

# LYONS

## CITY COUNCIL MEETING

### Minutes

Tuesday, August 8, 2023 – 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 5:31 P.M., August 8, 2023, at Lyons City Hall. Present were Council members Steinmeyer, Vacha, Phillips, and Carr. Also in attendance were City Clerk Anderson, Library Director Heavrin, Police Chief Dunn, and Utility Supervisor Ueding.

### I. ROUTINE BUSINESS

The meeting was called to order upon motion by Phillips, seconded by Vacha. On roll call, AYE: Steinmeyer, Carr, Vacha, Phillips NAY: None. **MOTION CARRIED**

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. Motion by Vacha, seconded by Carr to enter into a Public Hearing. On roll call, AYE: Steinmeyer, Phillips, Carr, Vacha NAY: None. **MOTION CARRIED.** Mayor Brink opened the Public Hearing at 5:31 PM. for the purpose of hearing comments, suggestions, agreements, or objections to the City of Lyons' issuance of a general obligation water bond, series 2023, in the principal amount of one million one hundred thousand and 00/100 dollars (\$1,100,000) for the purpose of constructing additions and improvements to the water system. Lori Wheaton spoke of her concerns. There were no other verbal or written comments or objections, a motion by Steinmeyer, seconded by Vacha was made to adjourn the Public Hearing. On roll call, AYE: Phillips, Carr, Vacha, Steinmeyer NAY: None. **MOTION CARRIED.** Mayor Brink Closed the Public Hearing at 5:38 PM.

### III. CONSENT AGENDA

1. Dispense with reading of minutes of meeting held July 11, 2023.
2. Claims as presented except claims of KB's Mini Mart and Steiny's General Store.
3. **ORDINANCE NO. 757 AN ORDINANCE OF THE CITY OF LYONS, NEBRASKA, TO AMEND CHAPTER 1, ARTICLE 5, SECTION 1-515 OF THE LYONS MUNICIPAL CODE, TO ESTABLISH THE TIME AND PLACE OF THE REGULAR MEETINGS OF THE GOVERNING BODY REPEALING ALL PREVIOUS ORDINANCES, AMENDMENTS, AND SECTIONS IN CONFLICT HEREWITH; Effective July 11, 2023, was adopted, signed, and published in pamphlet form.**
4. **ORDINANCE NO. 758 – AN ORDINANCE ADOPTING A NEW COMPREHENSIVE PLAN AND ZONING REGULATIONS FOR THE CITY OF LYONS was adopted, signed, and published in pamphlet form.**
5. **Resolution 2023-9 – Special Designated Liquor License Clerk Authorization was adopted and signed.**
6. **Resolution 2023-10 – Community Development Strategy was adopted and signed.**
7. **Resolution 2023-11 – Authorizing Chief Elected Official to sign an application for CDBG Funds was adopted and signed.**

### JULY CLAIMS 2023

ABE'S MOBILE POWERWASH	STREET CLEANING - JUNE	\$ 2,700.00
ACCO UNLIMITED CORPORATIO	CHEM	\$ 17,759.94

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AMERITAS LIFE CORP	RETIREMENT	\$ 1,280.11
APPEARA	CLOTHING	\$ 332.16
AUTO VALUE	MTCE	\$ 380.95
BLUE CROSS BLUE SHIELD	INS	\$ 23,778.75
BOMGAARS	SUPPL	\$ 860.67
BURT COUNTY PUBLIC POWER	ELECTRIC	\$ 2,742.00
BURT COUNTY SHERIFF	TELETYPE FEES	\$ 20.00
CENGAGE LEARNING	BOOKS	\$ 17.04
CENTER POINT LARGE PRINT	BOOKS	\$ 188.76
CITY EMPLOYEES	HSA	\$ 1,600.00
CITY OF LYONS UTILITIES	STATE SHED TRANSFER	\$ 117.96
CNA AUTO SERVICE	MTCE CHARGER	\$ 1,810.06
COLONIAL RESEARCH	SUPPL	\$ 235.96
CORE & MAIN	SUPPL	\$ 1,570.51
DANIEL A SMITH	LEGAL SERV	\$ 1,000.00
DEPOSIT REFUNDS	REFUND	\$ 508.87
DETECTACHEM, INC.	SUPPL	\$ 401.97
DOLEZALS HUNTING DEPOT LL	AMMO	\$ 1,001.65
EFTPS	FED/FICA TAX	\$ 10,057.25
FARMERS PRIDE	PROPANE	\$ 451.75
FASTWYRE BROADBAND	SERV	\$ 696.91
JACK'S UNIFORMS	CLOTHING	\$ 43.95
JOSH SVENDSEN	REIMBURSEMENT	\$ 125.98
KOONS GAS MEASUREMENT	suppl	\$ 166.60
LANE'S TREE SERVICE	TREE REMOVAL	\$ 2,825.00
LEAGUE OF NE MUNICIPALITI	ANNUAL DUES	\$ 1,697.00
LEAGUE OF NE UTILITIES SECTION	ANNUAL DUES	\$ 686.00
LINCOLN FINANCIAL	INS	\$ 281.58
LINCOLN WINWATER WORKS	SUPPL	\$ 44.90
LORENSEN GRAIN & READY MI	ROCK/GRAVEL	\$ 1,476.65
LYONS MIRROR-SUN	LEGAL PRINTING	\$ 212.70
MAKENNA MCCULLOCK	JANITOR SERV	\$ 350.00
MARY LOU RITTER	CONTRACT SERV	\$ 645.00
MIDWEST LABORATORIES INC	TESTING	\$ 22.00
MUTUAL OF OMAHA	INS	\$ 204.15
NEBRASKA DEPT OF REVENUE	SALES AND USE TAX	\$ 8,217.02
NOVUS COMPUTERS	MTCE/UPDATE WTP	\$ 939.98
NPGA	GAS PURCHASE	\$ 4,128.79
ONE OFFICE SOLUTION	SUPPL	\$ 464.33
PAVE LLC	PAVEMENT CONDITIONER	\$ 48,782.00
PAYROLL CHECKS	PAYROLL	\$ 44,341.65

