

LYONS

CITY COUNCIL MEETING

Minutes

Tuesday, July 11, 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 5:30 P.M., July 11, 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 Vacha, seconded by Steinmeyer. On roll call, AYE: Phillips, Carr, Steinmeyer, Vacha 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 Carr, seconded by Vacha to enter into a Public Hearing. On roll call, AYE: Phillips, Steinmeyer, Vacha, Carr NAY: None. **MOTION CARRIED.** Mayor Brink opened the Public Hearing at 5:30 PM. for the purpose of hearing support, opposition, criticism, suggestions, or observations concerning the adoption of the City of Lyons Comprehensive Plan & Zoning Regulation. There being no verbal or written comments or objections, a motion by Steinmeyer, seconded by Phillips was made to adjourn the Public Hearing. On roll call, AYE: Vacha, Carr, Phillips, Steinmeyer NAY: None. **MOTION CARRIED.** Mayor Brink Closed the Public Hearing at 5:31PM.
2. Motion by Vacha, seconded by Carr to enter into a Public Hearing. On roll call, AYE: Phillips, Steinmeyer, Carr, Vacha NAY: None. **MOTION CARRIED.** Mayor Brink opened the Public Hearing at 5:31 PM for the purpose of hearing support, opposition, criticism, suggestions, or observations concerning an application to the Nebraska Department of Economic Development for a \$415,312 Community Development Block Grant funds for improvements to the Lyons Brink Memorial Park. There being no verbal or written comments or objections, a motion by Phillips, seconded by Carr was made to adjourn the Public Hearing. On roll call, AYE: Vacha, Steinmeyer, Carr, Phillips NAY: None. **MOTION CARRIED.** Mayor Brink Closed the Public Hearing at 5:32.

III. CONSENT AGENDA

1. Dispense with reading of minutes of meeting held June 13, 2023.
2. Claims as presented except claims of KB's Mini Mart and Steiny's General Store.

JUNE CLAIMS

ACCO UNLIMITED CORPORATIO	CHEMICALS	\$ 6,220.60
AGRIVISION EQUIPMENT	MTCE - MOWER	\$ 207.22
AMERITAS LIFE CORP	RETIREMENT	\$ 3,334.01
APPEARA	CLOTHING	\$ 400.90
ARBOR DAY FOUNDATION	ANNUAL MEMBERSHIP	\$ 40.00
AUTO VALUE	MTCE - 02 FORD/F350	\$ 227.87
BOMGAARS	SUPPL	\$ 344.97

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BURT COUNTY CLERK	SPECIAL ASSESSMENT FEE	\$ 70.00
BURT COUNTY PLAINDEALER	1 YR SUB - LIBRARY	\$ 40.00
BURT COUNTY PUBLIC POWER	ELECTRIC	\$ 2,742.00
BURT COUNTY SHERIFF	TELETYPE FEES	\$ 20.00
CITY EMPLOYEES	HSA	\$ 1,400.00
CITY EMPLOYEES	PAYROLL	\$ 59,322.03
CITY OF LYONS UTILITIES	UTILITIES	\$ 1,756.70
COLE PAPERS INC.	SUPPL	\$ 556.54
DANIEL A SMITH	LEGAL SERVICES	\$ 1,000.00
EFTPS	FED/FICA TAX	\$ 12,766.92
FASTWYRE BROADBAND	SERV	\$ 492.24
FIRST NATIONAL BANK	WTP PRINCIPAL PAYMENT	\$ 15,718.12
HANNA:KEELAN ASSOCIATES	Comp plan/zoning regs FINAL	\$ 5,500.00
HOA	MTCE	\$ 1,848.60
INGERSOLL RAND COMPANY	MTCE - AIR COMPRESSOR	\$ 939.56
JENSEN PLG & HTG INC	MTCE POOL HEATER	\$ 200.00
KNIFE RIVER MIDWEST, LLC	ASPHALT	\$ 1,965.60
LINCOLN FINANCIAL	INS	\$ 281.58
LINCOLN WINWATER WORKS	SUPPL	\$ 889.22
LORENSEN GRAIN & READY MI	ROCK/GRAVEL	\$ 3,376.70
LYONS MIRROR-SUN	LEGAL PRINTING	\$ 238.05
LYONS SPORTS INC	LYONS SPORTS PROGRAM	\$ 2,500.00
LYONS-DECATUR PUBLIC SCHO	TOBACCO/LL FEES	\$ 720.00
MAKENNA MCCULLOCK	JUNE SERV	\$ 400.00
MARY LOU RITTER	JAN-JUNE SERV	\$ 390.00
MENARDS	SUPPL	\$ 266.44
MIDWEST LABORATORIES INC	TESTING	\$ 22.00
MJ FLOORS	MTCE CC FLOOR	\$ 5,235.00
MS ROOF REPAIRS	MTCE ROOF	\$ 5,223.00
MUTUAL OF OMAHA	INS	\$ 269.25
NEBRASKA DEPT OF REVENUE	SALES & USE TAX	\$ 7,337.56
NOVUS COMPUTERS	SERV/MTCE	\$ 171.00
NPGA	GAS PURCHASE	\$ 47,420.83
NPPD COLUMBUS	ELECTRIC PURCHASE	\$ 33,469.25
ONE CALL CONCEPTS, INC.	LOCATE FEE	\$ 47.38
ONE OFFICE SOLUTION	SUPPL	\$ 224.63
PAVE LLC	PAVEMENT CONDITIONER	\$ 48,782.00
QUADIENT LEASING USA INC	POSTAGE LEASE	\$ 342.00
S & S LAWN CARE LLC	MOWING	\$ 3,225.00
SAVEMORE MARKET	SUPPL	\$ 48.07
SCHMAEDER LANDFILL	DISPOSAL CHARGE	\$ 55.00

