

LYONS

CITY COUNCIL MEETING

Minutes

Tuesday, February 7, 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., February 7, 2023, at Lyons City Hall. Present were Council members Steinmeyer, Housh Sr, Vacha and Phillips. Also in attendance were City Clerk Anderson, City Attorney Smith, Library Director Heavrin, and Police Chief Dunn. Utility Supervisor Ueding was at training.

Visitors at the meeting were Matt Smith, David Armstrong, Corbin Wheaton, Kathy Robinson, Annie Christensen, Shalena Findlay, Jarrod McElroy, Brandy McElroy, Erin Mockler, Heath Cram, Jason Redding-Geu, Shelly Bacon and Glenn Thummel.

I. ROUTINE BUSINESS

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

III. CONSENT AGENDA

1. Dispense with reading of minutes of meeting held January 10, 2023.
2. Claims as presented except claims of KB's Mini Mart and Steiny's General Store.
3. Treasurer report.
4. **Ordinance No. 753: AN ORDINANCE OF THE CITY OF LYONS, NEBRASKA, RELATING TO MUNICIPAL AND APPOINTED OFFICIALS, AND EMPLOYEES OF THE CITY; PROVIDING A MINIMUM AND MAXIMUM COMPENSATION RANGE SCHEDULE FOR EACH; REPEALING ALL PREVIOUS ORDINANCES, AMENDMENTS, AND SECTIONS IN CONFLICT HEREWITH; EFFECTIVE January 10, 2023 was adopted, signed and published.**
5. **Resolution No 2023-01: A Resolution that the form of the Participation Agreement of City of Lyons, a Participating Employer, which evidences the adoption of the amended Plan sponsored by Village of Valparaiso is hereby approved and adopted and that an authorized representative of the Participating Employer is hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Participation Agreement was adopted and signed.**

JANUARY 2023 CLAIMS

EFTPS	FED/FICA TAX	\$5,992.98
ACCO UNLIMITED CORPORATIO	MTCE	\$2,107.95
APPEARA	CLOTHING	\$628.60
AUTO VALUE	SUPPL	\$379.26
BASEPOINT BUILDING AUTO	MTCE	\$325.00
BLUE CROSS BLUE SHIELD	GROUP HEALTH	\$9,960.02

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BOBCAT OF OMAHA	EQUIPMENT	\$8,309.06
BOMGAARS	MTCE	\$546.89
BREHMER INDUSTRIES	MTCE	\$72.27
BURT CO ECONOMIC DEVELOP	1ST HALF 2023 DUES	\$2,100.00
BURT COUNTY PUBLIC POWER	ELECTRIC	\$2,759.50
BURT COUNTY SHERIFF	TELETYPE FEES	\$20.00
CENTER POINT LARGE PRINT	BOOKS	\$183.36
CENTURYLINK	SERV	\$26.23
CITY OF LYONS PETTY CASH	MEALS/PARKING	\$41.83
CITY OF LYONS UTILITIES	UTILITIES	\$6,818.33
CORE & MAIN	SUPPL	\$7,713.91
DANIEL A SMITH	LEGAL SERVICES	\$1,000.00
DEPARTMENT OF ENERGY	ELECTRIC	\$5,740.81
DHHS NEB	REFUND	\$663.70
DOLEZALS HUNTING DEPOT LL	EQUIPMENT	\$1,926.22
EMPLOYEES	HSA	\$1,400.00
FARM AND HOME INSURANCE	INSURANCE	\$7,163.00
FASTWYRE BROADBAND	SERV	\$967.46
FRANSYL EQUIPMENT CO	MTCE BOOM TRUCK	\$4,411.62
GPM ENVIRONMENTAL	MTCE	\$448.00
GRAFIX	GRAPHIC KIT CHARGER	\$613.00
HANNA:KEELAN ASSOCIATES	COMP PLAN #1387 50% COMPLETION	\$11,000.00
JACK'S UNIFORMS	CLOTHING - DUNN	\$1,066.39
JENSEN PLG & HTG INC	MTCE	\$90.00
KB'S MINI MART	GAS	\$3,562.56
LEO'S PUMP SHOP	MTCE PUMP	\$285.00
LINCOLN FINANCIAL	INSURANCE	\$281.58
LORENSEN GRAIN & READY MI	ROCK/GRAVEL	\$609.20
LYONS MIRROR-SUN	LEGAL PRINTING	\$220.05
LYONS POSTMASTER	1YR BOX FEE LIBRARY	\$165.00
MAIN STREET SERVICES LLC	MTCE	\$1,002.64
MENARDS	MTCE	\$343.95
MIDWEST LABORATORIES INC	TESTING	\$42.00
MUNICIPAL SUPPLY INC OF	MTCE	\$1,349.42
MUTUAL OF OMAHA	INSURANCE	\$204.15
NE MUNICIPAL CLERKS ASSOC	22/23 DUES	\$150.00
NEBR MUNICIPAL CLERK INST	CLERK SCHOOL ANDERSON/FINDLAY	\$786.00
NEBRASKA DEPT OF REVENUE	SALES & USE TAX	\$13,587.23

