



CITY COUNCIL MEETING

Minutes

Tuesday, November 14, 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., November 14, 2023, at Lyons City Hall. Present were Council members Vacha, Phillips, Steinmeyer and Carr. Also in attendance were City Attorney Smith, City Clerk Anderson, Library Director Heavrin, Police Chief Dunn, and Utility Supervisor Ueding. Visitors were Tyler Toline, Matt Munderloh, Matthew Smith.

I. ROUTINE BUSINESS

The meeting was called to order upon motion by Carr, seconded by Vacha. On roll call, AYE: Phillips, Steinmeyer, Vacha, Carr. 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

None

III. CONSENT AGENDA

1. Dispense with reading of minutes of meeting held October 10, 2023.
2. Claims as presented except claims of KB’s Mini Mart and Steiny’s General Store.
3. **Resolution No. 2023-19: Creating an Advisory Board for the Park and Recreational facilities was adopted and signed.**
4. **Resolution No. 2023-20: Changing City Office Hours and City Employee Working Hours was adopted and signed.**
5. **Resolution No. 2023-21: End the Water Emergency with mandatory conservation measures on Class 1 water uses was adopted and signed.**

OCTOBER CLAIMS		
AMERICAN UNDERGROUND SUPP	SUPPL	\$ 1,603.29
AMERITAS LIFE CORP	RETIREMENT	\$ 1,461.80
APPEARA	CLOTHING	\$ 332.12
AUTO VALUE	SUPPL	\$ 741.24
BLUE CROSS BLUE SHIELD	GROUP HEALTH INS	\$ 12,539.54
BOBCAT OF OMAHA	SNOW PUSHER	\$ 6,600.00
BREHMER INDUSTRIES	MTCE	\$ 107.20



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BURT COUNTY PUBLIC POWER	ELECTRIC	\$ 5,647.20
BURT COUNTY SHERIFF	TELETYPE FEES	\$ 24.00
CENTER POINT LARGE PRINT	BOOKS	\$ 188.76
CITY OF LYONS UTILITIES	UTILITIES	\$ 6,005.09
COLONIAL RESEARCH CHEMICA	SUPPL	\$ 251.56
CONTINENTAL RESEARCH	SUPPL	\$ 452.81
CUMING COUNTY INDUSTRIES	MTCE	\$ 473.98
DANIEL A SMITH	LEGAL SERVICE	\$ 1,000.00
DEPARTMENT OF ENERGY	ELECTRIC	\$ 4,143.38
EFTPS	FED/FICA TAX	\$ 3,218.52
ENERGY WORLDNET, INC	ANNUAL SERV/TRAINING	\$ 1,219.00
FASTWYRE BROADBAND	SERV	\$ 645.70
FIRST NATIONAL BANK	POOL BOND	\$ 127,793.75
GPM ENVIRONMENTAL	MTCE	\$ 448.00
HSA - CITY EMPLOYEES	HSA	\$ 700.00
ITRON	23-24 MTCE/SUPPORT	\$ 2,181.42
JOSH SVENDSEN	MILEAGE REIMBURSEMENT	\$ 842.99
LINCOLN FINANCIAL	LTD INSURANCE	\$ 543.70
LINCOLN WINWATER WORKS	SUPPL	\$ 203.48
LORENSEN GRAIN & READY MI	ROCK/GRAVEL	\$ 348.72
LYONS MIRROR-SUN	LEGAL PRINTING	\$ 267.03
MAKENNA MCCULLOCK	JANITOR SERV	\$ 581.00
MENARDS - SIOUX CITY	SUPPL	\$ 69.96
MIDWEST ALARM SERVICES	MTCE	\$ 74.16
MUTUAL OF OMAHA	INSURANCE	\$ 160.75
NDEE-PUBLIC WATER OPERATR	WATER LICENSE FEES	\$ 345.00
NEBRASKA DEPT OF REVENUE	SALES/USE TAX	\$ 8,289.37
NEBRASKA LIBRARY COMM.	OVERDRIVE FEE	\$ 500.00
NOVUS COMPUTERS	SERV/365 EXCHANGE	\$ 644.75
NPPD COLUMBUS	ELECTRIC PURCHASE	\$ 46,603.71
OLSSON ASSOCIATES	STREET SUP SERV	\$ 250.00
ONE OFFICE SOLUTION	SUPPL/CHAIRS	\$ 1,500.99
CITY EMPLOYEES	PAYROLL CHECKS ON 10/20/2023	\$ 13,453.70
PORT-A-JOHNS	SERV SEPT	\$ 140.00
POWERPLAN	MTCE	\$ 318.37