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SCOTT'S HARDWARE	SUPPL	\$ 133.93
STAN HOUSTON EQUIPMENT CO	ROLLER RENTAL	\$ 400.00
T&R ELECTRIC	SUPPL - SCHOOL TRANSFORMER	\$ 23,525.64
THURMAN PSYCHOLOGICAL	SERV	\$ 320.00
US BANK	CONFERENCE, LODGING, SUBSRIPTION, SUPPL	\$ 924.89
VERIZON WIRELESS	SERV	\$ 354.86
VILLAGE OF SNYDER	PRINTER	\$ 400.00
WAPA	ELECTRIC	\$ 4,762.81
WASTE CONNECTIONS OF NE	GARBAGE FEE	\$ 7,259.93
WESCO RECEIVABLES CORP	SUPPL	\$ 673.31
WHITNEY ANDERSON	MILEAGE REIMBURSEMENT	\$ 113.97

JULY 2023 CLAIMS		
CITY OF LYONS UTILITIES	UTILITIES	\$ 1,909.24
BURT COUNTY PLAINDEALER	CITY 1 YR SUBSCRIPTION	\$ 40.00
KOONS GAS MEASUREMENT	SUPPL	\$ 2,088.44
LEW'S FIREWORKS	FIREWORKS	\$ 10,000.00
NORTHEAST TRACTOR PARTS	SUPPL	\$ 32.12
SAM'S CLUB	POOL CONCESSIONS	\$ 234.98
STEINY'S FARM REPAIR	MTCE - SKID LOADER	\$ 564.48
NEBRASKA POWER REVIEW BOA	ASSESSMENT FEE	\$ 110.59
NPPD	ELECTRIC PURCHASES	\$ 46,952.88
DEPARTMENT OF ENERGY	ELECTRIC	\$ 6,343.90

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

IV. REGULAR AGENDA / NEW BUSINESS

1. Mayor Brink introduced **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.** Motion by Steinmeyer for the suspension of the statutory rule requiring reading on three separate days, seconded by Phillips. On roll call, AYE: Vacha, Carr, Phillips, Steinmeyer. NAY: None. **MOTION CARRIED. ORDINANCE NO. 757** was read by title, and Phillips moved for passage of the ordinance, seconded by Carr. On roll call, AYE: Vacha, Steinmeyer, Carr, Phillips. NAY: None. **MOTION CARRIED. ORDINANCE NO. 757 has been passed, approved, and available in pamphlet form. Regular Meetings of the Council will now be held on the 2nd Tuesday of every month.**
2. Mayor Brink introduced **ORDINANCE NO. 758 – AN ORDINANCE ADOPTING A NEW COMPREHENSIVE PLAN AND ZONING REGULATIONS FOR THE CITY OF LYONS.** Motion by Steinmeyer for the suspension of the statutory rule requiring reading on three separate days, seconded by Vacha. On roll call, AYE: Carr,