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NOVUS COMPUTERS	SUBSCRIPTION/SERV	\$405.50
NPGA	GAS PURCHASE	\$56,930.23
NPPD COLUMBUS	ELECTRIC	\$41,444.93
OAKLAND LUMBER	SUPPL	\$71.13
ONE CALL CONCEPTS, INC.	LOCATE FEE	\$37.48
ONE OFFICE SOLUTION	SUPPL	\$407.72
EMPLOYEES	PAYROLL	\$26,026.34
PB ELECTRONICS	RADAR (3)	\$1,810.00
PORT-A-JOHNS	DEC SERV	\$140.00
QUADIENT FINANCE USA INC	POSTAGE	\$700.00
RED BARN VETERINARY CLINI	ANIMAL CONTROL ANNUAL FEE	\$65.00
SAPP BROS PETROLEUM INC	PROPANE	\$20.00
SAVEMORE MARKET	SUPPL	\$69.48
SCOTT'S HARDWARE	MTCE	\$46.30
SIOUX SALES COMPANY	AMMO	\$59.90
STANEK FIRE PROTECTION	FIRE EXT INSPECT	\$419.00
STEINY'S GENERAL STORE	SUPPL/MTCE	\$1,958.07
T & H ELECTRIC	MTCE	\$24.54
T SQUARE SUPPLY	FIRE EXT INSPECT	\$32.00
US BANK	LIBRARY BOOKS	\$921.85
USABLUBOOK	SUPPL	\$440.18
UTILITIES SECTION	TRAINING	\$560.00
UTILITY EQUIPMENT	MTCE	\$107.36
VERIZON WIRELESS	SERV	\$240.84
WASTE CONNECTIONS OF NE	GARBAGE FEE	\$14,304.26
WESCO RECEIVABLES CORP	ELEC SUPP FOR SCHOOL	\$15,852.48

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

IV. REGULAR AGENDA / NEW BUSINESS

1. Matthew Smith of Olsson Associates discussed the Water Treatment Plant Project. All work with Rubin is complete. WesTech still has money withheld as they need to replace a flow meter that malfunctioned and playing with the polymer system to run per design.
2. Motion by Steinmeyer, seconded by Housh Sr. to approve Payment #13 to Rubin Construction in the amount of \$16,498.44 for CO 15 and retainage withheld on Water Treatment Plant Project. On roll call, AYE: Steinmeyer, Housh Sr, Vacha, Phillips NAY: None. **MOTION CARRIED**

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3. Matthew Smith of Olsson Associates discussed the One & Six Year Plan. A map of the plan was presented to council. The 1 year plan is maintenance and the 6 year plan includes portions of Main St, S 5th St, S 2nd St, and & the Angie Ln and Lisa Ln area. This is the same plan as last year. Smith told council to let Ueding or Anderson if they had any changes before next month's public hearing.
4. David Armstrong gave an update on the tree board. Reviewing Article 4, Ash Borer disease is moving this way, planting new trees, memorial trees, garden club, removal of trees that need taken care of.
5. Corbin Wheaton discussed his discontentment with the park gate closure and requested council to have the procedure in black and white. Corbin also discussed his other discontentment with the city. His perceived negligent acts include but not limited to handling of the water issues and street closures for car show.
6. Kathy Robinson of The Working Cat Project discussed her proposed cat ordinance with council. She will work with Dan Smith to have section 2-205 and 2-210 concerns addressed and have the ordinance ready for March council meeting.
7. Deputy Clerk Findlay presented council with a new website option through Municipal Impact. Findlay discussed her concerns for not being able to provide text and email alerts to the community currently and this new website provides that at no additional cost. We had previously looked at textmygov for alerts but that cost was over \$2,000 with limited messaging alerts.
8. Motion by Vacha, seconded by Steinmeyer to approve changing website to Municipal Impact with an Annual Subscription of \$605 and one time set up fee of \$399. On roll call, AYE: Steinmeyer, Housh Sr, Vacha, Phillips NAY: None. **MOTION CARRIED**
9. Chief Dunn – Police report. The 2013 Charger is not functioning and needs to go. The 2015 Charger needs looked at and is making a loud noise. Council decided to put the 2013 Charger up for Sealed Bid due March 3rd. Dunn has 3-part time officers that he has been working on getting uniforms and will start soon. Our full-time officer will be arriving in March but will need to go to the academy. Council thanks Dunn for moving things along.
10. Mike Heavrin Library and Grant Report: Finances for the month of December – Income was \$0, and was 197.92 below monthly budget goal. Expenses were \$4,593.08, which was 173.50 below monthly budget. Letter of intent was submitted to DED on January 13th and the full proposal is due February 15th for the CCCFF grant. Public Works grant is due February 28th. Mike asked to get Letters of Support.
11. Motion by Vacha, seconded by Housh Sr. to approve Mayor Brink's recommendation of appointing Leah Miller, Delberta Hollman, Linda Alford, Julie Brehmer and Melissa Wakeley to the Lyons Library Board effective Feb 7th, 2023 with 4 year terms up for appointment or re-appointment based on the following schedule: Leah Miller – 1/1/2024, Delberta Hollman - 1/1/2024, Linda Alford – 1/1/2025, Julie Brehmer – 1/1/2026, Melissa Wakeley (1/1/2027) On roll call, AYE: Steinmeyer, Housh Sr, Vacha, Phillips NAY: None. **MOTION CARRIED**