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PORT-A-JOHNS	SERV	\$ 210.00
QUADIENT FINANCE USA INC	POSTAGE	\$ 600.00
RIVER VALLEY UNDERGROUND	LINE MTCE	\$ 2,100.00
S & S LAWN CARE LLC	MOWING	\$ 1,475.00
SAVEMORE MARKET	SUPPL	\$ 144.10
SCHMAEDER LANDFILL	DISPOSAL CHARGE	\$ 30.00
SCOTT'S HARDWARE	SUPPL	\$ 312.81
SIGN DEPOT	SUPPL	\$ 88.00
STEINY'S GENERAL STORE	SUPPL	\$ 372.17
US BANK	BOOKS/SUPPL	\$ 429.54
VERIZON WIRELESS	SERV	\$ 54.91
WAGNER TIRE AND REPAIR	MTCE - TIRES GREEN TRUCK	\$ 6,928.88
WASTE CONNECTIONS OF NE	GARBAGE FEE	\$ 7,236.95
WESCO RECEIVABLES CORP	SUPPL	\$ 194.74

#### AUGUST CLAIMS 2023

FIRST NATIONAL BANK NE	LOAN PAYOFF	\$ 90,773.05
FARM AND HOME INSURANCE	INSURANCE	\$ 126,146.50

Motion by Phillips, seconded by Carr to approve the consent agenda. On roll call, AYE: Vacha, Steinmeyer, Carr Phillips. NAY: None. **MOTION CARRIED**

#### IV. REGULAR AGENDA / NEW BUSINESS

1. Mayor Brink introduced **ORDINANCE NO. 759 AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION WATER BONDS, SERIES 2023, OF THE CITY OF LYONS, NEBRASKA, IN THE PRINCIPAL AMOUNT OF ONE MILLION ONE HUNDRED THOUSAND AND 00/100 DOLLARS (\$1,100,000.00) FOR THE PURPOSE OF CONSTRUCTING ADDITIONS AND IMPROVEMENTS TO THE WATER SYSTEM, PRESCRIBING THE FORM OF THE BONDS, PROVIDING FOR THE LEVY OF TAXES TO PAY THE BONDS, ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE HOLDER OF THE BONDS AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.** Motion by Steinmeyer for the suspension of the statutory rule requiring reading on three separate days, seconded by Vacha. On roll call, AYE: Phillips, Carr, Vacha, Steinmeyer. NAY: None. **MOTION CARRIED. ORDINANCE NO. 759** was read by title, and Steinmeyer moved for passage of the ordinance, seconded by Phillips. On roll call, AYE: Vacha, Carr, Phillips, Steinmeyer. NAY: None. **MOTION CARRIED. ORDINANCE NO. 759 has been passed, approved, and available in pamphlet form.**
2. Utility Superintendent Ueding stated that the polymer is still not working correctly at the water plant. Motion by Vacha, seconded by Steinmeyer to “table” payment to Olsson in the amount of \$6,155 for the final payment of professional services for the Water Treatment Plant Project. On roll call, AYE: Carr, Phillips, Steinmeyer, Vacha. NAY: None. **MOTION CARRIED.**