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Phillips, Vacha, Steinmeyer. NAY: None. **MOTION CARRIED. ORDINANCE NO. 758** was read by title, and Vacha moved for passage of the ordinance, seconded by Carr. On roll call, AYE: Steinmeyer, Phillips, Carr, Vacha NAY: None. **MOTION CARRIED.**

ORDINANCE NO. 758 has been passed, approved, and available in pamphlet form.

3. Motion by Carr, seconded by Vacha to adopt **Resolution 2023-9 – Special Designated Liquor License Clerk Authorization**. On roll call, AYE: Phillips, Steinmeyer, Vacha, Carr. NAY: None. **MOTION CARRIED.**
4. Motion by Phillips, seconded by Steinmeyer to adopt **Resolution 2023-10 – Community Development Strategy**. On roll call, AYE: Vacha, Carr, Steinmeyer, Phillips. NAY: None. **MOTION CARRIED.**
5. Motion by Steinmeyer, seconded by Carr to approve an application to the Nebraska Department of Economic Development for \$415,312 Community Development Block Grant funds for improvements to the Lyons Brink Memorial Park Pavilion and Restroom/Storm Shelter. On roll call, AYE: Vacha, Phillips, Carr, Steinmeyer. NAY: None. **MOTION CARRIED.**
6. Motion by Steinmeyer, seconded by Vacha to adopt **Resolution 2023-11 – Authorizing Chief Elected Official to sign an application for CDBG Funds**. On roll call, AYE: Carr, Phillips, Vacha, Steinmeyer. NAY: None. **MOTION CARRIED.**
7. Penny Murphy of Farm and Home Insurance discussed the renewal of the City's property & liability insurance. Increasing property deductible from 1,000 to 5,000 would save \$11,757 annually, 10,000 would save \$20,930 and 25,000 would save \$31,025. Dropping to liability only on the 15 Charger, 03 International, and 02 Ford would save \$1,313, \$693, and \$284 respectively. Motion by Vacha, seconded by Carr to increase property deductible to 10,000, and put liability only on 2015 Charger and 03 International. On roll call, AYE: Phillips, Steinmeyer, Carr, Vacha. NAY: None. **MOTION CARRIED.**
8. Andrew Cullen with Novus Computers discussed a Managed IT Agreement that would cost \$1550 per month to be proactive rather than reactive on our security and management for the city office, utility department, police and library. This service would provide quarterly meetings, DNS filtering, Anti-Virus software, and many other services to protect the city from Cyber Attacks and system issues. City Grant Writer Mike Heavrin will work with Andrew to write a Cyber Security Grant to help offset the costs. Council agreed that it is important and will consider it for FY 2023/2024 Budget.
9. Library & Grant reports - Mike Heavrin.
Income in May was \$335 and this is \$137.08 above the monthly budgetary goal. Income for the fiscal year through May totaled \$2,449.14, which is \$867.39 above our FY 2022-2023 goal. Expenses for May came to \$3,945.53, which was \$831.05 below the monthly budget. Fiscal year expenses through the end of May totals \$30,604.55, and that is \$7,489.87 below the approved budget for this point in FY 2022-2023. E-Rate was applied to FY2022 and FY2023. An estimate for fixing the fire system costs \$2,500 and Mike is going to talk with the Endowment Board to see if they will cover costs. Kirk Brown of NENEDD is directing activities to complete the pre-requisite steps needed to qualify for CDBG grant. The Grant is due September 1, 2023.
10. Police Report – Chief Dunn

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Chief Dunn presented the June police report. Josh and Kyle are scheduled to meet Senator Hansen on July 19th, Evidence Cage is scheduled for installation July 12th, Skillbidge MOU between DoD and LPD has been updated, A/C leak in PD has been fixed, and Inventory of Armory has been completed.