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SAVEMORE MARKET	SUPPL	\$ 7.27
UCI	TESTING FEE	\$ 60.00
US BANK	SUPPL/ACADEMY/TOOLBOX/MEAL	\$ 2,567.30
USABLUEBOOK	MTCE	\$ 490.19
UTILITIES SECTION	WORKSHOP	\$ 130.00
VERIZON WIRELESS	SERV	\$ 523.38
WASTE CONNECTIONS OF NE	GARBAGE FEE	\$ 8,173.30
WESCO RECEIVABLES CORP	SUPPL	\$ 1,976.29

November Claims

SHANE TAYLOR	STREET CLEANING	\$ 2,550.00
CAN AUTOMOTIVE SERVICES	SERV	\$ 108.94
NEBR DEPT OF REVENUE	SALES AND USE TAX	\$ 8,433.31
AMERITAS	RETIREMENT PLAN	\$ 1,102.65
CITY OF LYONS	STATE SHED TRANSFER	\$ 119.28
NPPD	ELECTRIC PURCHASE	\$ 32,969.26

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

IV. REGULAR AGENDA / NEW BUSINESS

1. Attorney Matt Munderloh introduced himself to council and the services he provides as a City Attorney. Council will be appointing a new City Attorney in December for 2024.
2. Tyler Toline with Franciscan HealthCare discussed Cuming & Burt County Public Transit Options. Franciscan HealthCare to operate the program and is looking for funding partners. Toline will get Anderson marketing material to get the word out in our community when the program is available.
3. Motion by Steinmeyer, seconded by Phillips to approve a three-year contribution of \$2,000 annually for Cuming/Burt County Public Transit Service. On roll call, AYE: Vacha, Carr, Phillips, Steinmeyer. NAY: None. **MOTION CARRIED.**
4. Motion by Vacha, seconded by Carr to approve the Letter Agreement for Professional Services from Olsson on Street Superintendent for the calendar year 2024. On roll call, AYE: Phillips, Steinmeyer, Carr, Vacha. NAY: None. **MOTION CARRIED.**



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5. Motion by Vacha, seconded by Carr to approve the 2024 Engineer Appointment Request from JEO. On roll call, AYE: Steinmeyer, Phillips, Carr, Vacha. NAY: None. **MOTION CARRIED.**

6. Mayor Brink introduced **ORDINANCE NO. 763 - TO ADD ARTICLE 13, FEES AND TAXES, TO CHAPTER 1 AND TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF LYONS FOR VARIOUS SERVICES INCLUDING, BUT NOT LIMITED TO: BUILDING PERMITS, ZONING FEES, OCCUPATION AND FRANCHISE TAX, ANNUAL FEES, AND LICENSES OF THE CITY OF LYONS.** Motion by Steinmeyer, seconded by Phillips for the suspension of the statutory rule requiring reading on three separate days. On roll call, AYE: Vacha, Carr, Phillips, Steinmeyer NAY: None. **MOTION CARRIED.** Ordinance NO. 763 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. 763 has been passed, approved, and available in pamphlet form.

