

# LYONS

## CITY COUNCIL MEETING

### AGENDA

Thursday, November 3, 2022 – 5:30 P.M.

A regular meeting of the Mayor and Council of the City of Lyons was called to order by Mayor Fuston at 5:30 P.M., November 3, 2022, at Lyons City Hall. Present were Council members Brink, Wheaton, Housh Sr and Steinmeyer. Also in attendance were City Clerk Anderson, Utility Superintendent Ueding, Library Director Heavrin and County Attorney Dan Smith.

Visitors at the meeting were Nate Wing of Olsson, Jeff Zacharia of Insurevest Financial Group, Shelly Bacon, Brandy McElroy, and Jay and Kim Maddox.

### I. ROUTINE BUSINESS

The meeting was called to order upon motion by Brink, second by Wheaton. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. **MOTION CARRIED**

Mayor Fuston 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 6, 2022.
2. Claims as presented except claims of KB's Mini Mart, CNA Auto, and Steiny's General Store.
3. Treasurer report.

<u>OCTOBER 2022 CLAIMS</u>		
APPEARA	CLOTHING	471.3
AUTO VALUE	MTCE/REPAIRS	2,049.95
BLUE CROSS BLUE SHIELD	GROUP HEALTH INS	7,295.19
BOMGAARS	MTCE	936.81
BURT COUNTY PUBLIC POWER	ELECTRIC	2,742.00
BURT COUNTY SHERIFF	TELETYPE FEES	20
CENTER POINT LARGE PRINT	BOOKS	183.36
CENTURYLINK	SERV	61.38
CITY OF LYONS UTILITIES	UTILITIES/STATE SHED TRANSFER	2,320.60
CITY OF LYONS	TOTAL PAYROLL	22,477.25
CNA AUTO SERVICE	MTCE	140.99
COLONIAL RESEARCH CHEMICA	SUPPL	153.5
DANIEL A SMITH	LEGAL SERVICES	1,000.00

# LYONS

## CITY COUNCIL MEETING

### AGENDA

Thursday, November 3, 2022 – 5:30 P.M.

ENERGY WORLDNET, INC	ANNUAL SERVICE/TRAINING	1,209.00
EFTPS	PAYROLL TAX	5,181.24
FASTWYRE BROADBAND	SERV	1,008.11
FIRST NATIONAL BANK	POOL BOND PRINCIPAL	123,843.75
FRANSYL EQUIPMENT CO	MTCE	1,726.84
G WORKS	2023 LICENSE/SUPPORT	4,344.00
GENE STEFFY	WIRING	187.36
GPM ENVIRONMENTAL	MTCE	463.5
HSA	HSA CONTRIBUTIONS	1200
ITRON	22-23 MAINT/SUPPORT	1,983.11
JUSTICE DATA SOLUTIONS	CRIME RECORDS MANAGEMENT	10,350.00
KB'S MINI MART	GAS	2,182.75
LINCOLN FINANCIAL	INS	353.6
LINCOLN WINWATER WORKS	MTCE	2,269.20
LORENSEN GRAIN & READY MI	ROCK/GRAVEL	1,832.60
LYONS MIRROR-SUN	LEGAL PRINTING	124.65
MAIN STREET SERVICES LLC	MTCE/REPAIRS	576.44
MARY LOU RITTER	SEPT SERVICES	517.5
MENARDS - SIOUX CITY	SUPPL	724.59
MIDWEST LABORATORIES INC	TESTING	326.55
MS ROOF REPAIRS	ROOF MTCE	1,477.00
MUNICIPAL SUPPLY INC OF	MTCE/SUPPL	2,395.26
NEBRASKA DEPT OF REVENUE	SALES/POOL/PAYROLL TAX	6,606.74
NEBRASKA STATE TREASURER	DOG LICENSE TAX	63.44
NMPP	TRAINING/SAFETY	1,224.00
NOVUS COMPUTERS	PROJECT LABOR	367.84
NPGA	NATURAL GAS PURCHASES	4,214.52
NPPD	ELECTRIC PURCHASES	42,859.86
OHIO NATIONAL	RETIREMENT PLAN	480.75
OLSSON ASSOCIATES	ENGINEER FEES/STREET SUP SERV	2,178.87
ONE OFFICE SOLUTION	OFFICE SUPPL	133.31
PORT-A-JOHNS	SEPT SERV	70
RICK COEN JR	JANITOR SERVICE	900
RUBIN CONSTRUCTION LLC	PAYMENT #10 WTP	7,665.23
S & S LAWN CARE LLC	MOWING	2,040.00
SAPP BROS PETROLEUM INC	PROPANE	20
SAVEMORE MARKET	SUPPL	11.48
SCOTT'S HARDWARE	SUPPL	74.37
SHALENA FINDLAY	REIMBURSE TRUNK OR TREAT	39.01
STAN HOUSTON EQUIPMENT CO	EQUIP	765

# LYONS

## CITY COUNCIL MEETING

### AGENDA

Thursday, November 3, 2022 – 5:30 P.M.