11. Butch Imus was not in attendance.
12. Karen Johnson asked the council if they would designate tenant parking across the street from City Hall for Main Street Apartments (west). Mayor Brink suggested discussing the request with the Apartment Board as it is their responsibility to provide parking to the tenants.
13. Council reviewed Relay for Life's request to hold an event at Brink Memorial Park September 10th, 2023. Council had no issues with their requests.
14. Mayor Brink asked the council their thoughts on developing a Park & Rec Board. Brink thinks this would be a great way to get people working together for improvements. This board would run similarly to the library board and include the swimming pool. Council agreed and will work on getting things set up. Brink is going to work on finding members for one council member and four community member board.
15. Utilities report – Terry Ueding
 - a. Pool Boiler is no longer working and is three weeks out for a new one. The cost is \$5,800.
 - b. Utility department pigged well lines and was previously receiving 300-325 gal/min into the plant and now just 1 well is producing 515 gal/min.
 - c. Tires for the green truck have been put on.
 - d. Ueding asked the council what they wanted him to do with the old printers that are no longer used in the utility department. Council suggested Terry dispose of them since they are old and not worth anything.
 - e. Working with JEO on a Water Security Grant to map all shut-off valves and Water lines. The system would also allow mapping of the rest of the utilities.
16. Clerk's Report – Whitney Anderson
 - a. Clerk Anderson presented Treasurer Report and pointed out that the park had \$5,038 in deposits and received \$54,721.11 in USDA grant funds for the Water Treatment Plant Project. Motion by Carr, seconded by Phillips to approve Clerk Anderson's Treasurer Report. On roll call, AYE: Vacha, Steinmeyer, Phillips, Carr. NAY: None. **MOTION CARRIED.**
General, Utility, and Debt Service Income Statements for the month ending June 30th, 2023. The General Fund had a month-to-date net loss of \$8,656.92 and a year-to-date net loss of \$83,434.22. The Utility Fund had a month-to-date net gain of \$36,729.32 and a year-to-date net gain of \$166,890.93. Debt Service had a month-to-date net gain of \$13,748.43 and a year-to-date net loss of \$37,831.75.
 - b. Budget reports for the ninth month (75%) on the General, Utility, and Debt Service Funds were as follows: General Receipts were 61.27%. General Expenses were 71.13%. Utility Receipts were 58.73%. Utility Expenses were 51.05%. Debt Service Receipts were 73.24% and Debt Service Expenses were 100%
 - c. Clerk Anderson let Council know that Special Assessments were filled on properties at 205 State St, 330 Custer St, 400 Grant St, 420 State St, 445 Pearl St, and 640 Main St totaling \$4,345.93.

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- d. Received a quote to do a rate study on Gas and Electric that is \$18,750. Council asked to put it on budget worksheet for FY 23/24. In the meantime, we need to look into a small rate increase on all utilities and at least get our demand charge to match what NPPD and WAPA are charging the city.
 - e. Clerk Anderson has been talking with JEO and asked Council if they would like to start looking into Downtown Revitalization for 2024-2025 FY and Council agreed.
17. Motion by Vacha, seconded by Carr to enter executive session at 7:20 PM to discuss Employee Personnel, Jorma Hedges' Annual Review. On roll call, AYE: Phillips, Steinmeyer, Carr, Vacha. NAY: None. **MOTION CARRIED.** Motion by Phillips, seconded by Carr to return to regular session at 7:21. On roll call, AYE: Vacha, Steinmeyer, Carr, Phillips. NAY: None. **MOTION CARRIED.**
18. Motion by Phillips, seconded by Steinmeyer to approve a 4% raise for Jorma Hedges. On roll call, AYE: Vacha, Carr, Steinmeyer, Phillips. NAY: None. **MOTION CARRIED.**
19. Motion by Phillips, seconded by Steinmeyer Consider to approve payment of \$3,385.78 to KB's Mini Mart. On roll call, AYE: Vacha, Carr, Steinmeyer, Phillips. NAY: None. **MOTION CARRIED.**
20. Motion by Carr, seconded by Vacha to approve payment of \$796.37 to Steiny's General Store. On roll call, AYE: Phillips, Vacha, Carr NAY: None. ABSTAIN: Steinmeyer. **MOTION CARRIED.**
21. Mayor Brink adjourned the meeting at 7:23 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)