7. Motion by Vacha, seconded by Phillips to adopt **Resolution No. 2023-22: Changing City Office Hours and City Employee Working Hours.** On roll call, AYE: Steinmeyer, Carr, Phillips, Vacha. NAY: None. **MOTION CARRIED.**

8. Motion by Steinmeyer, seconded by Vacha to adopt **Resolution No. 2023-23: A resolution authorizing the signing of the Year-End Certification of City Street Superintendent 2023 by the Mayor.** On roll call, AYE: Phillips, Carr, Vacha, Steinmeyer. NAY: None. **MOTION CARRIED.**

9. Motion by Vacha, seconded by Carr to approve building permit from Tim Menard at 305 N 3rd St for a privacy fence with setbacks 6" off the property line. On roll call, AYE: Phillips, Steinmeyer, Carr, Vacha. NAY: None. **MOTION CARRIED**

10. Library & Grant reports - Mike Heavrin.
Income in September was \$780.70 and this is \$582.78 above the monthly budgetary goal. Income for the fiscal year totaled \$3,389.84, which is \$514.84 above our FY 2022-2023 goal. Expenses for September came to \$3,157.66, which was \$1,608.92 below the monthly budget. Fiscal year expenses totaled \$51,909.62, and that is \$5,289.38 below the approved budget for this point in FY 2022-2023.
Mike has been working with Andrew at Novus Computers to replace four adult computers and use the former adult computers to replace four children's computers. A proposal is being put together for the Library Endowment Board to see if they will cover the project of \$4,466. Mike is also preparing a grant to purchase a number of AEDs for the city along with trauma kits and stop-the bleed kits. Estimated costs are between \$13,000 and \$15,000. Donald E. Nielson Foundation's grant request for \$110,000 was completed and would be used to help with matching funds for the CDBG grant. 2023 Public Works- Facilities grant was completed by Kirk Brown of NENEDD for \$415,321 and a decision on funding could happen anytime.

11. Police Report – Chief Dunn



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Chief Dunn presented the October police report which included 14 Ordinance violations, a fatality accident on 51/77, and 1 arrest. Novus Computers installed the computers at the station. Chief Dunn presented the council with a letter of resignation which states that he will be resigning from the position of Chief of Police at the end of December 2023. Dunn stated he is getting out of law enforcement and his resignation comes with no hard feelings or grievances, but rather a personal choice. He also stated he is incredibly thankful for the opportunity the community and city provided. The council thanked Chief Dunn and wished him the best of luck in his new endeavors.

12. Utilities report

- a. Ueding discussed comp time is currently 8hr/quarter for Anderson and Ueding to attend meetings. Anderson has been keeping track of her time for meetings on her timecard and Ueding has not as it was always 8hr/quarter. Ueding will need to be reimbursed for comp time not received. A resolution was suggested by Attorney Smith to state how comp time is issued for meetings attended by the City Clerk and Utility Superintendent.
- b. Jesse received his Wastewater license.
- c. The valve box for the backhoe has been fixed and was under warranty.
- d. Yellow truck is having electrical issues and getting it looked at.
- e. Recycling Center trailer will be taken up to Brehmer Mfg. to get the bottom repaired. Brehmer's has graciously offered to fix it for free. They also donated the metal for the new Recycling sign.

13. Motion by Vacha, seconded by Carr to approve a \$0.75 raise to Jesse Raabe for receiving his Wastewater License. On roll call, AYE: Steinmeyer, Phillips, Carr, Vacha. NAY: None. **MOTION CARRIED.**

14. Mayor Brink opened sealed bids for the 510B Dresser. Motion by Vacha, seconded by Steinmeyer to accept Matt Johnson's bid of \$6,000 for 510B Dresser sold as is. On roll call, AYE: Phillips, Carr, Steinmeyer, Vacha. NAY: None. **MOTION CARRIED.**

15. Mayor Brink opened sealed bids for the 1530A JD Tractor. Motion by Vacha, seconded by Carr to accept Justin Morris' bid of \$2,011 for 1530A JD Tractor sold as is. On roll call, AYE: Phillips, Steinmeyer, Carr, Vacha. NAY: None. **MOTION CARRIED.**

16. Clerk's Report – Whitney Anderson

- a. Motion by Phillips, seconded by Carr to accept 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 October 31st, 2023. The General Fund had a month-to-date net loss of \$26,773.55. The Utility Fund had a month-to-date net gain of \$26,773.55. Debt Service had a month-to-date net loss of \$122,396.64.
- c. Budget reports for the first month of FY 23-24 (8.3%) on the General, Utility, and Debt Service Funds were as follows: General Receipts were 2.74%. General Expenses were 4.71%. Utility Receipts were 9.72%. Utility Expenses were 8.02%. Debt Service Receipts were 9.72% and Debt Service Expenses were 88.51%.