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12. Motion by Steinmeyer, seconded by Housh Sr. to approve the Legal Services Agreement with Daniel A. Smith, #13888. On roll call, AYE: Steinmeyer, Housh Sr, Vacha, Phillips NAY: None. **MOTION CARRIED**
13. Motion by Housh Sr, seconded by Vacha to adopt **Resolution No 2023-02: To Authorize Membership in the League Insurance Government Health Team (LIGHT)**. On roll call, AYE: Steinmeyer, Housh Sr, Vacha, Phillips NAY: None. **MOTION CARRIED**
14. Motion by Housh Sr., seconded by Steinmeyer to approve a special designated liquor license from Nelson’s Food Pride, Oakland, NE for a wedding event on March 4, 2023. On roll call, AYE: Steinmeyer, Housh Sr, Vacha, Phillips NAY: None. **MOTION CARRIED**
15. Motion by Phillips, seconded by Vacha to approve the Class D Liquor License renewal to KenEm LLC dba KB’s Mini Mart. On roll call, AYE: Steinmeyer, Housh Sr, Vacha, Phillips NAY: None. **MOTION CARRIED**
16. Motion by Housh Sr, seconded by Vacha to approve the Class D Liquor License renewal to Herbolzheimer Stores Inc dba Savemore Market (Lyons). On roll call, AYE: Steinmeyer, Housh Sr, Vacha, Phillips NAY: None. **MOTION CARRIED**
17. Utilities report was given by McElroy due to Terry being gone for training.
 - a. Basket truck failed on the inspection two out of three times and is not safe for the city employees. They are looking at a 2006 for \$45,000 and the seller offered to let us have it inspected before purchase. Council agreed to move forward with inspection.
 - b. Discussion was held regarding snow pusher and snow bucket. Council asked to get it on next years budget.
 - c. The city is going to have to answer what type of service lines we have though out town with the Lead & Copper Rule. Have Mike look into grant money for a hydro-vac to better assess what we have.
 - d. Generator Maintenance Agreement
 - i. Motion by Housh Sr, seconded by Vacha to enter an annual preventative maintenance agreement with Interstate Power Systems for the MTU Generator. On roll call, AYE: Steinmeyer, Housh Sr, Vacha, Phillips NAY: None. **MOTION CARRIED**
 - e. Digger Truck is still at Steiny’s in Bancroft and haven’t received a price yet. They think it is the bushings and sitting 2 inches too low.
18. Clerk’s Report.
 - a. General, Utility, and Debt Service Income Statements for the month ending January 31st, 2023. The General Fund had a month to date net loss of \$10,826.74 and a year to date net gain of \$9,658.52. The Utility Fund had a month to date net gain of \$19,831.06 and a year to date net gain of \$209,662.06. Debt Service had a month to date net gain of \$8,281.35 and a year to date net loss of \$107,311.36.
 - b. Budget reports for the fourth month (33.3%) on the General, Utility, and Debt Service Funds were as follows: General Receipts were 18.34%. General Expenses were 17.32%. Utility Receipts were 27.13%. Utility Expenses were 19.49%. Debt Service Receipts were 11.67% and Debt Service Expenses were 87.45%

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- c. Council moved July, August and September meetings to the 2nd Tuesday of the month. They will be July 11th, August 8th and September 12th, 2023 due to Holidays and attendance for August meeting.
 - d. Midwest Assistance Program, INC provides training for council members for free. Council asked to get some dates from MAP for April.
 - e. Discussion was held regarding the back door to the city office. Council suggested getting an arm bar for a safer exit.
 - f. Anderson reminded council of the Town Hall Meeting February 15th.
19. Motion by Steinmeyer, seconded by Phillips to approve payment of \$2,599.51 to KB's Mini Mart. On roll call, AYE: Steinmeyer, Housh Sr, Vacha, Phillips NAY: None. **MOTION CARRIED**
20. Motion by Phillips, seconded by Housh Sr. to approve payment of \$947.76 to Steiny's General Store. On roll call, AYE: Housh Sr, Vacha, Phillips NAY: None. ABSTAIN: Steinmeyer. **MOTION CARRIED**
21. Motion by Steinmeyer, seconded by Housh Sr. to adjourn the meeting at 7:08. On roll call, AYE: Steinmeyer, Housh Sr, Vacha, Phillips NAY: None. **MOTION CARRIED**

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)