

LYONS CITY COUNCIL MEETING
November 4, 2021

A regular meeting of the Mayor and Council of the City of Lyons was called to order by Mayor Fuston at 5:31 P.M., November 4, 2021, at the Lyons Community Center to take precautions regarding Covid. Present were Council members Housh Sr and Steinmeyer. Wheaton had an excused absence. Brink had an excused absence and arrived later in the meeting. Also in attendance were Safety Officer Moore, City Clerk Ritter, and Library Director Heavrin. City Attorney Dan Smith arrived at 5:37 p.m.

Visitors at the meeting were Matthew Smith of Olsson, Mitchell Smith, Brandy McElroy, and Shelly Bacon.

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

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.

Moved by Housh Sr, seconded by Steinmeyer to approve the following consent agenda:

1. Dispense with reading of minutes of meetings held on October 5 and October 14, 2021.
2. Claims as presented except claims of KB's Mini Mart, CNA Auto, and Steiny's General Store.
3. Treasurer report.

On roll call, AYE: Steinmeyer, Housh Sr, Mayor Fuston. NAY: None. Absent: Wheaton, Brink. Motion carried.

CLAIMS; AMERICAN BROADBAND serv 448.42, AMERICAN TEST CENTER test trucks 982.60, BLUE CROSS BLUE SHIELD health prem 10,388.84, BOMGAARS suppl 382.74, BORDER STATES INDUSTRIES suppl 890.25, BURT CO PUBLIC POWER elec 4,400.00, BURT COUNTY SHERIFF fees 20.00, CENGAGE LEARNING books 67.61, CENTER POINT LARGE PRINT books 352.32, CENTURLINK serv 63.67, CHRISTENSEN ELECTRIC suppl 195.56, CITY OF LYONS petty cash 10.00, CITY OF LYONS util 3,094.43CNA AUTO SERVICE suppl/maint 475.24, AMANDA COLE exp reimb 58.24, COLONIAL RESEARCH CHEMICAL suppl 318.69, CUMING COUNTY INDUSTRIES maint 128.99, DANIEL A SMITH fee 1,000.00, WESTERN AREA POWER ADMIN elec 4,951.92, LEANNA BROCKWAY deposit refund 207.91, DONNA LARSON refund-double pymt 76.81, EFTPS payroll tax 7,182.73, FARM & HOME INSURANCE workman comp ins adj 1,090.00, FARMERS PRIDE suppl 523.95, FIRST NATIONAL BANK pool bond principal & interest 124,815.00, GWORKS software license 3,963.61, GETZSCHMAN HEATING roof repairs 838.00, GPM sewer manhole proj 75,025.02, HSA contributions 1,410.00, J&G TRAILERS flatbed trailer 5,400.00, JACK'S UNIFORMS suppl 162.94, JENSEN PLG & HTG line maint 410.00, JOHN DEERE CREDIT motorgrader 2,587.84, JUSTIN WEBSTER park road repair 12,355.95, KB'S MINI MART gas 2,195.72, LAYNE CHRISTENSEN line maint 6,950.00, LIGHT & SIREN light/siren equip 6,748.79, LINCOLN FINANCIAL ins 403.65, LINCOLN WINWATER WORKS suppl 3,293.52, LORENSEN GRAIN & READY MIX rock/gravel 11,868.32, LYONS MIRROR-SUN publ 306.30, MARY LOU RITTER exp reimb 48.89, MIDWEST DIESEL truck repair/maint 3,070.10, MIDWEST LABS testing 39.80, NE DEPT OF ENVIRONMENTAL renewal fee 150.00, NEBR DEPT OF REVENUE sales & use tax 5,810.32, NEBRASKA STATE TREASURER dog licenses 78.08, NENEDD pymt 6 admin fees/constr mgmt 705.00, NIEWOHNER CONSTRUCTION snow plow repair/maint 3,900.00, NMPP training 580.00, NPGA nat gas 3,391.86, NPPD elec 42,621.34, OAKLAND LUMBER suppl 135.82, OHIO NATIONAL retirement plan 697.10, OLSSON engineering fee 11,726.61, ONE CALL CONCEPTS fees 39.17, PAPE AUTO BODY & DESIGN graphics maint 305.00, PORT-A-JOHNS rental 70.00, QUALITY PRINTING suppl 446.16, RICK COEN JR Oct serv 900.00, RUBIN CONSTRUCTION water treatment plant 484,765.56, S & S LAWN CARE mowing 2,325.00, SAVEMORE MRKT suppl 29.80, SCOTT'S HARDWARE suppl 171.79, STANEK FIRE

PROTECTION inspection 360.00, STATE OF NEBRASKA energy assistance refund 550.00, STEINY'S GENERAL STORE suppl 2,085.07, SYNCHRONY BANK/AMAZON books 182.03, TRI-STATE COMMUNICATIONS radio cases 93.60, UTILITIES SECTION training 210.00, VERIZON serv 278.26, WASTE CONNECTIONS serv 12,629.08, WESCO suppl 262.77, WEST POINT NEWS help want ad 104.80, NEBR DEPT OF REVENUE payroll tax 1,135.25, CITY OF LYONS total payroll 25,111.24.