STEINY'S GENERAL STORE	SUPPL	727.51
T & H ELECTRIC	MTCE	98.6
US BANK	BOOKS	375.32
VERIZON WIRELESS	POLICE SERVICE	241.89
WAPA	ELECTRIC	4,951.92
WASTE CONNECTIONS OF NE	GARBAGE FEE	14,698.15

Moved by Wheaton, seconded by Steinmeyer to approve the consent agenda. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. **MOTION CARRIED**

#### IV. REGULAR AGENDA / NEW BUSINESS

1. Nate Wing informed council at the prior council meeting that the Water Treatment Plant Project had approximately \$95,000 in grant funds available. Due to closing costs that were not included on any other estimates, there is approximately \$5,000 left. Change order #13 and #16 would have to be paid by City Funds. Council President Wheaton asked how closing costs add up to \$90,000. Nate Wing let council know that there were other items as well, including interest at the bank for the loan \$31,000, legal fees \$10,000, and some other little things. Mayor Fuston asked when the legal fees would be expunged and would it be added back to the funds available. Nate Wing said he would need more detail from USDA to answer that.
2. Motion by Wheaton, seconded by Housh Sr. to approve Change Order #13 in the amount of \$19,293.75 for the Water Treatment Plant Project adding a fence to building exterior for security purposes. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. **MOTION CARRIED**
3. Motion by Steinmeyer, seconded by Brink to **NOT** approve Change Order #16 in the amount of \$44,000 for the Water Treatment Plant Project adding additional painting of plant interior walls. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. **MOTION CARRIED**
4. Motion by Brink, seconded by Housh Sr. to approve the Letter Agreement for Professional Services from Olsson on Street Superintendent and Engineering Services for calendar year 2023. On roll call, AYE: Steinmeyer, Brink, Housh Sr. NAY: Wheaton. **MOTION CARRIED**
5. Jeff Zacharia discussed City Employee Health Insurance Options. The current plan is increasing a little over 12%. Jeff shopped with other providers as well as the new LIGHT plan for municipalities. LIGHT stands for League Insurance Government Health Team. With a similar plan to what we currently have, annual savings would be approximately \$33,000 compared to the increase on current plan. Jeff also discussed the options for allowing employees to take the voluntary benefits available through LIGHT.

Motion by Housh Sr., seconded by Wheaton to approve LIGHT BCBS NE QHDHP Option 3 Embedded Network Blue Unlimited plan with Employee Voluntary Benefits. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. **MOTION CARRIED**

# LYONS

## CITY COUNCIL MEETING

### AGENDA

Thursday, November 3, 2022 – 5:30 P.M.

6. Motion by Wheaton, seconded by Brink to adopt **Resolution No. 2022-12: A resolution authorizing the signing of the Year-End Certification of City Street Superintendent 2022 by the Mayor.** On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. **MOTION CARRIED**
7. **Police Report** – Mayor Fuston let council know that Brenda is still on payroll part-time. She is helping get the new vehicles outfitted and paperwork. Council President Wheaton stated as long as somebody is accountable for her and what is getting done, that is all he is concerned about.
8. **Library Director Mike Heavrin Library and Grant reports:** Finances for the month of September: income was below monthly goal. The final fiscal year to date, income totaled \$9,985.88, and that was \$7,610.88 above FY 21-22 goal. Expenses for September was below monthly budget. Final fiscal year expenses came to \$59,555.80, which was \$4,561.79 above FT 21-22 budget. Mike pointed out that the entire overage was paid for by three grants that brought in unanticipated funding of \$5,787.13. There are three grants coming up at the beginning of 2023 that Mike is looking into.
9. **Utility Superintendent Ueding's Report:**
  - a. Final Inspection was completed by the state. There were a few minor items as far as labels and color coating tape that has all been done. Still doing testing on iron and manganese. According to the state, the filters are not performing where they think it should be. The polymer is failing the media, even with less than 50% of what they recommend. Terry is concerned that it will flood the water plant again if he uses the polymer. He is waiting to hear back from the Engineers on what they suggest. Mayor Fuston asked if we are in compliance and Terry let council know we are in compliance and doing better than the old filter, just not performing where we should be.
  - b. Park Beavers – Council Member Kyle reached out the Nebraska Game and Parks and are working on options. Utility Department has wrapped a lot of the trees but are concerned they are going to cause more damage than what they already have not only to the trees, but to the roads. We are going to close off the island until further notice due to liability.
  - c. Ordered a 750 kb transformer for the school and the price was \$24,000. Terry will have more numbers for council at the next meeting to further discuss what the city will pay for and what is the schools responsibility. When Brehmer's received their own transformer, the city paid half.
  - d. Baffle Curtains for the Sewer Lagoon are going to be ordered so we can have them by spring. The quote was \$64,425 plus tax. The utility department will install themselves. Using ARPA funds for this project were previously discussed and should pay for the whole project.
  - e. Terry received quotes for digital speed limit signs to put on Main Street to try help slow down traffic. Council members discussed that the speeders around town have significantly increased without law enforcement presence. The two different options cost 3500 and 5500 and council thought that was pricey and decided to hold off for now.
  - f. Swimming Pool Items – Terry was not present during the pool discussion last council meeting and asked if there was anything he needed to do. Council Member Kyle said that he will get together with Terry after him and Sherri meet. Only thing right now that Terry will need to look into is new water fountains.
10. **City Clerk Anderson's report:**
  - a. General, Utility, and Debt Service Income Statements for the month ending October 31<sup>st</sup>, 2022. The General Fund had a month to date net gain of \$5,232.37 and a year to date net gain of \$5,232.37. The Utility Fund had a month to date net loss of \$4,982.28 and a year to date net loss of

# LYONS

## CITY COUNCIL MEETING

### AGENDA

Thursday, November 3, 2022 – 5:30 P.M.