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3. Motion by Steinmeyer, seconded by Carr to adopt **Resolution 2023-12 – Authorizing the Mayor to sign the Municipal Annual Certification of Program Compliance Form 2023 to Nebraska Board of Public Roads Classifications and Standards.** On roll call, AYE: Vacha, Phillips, Carr, Steinmeyer. NAY: None. **MOTION CARRIED.**
4. Lori Wheaton discussed her concerns with financial spending and asked for finances to be looked at more closely. Council answered questions pertaining to certain bills.
5. Library & Grant reports - Mike Heavrin.  
Income in June was \$160 and this is \$37.92 below the monthly budgetary goal. Income for the fiscal year through June totaled \$2,609.14, which is \$827.89 above our FY 2022-2023 goal. Expenses for June came to \$4,679.66, which was \$86.92 below the monthly budget. Fiscal year expenses through the end of June totals \$35,284.32, and that is \$7,614.93 below the approved budget for this point in FY 2022-2023. Mike has been working with a new vendor for the alarm system at the library. The estimated cost to fix the alarm issue is \$2500 and the endowment board will cover the cost. Public Works grant is due September 1<sup>st</sup> and Kirk with NENEDD is helping with pre-requisite steps to qualify. Donald E. Nielsen Foundation grant will be delivered to Clarence Mock this week.
6. Police Report – Chief Dunn  
Chief Dunn presented the July police report. Ordinance complaint forms are available on our website and advertised in the Lyons Mirror Sun. Applications are coming in for the Skillbridge program. Svendsen's tuition for the academy will be free if he is in good standing and plan for approximately \$2,400 in expenses.
7. Utilities report – Terry Ueding  
There are issues with the new Scag mower; new gear box is leaking and both front bearings have already gone out once and thinks they are again. Bobcat mini is under warranty and is in Sioux City being worked on. A valve box was put in wrong. The department had some projects they are wanting to get done and wondering if it would take longer for parts to come in if they could rent one from Bobcat at half price, \$160/day. Council would rather not pay for a rental and said to wait until they know for sure how long it will be. Pool is closing August 13<sup>th</sup> and Ueding asked the council if there were anything they would like done this fall. Council agreed that there was nothing besides the new boiler. The Wells are still being monitored closely, until the past week they were dropping 1- 1 ½ feet a week and water consumption keeps going up.
8. Motion by Carr, seconded by Vacha to go into executive session at 6:16 PM to discuss employee personnel Jarrod McElroy's request for a raise. On roll call, AYE: Steinmeyer, Phillips, Vacha, Carr. NAY: None. **MOTION CARRIED.** Motion by Vacha, seconded by Carr to return to regular session at 6:30 PM. On roll call, AYE: Phillips, Steinmeyer, Carr, Vacha. NAY: None. **MOTION CARRIED.** Motion by Steinmeyer, seconded by Carr to not approve a raise for Jarrod McElroy. On roll call, AYE: Vacha, Phillips, Carr, Steinmeyer. NAY: None. **MOTION CARRIED.**
9. Clerk's Report – Whitney Anderson
  - a. Motion by Phillips, seconded by Carr to approve Clerk Anderson's Treasurer Report. On roll call, AYE: Vacha, Steinmeyer, Carr, Phillips. NAY: None. **MOTION CARRIED.**
  - b. General, Utility, and Debt Service Income Statements for the month ending July 31st, 2023.

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The General Fund had a month to date net loss of \$37,080.232 and a year to date net loss of \$120,514.45. The Utility Fund had a month to date net gain of \$27,553.05 and a year to date net gain of \$194,443.98.

- c. Budget reports for the tenth month (83.3%) on the General, Utility, and Debt Service Funds were as follows: General Receipts were 66.63%. General Expenses were 80.76%. Utility Receipts were 64.29%. Utility Expenses were 55.53%. Debt Service Receipts were 75.74% and Debt Service Expenses were 100%
- d. Budget Hearing will be scheduled for September 12<sup>th</sup>, which is the same night as regular meeting.
- e. The council picked Tereva Scott's logo from the logo contest. Ms. Scott's logo was also the top voted on survey monkey. Council asked to have Tereva make the lettering more legible and council will officially adopt at the September Council Meeting. Ms. Scott will also be receiving a \$1,000 scholarship from the Lyons Community Foundation for her winnings.



- 10. Motion by Carr, seconded by Phillips to approve payment to First National Bank Northeast in the amount of \$90,773.05 to pay off Loan# 33634 (Excavator), Loan# 33748 (F-250), Loan# 33821 (Bucket Truck). On roll call, AYE: Vacha, Steinmeyer, Phillips, Carr. NAY: None. **MOTION CARRIED.**
- 11. Motion by Phillips, seconded by Carr Consider to approve payment of \$1,845.25 to KB's Mini Mart. On roll call, AYE: Steinmeyer, Vacha, Carr, Phillips. NAY: None. **MOTION CARRIED.**
- 12. Motion by Vacha, seconded by Phillips to approve payment of \$372.14 to Steiny's General Store. On roll call, AYE: Carr Phillips, Vacha NAY: None. ABSTAIN: Steinmeyer. **MOTION CARRIED.**
- 13. Mayor Brink adjourned the regular meeting at 6:48 PM and entered Budget Workshop at 6:48 PM.
- 14. The Council reviewed the proposed budgeted line items for Fiscal Year 2023/2024 Budget with changes as needed.
- 15. Mayor Brink adjourned budget workshop at 9:02 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

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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)