CARRIED.**
7. Police Chief Svendsen was not in attendance. July Police Report was provided to council which included 20 calls for service, 42 ordinance violations, and 1 warrant served.



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8. Library Director Mike Heavrin Library and Grant Report: Income in June was \$147.30 and this is \$50.62 below the monthly budgetary goal. Income for the fiscal year totals \$7,120.73 which is \$2,841.95 above our FY 2023-2024 goal. Expenses for June came to \$5,488.02, which was \$611.77 above the monthly budget. Fiscal year expenses total \$43,730.92, and that is \$155.33 below the approved budget for this point in FY 2023-2024.

Heavrin submitted a proposal to the Endowment Board requesting \$26,000 for the “refresh” project at the Library. Labor alone for painting was just shy of \$26,000 and Jim Vlach has pledged \$1,000 to cover the paint. Additionally, Jim purchased shelving for the storeroom and he and Shelly Bacon are organizing the area. Shelly has also replaced the meeting room sink, purchased a small refrigerator for the office, replaced a set of blinds in the main library and has thoroughly cleaned and organized the meeting room. Grants update: CDBG Downtown Revitalization Grant has been put on hold since the City lost their LMI status. The city will now have to try qualifying the project as a blighted area designation.

A proposal to the Waste Management Playground Equipment Grant has been submitted for \$10,000 to be used for the new playground equipment. Grant is due September 6 for the LWCF grant for the new campground area. We will look into submitting a proposal for next year.

9. Utilities Report – Terry Ueding

- a. Gas Meters for Northeast Power Coating and DPA Paint Shop were ordered.
- b. Motion by Steinmeyer, seconded by Phillips to approve the purchase of Siren Equipment (Federal Signal, BVPS) in the amount of \$15,592. On roll call, AYE: Carr, Phillips, Steinmeyer. NAY: None. ABSENT: Vacha. **MOTION CARRIED.**
- c. Motion by Phillips, seconded by Carr to approve the purchase of Diving Board and gutter grates for pool in the amount of \$19,358.84. On roll call, AYE: Steinmeyer, Carr, Phillips. NAY: None. ABSENT: Vacha. **MOTION CARRIED**
- d. Discussion was held regarding school zone and spend limits signs around the school. Ueding and Anderson will work with Attorney to get a resolution for next council meeting.
- e. Concrete has been repaired in the alley behind the community center. Working on getting the black top roads repairs.
- f. Headed to Northern's gas conference the 29th and 30th of Aug.
- g. Pricing for a new skid steer was provided with a 3 or 5 year plan along with a maintenance package was provided to get the appropriate amount put in next FY budget.

10. Clerk's Report – Whitney Anderson

- a. Clerk Anderson presented the July Treasurer Report. Motion by Phillips, seconded by Carr to accept Clerk Anderson's Treasurer Report. On roll call, AYE: Steinmeyer, Carr, Phillips. NAY: None. ABSENT: Vacha. **MOTION CARRIED.**
- b. General, Utility, and Debt Service Income Statements for the month ending July 31, 2024. The General Fund had a month-to-date net loss of \$40,687.37 and a year-to-date net gain of \$105,728.51. The Utility Fund had a month-to-date net loss of \$24,706.10 and a year-to-date net gain of \$146,513.92. Debt Service had a month-to-date net gain of \$4,729.41 and a year-to-date net loss of \$36,432.08.



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- c. Budget reports for the tenth month (83.3%) on the General, Utility, and Debt Service Funds were as follows: General Receipts were 51.11%. General Expenses were 44.26%. Utility Receipts were 91.24%. Utility Expenses were 78.39%. Debt Service Receipts were 74.50% and Debt Service Expenses were 99.99%
 - d. The Nebraska Forest Service fully allocated its IRA funds, and our project was suggested to NSA for funding through our IRA award. City of Lyons was awarded \$18,278 in Inflation Reduction Act funding for tree planting, pruning, removal, wages, and supplies.
11. Motion by Carr, seconded by Steinmeyer to approve payment to KB's Mini Mart in the amount of \$2,865.22 for Gas and pool concessions. On roll call, AYE: Phillips, Steinmeyer, Carr. NAY: None. ABSENT: Vacha. **MOTION CARRIED.**
 12. Motion by Phillips, seconded by Carr to approve payment of \$1864.51 to Steiny's General Store. On roll call, AYE: Carr, Phillips, Brink. NAY: None. ABSTAIN: Steinmeyer. ABSENT: Vacha. **MOTION CARRIED.**
 13. Mayor Brink adjourned the meeting at 7:07 PM.

Kyle Brink
Mayor

Whitney Anderson
City Clerk

I, the undersigned, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting kept continually current and available for public inspection at the office of the Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available for examination and copying by members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification of the time and place of said meeting and subjects to be covered at said meeting.

Whitney Anderson
City Clerk
(SEAL)