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- d. Our lease with Quadiant is up in January for our postage service. Anderson received a new quote from Quadiant as well as one from FP mailing solution. The council agreed to move forward with FP Mailing Solutions quote. The new machine will be equipped with a 70 lb scale, label printer, and PC control software. Anderson is hoping city hall can eventually be a drop-off location for UPS and/or FedEx and will be working with the companies for approval.
- e. Motion by Steinmeyer, seconded by Phillips to approve estimate from Novus Computers in the amount of \$3,226.00 to update hardware and Wi-Fi for Community Center/City Hall. On roll call, AYE: Vacha, Carr, Phillipa, Steinmeyer. NAY: None. **MOTION CARRIED.**
- f. January 5, 2024 Candidate Filing Starts. February 15, 2024 Incumbent Filing Deadline. March 1, 2024 last day for Non-incumbents to file.
- g. 2024 Holiday schedule for city employees:

2024 Holiday Schedule

New Year's Day	Monday	January 1, 2024
Martin Luther King Jr Day	Monday	January 15, 2024
President's Day	Monday	February 19, 2024
Arbor Day (floating)	Friday	April 26, 2024
Memorial Day	Monday	May 27, 2024
4th of July	Thursday	July 4, 2024
Day After 4th of July (floating)	Friday	July 5, 2024
Labor Day	Monday	September 2, 2024
Veteran's Day	Monday	November 11, 2024
Thanksgiving Day	Thursday	November 28, 2024
Day After Thanksgiving Day	Friday	November 29, 2024
Christmas Day	Wednesday	December 25, 2024

- h. Burt County Economic Development and Three Rivers Housing are working on updating Burt County Housing Study that will expire in 2024. They are asking for a \$500 contribution from the City of Lyons to help cover the cost. Council agreed they would be willing to pay the \$500 when the time comes.
 - i. Reminder that Workshop for Municipal Codebook will be November 28th at 5:30.
17. Motion by Phillips, seconded by Steinmeyer to approve payment of \$1,653.19 to KB's Mini Mart. On roll call, AYE: Vacha, Carr, Steinmeyer, Phillips. NAY: None. **MOTION CARRIED.**
 18. Motion by Phillips, seconded by Vacha to approve payment of \$680.27 to Steiny's General Store. On roll call, AYE: Carr, Vacha, Phillips NAY: None. ABSTAIN: Steinmeyer. **MOTION CARRIED.**
 19. Motion by Vacha, seconded Car to go into executive session at 6:55 PM to discuss employee personnel annual review. On roll call, AYE: Phillips, Steinmeyer, Carr, Vacha. NAY: None. **MOTION CARRIED.** Motion by



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Vacha, seconded by Carr to return to regular session at 6:58 PM. On roll call, AYE: Steinmeyer, Phillips, Carr, Vacha. NAY: None. **MOTION CARRIED.**

20. Motion by Phillips, seconded by Carr to approve a \$1.00 raise for Joel Fredrickson. On roll call, AYE: Vacha, Steinmeyer, Carr, Phillips. NAY: None. **MOTION CARRIED.**
21. Motion by Carr, seconded by Vacha to approve a \$1.00 raise for Lacy Hollman. On roll call, AYE: Steinmeyer, Phillips, Vacha, Carr. NAY: None. **MOTION CARRIED.**
22. Kyle Phillips, Commissioner of Park and Rec, updated the council of the Park and Rec Advisory Board's first meeting. The board is discussing options for our campground and a mural on the CVA building.
23. Mayor Brink adjourned the meeting at 7:14 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)