- \$4,982.28. Debt Service had a month to date net loss of \$117,305.76 and a year to date net loss of \$117,305.76.
- b. Budget reports for the first month on the General, Utility, and Debt Service Funds were as follows: General Receipts were 4.86%. General Expenses were 4.28%. Utility Receipts were 4%. Utility Expenses were 3.99%. Debt Service Receipts were 4.61% and Debt Service Expenses were 87.45%
  - c. Floor waxer for Community Center – \$2,900 as approved in the budget to purchase an Aztec Grand Finale Floor Solution Applicator. Due to high shipping costs, the quote received was for \$3,023.28.
    - i. Motion by Steinmeyer, seconded by Wheaton to approve the purchase of the Aztec Grand Finale Floor Solution Applicator for the Community Center in the amount of \$3,023.28. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. **MOTION CARRIED**
  - d. Logo – Whitney spoke with Mrs. Seagren at the school about the possibility of her class creating an official logo for the City of Lyons. Whitney also spoke with the Lyons Community Foundation about possibly giving a scholarship to the winner. Council gave Whitney permission to proceed and leave the voting of the logo up to the people.
11. Motion Wheaton, seconded by Housh Sr. to approve the building permit from Three Rivers Housing to move house with basement to 230 Grant Street, West half of lot 4 and all of lot 5, block 37, Sunnyside addition. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. **MOTION CARRIED**
  12. Motion by Brink, seconded by Housh Sr. to approve a building permit from Jay Maddox to place a prefabricated shed at 205 S 7<sup>th</sup> St. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. **MOTION CARRIED**
  13. Motion by Housh Sr, seconded by Wheaton to approve a special designated liquor license from Nelson’s Food Pride, Oakland, NE for a wedding event on December 10, 2022. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. **MOTION CARRIED**
  14. Motion by Wheaton, seconded by Brink to adopt **Resolution No. 2022-13: A resolution that the form of Plan and Trust effective November 3, 2002, presented to this meeting is hereby approved and adopted and that an authorized representative of the Employer is hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the plan.** On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. **MOTION CARRIED**
  15. Motion by Steinmeyer, seconded by Housh Sr. to adopt **Resolution No. 2022-14: A resolution that all contributions to the City of Lyons Non-Qualified Retirement Plan shall cease as of November 2, 2022 and the City of Lyons Non-Qualified Retirement Plan shall terminate as of November 2, 2022.** On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. **MOTION CARRIED**
  16. A lengthy discussion was held regarding the creation of a position for a Code Enforcement Officer. A job description and duties of said position were proposed by Council President Wheaton. With the lack of police officers, this position would come out of the police budget.
  17. Motion by Wheaton, seconded by Steinmeyer to adopt **Ordinance No. 752: AN ORDINANCE OF THE CITY OF LYONS, NEBRASKA, RELATING TO APPOINTED OFFICIALS, AND ADDING THE POSITION OF CODE ENFORCEMENT OFFICER.** On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. **MOTION CARRIED**

**LYONS**  
**CITY COUNCIL MEETING**

**AGENDA**

**Thursday, November 3, 2022 – 5:30 P.M.**

18. Motion by Brink, Seconded by Housh Sr. to approve payment of \$140.99 to CNA Automotive Services. On roll call, AYE: Steinmeyer, Brink, Housh Sr. NAY: None. Abstained: Wheaton. **MOTION CARRIED**
19. Motioned by Wheaton, seconded by Steinmeyer to approve payment of \$1,069.85 to KB's Mini Mart. On roll call, AYE: Steinmeyer, Wheaton, Housh Sr. NAY: None. Abstained: Brink. **MOTION CARRIED**
20. Motioned by Housh Sr, seconded by Brink to approve payment of \$727.51 to Steiny's General Store. On roll call, AYE: Brink, Wheaton, Housh Sr. NAY: None. Abstained: Steinmeyer. **MOTION CARRIED**
21. Motion by Brink, seconded by Steinmeyer to enter Executive Session at 7:18 PM to discuss Employee Annual Review Joel Fredrickson; Whitney Anderson 6 month review; Police personnel hiring update. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. **MOTION CARRIED**

Motion by Wheaton, seconded by Brink to return to regular session at 7:34 PM. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. **MOTION CARRIED**

Motion by Steinmeyer, seconded by Brink to approve a 3% raise for Joel Fredrickson and for Whitney Anderson's probation period to end. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. **MOTION CARRIED**

22. Motion by Housh Sr, seconded by Brink to adjourn meeting at 7:36 PM. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. **MOTION CARRIED**