Matthew Smith of Olsson gave an update on the Water Treatment Plant Project. The temporary treatment filters arrived, put in place, and running. The Council was informed of a refund if the temporary treatment filters weren't used the full five months that was allotted. The Council could consider to give part of the refund back to the contractor if the project is completed before that five-month period ends. Otherwise, any refund would be for the city.

Motion by Housh Sr, seconded by Steinmeyer to approve the Letter Agreement for Professional Services from Olsson on Street Superintendent services for calendar year 2022. On roll call, AYE: Steinmeyer, Housh Sr, Mayor Fuston. NAY: None. Absent: Wheaton, Brink. Motion carried.

Motion by Steinmeyer, seconded by Housh Sr to approve Payment #2 for \$225,167.50 to Rubin Construction LLC for work completed on the water treatment plant project. On roll call, AYE: Steinmeyer, Housh Sr, Mayor Fuston. NAY: None. Absent: Brink, Wheaton. Motion passed.

Motion by Housh Sr, seconded by Steinmeyer to authorize drawdown #6 of CDBG funds in the amount of \$208,383.45 to receive from Nebraska Department of Economic Development for the City of Lyons Water Treatment Plant Project. On roll call, AYE: Steinmeyer, Housh Sr, Mayor Fuston. NAY: None. Absent: Brink, Wheaton. Motion passed.

Mitchell Smith discussed possibly having the truck route re-routed from Main St as heavy farm equipment/semi-trucks damage the street and the buildings shake. Sometimes, the traffic travels over the speed limit. The issue was tabled and will be on the December 7, 2021 Council Agenda to discuss again with a full council present.

Public Safety Officer Moore presented the public safety report. The Dodge Ram pickups were ordered and was told that it will be three months before shipment.

Library director Mike Heavrin gave the library and grants reports. Finances for the month of September income was below monthly goal and above yearly goal. Expenses were below monthly budget and above yearly budget. Utility bill for September was lower than 12-year average for the month.

The Lyons Public Library Endowment approved \$1,614.30 to replace the voice dialer on the Fireguard alarm system.

A check for \$3,970.00 was received as an ARPA grant for purchasing new laptops for the library and two for the City Shop.

Grants update: A grant request for approximately \$10,000 to fund Story Time book purchases and supplies, and wages for two library assistants was submitted. Waiting to hear back on approval.

A grant proposal was submitted for the FY2021-2022 Public Water System Security Grant to purchase 10 sampling stations that collect coliform samples. The estimated cost of the ten stations is \$9,390. The 10% match includes installing the stations and staff training.

The hiring of Joel Fredrickson and Clayton Petersen was tabled to another meeting as the hiring wage wasn't known.

City Clerk Ritter reported on the General, Utility, and Debt Service Income Statements for the month ending October 31, 2021. The General Fund had a month to date net loss of \$38,040. The Utility Fund had a month to date net loss of \$310,689. Debt Service had a month to date net loss of \$119,368. Budget reports for the first month on the General, Utility, and Debt Service Funds were as follows: General Receipts were 4.83%. General Expenses were 9.51%. Utility Receipts were 10.27%. Utility Expenses were 18.52%. Debt Service Receipts were 3.79% and Debt Service Expenses were 86.89% due to the payment of bond principal and one-half interest on November 1, 2021. Benchmark for October was 8.3%.

The clerk requested to carryover four-days of vacation due to being the only person in the office for two months and being fiscal year end was okayed.

Motion by Steinmeyer, seconded by Housh Sr to approve the Low Income Household Water Assistance Program Vendor Agreement (LIHWAP). On roll call, AYE: Steinmeyer, Housh Sr, Mayor Fuston. NAY: None. Absent: Brink, Wheaton. Motion passed.

Motion by Housh Sr, seconded by Steinmeyer to approve payment of \$171.71 to CNA Automotive Services. On roll call, AYE: Housh Sr, Steinmeyer, Mayor Fuston. NAY: None. Absent: Wheaton, Brink. Motion passed.

Motion by Housh Sr, seconded by Steinmeyer to approve payment of \$869.39 to KB's Mini Mart. On roll call, AYE: Steinmeyer, Housh Sr, Mayor Fuston. NAY: None. Absent: Wheaton, Brink. Motion passed.

Council member Steinmeyer moved to enter Closed Session, seconded by Housh Sr at 6:20 p.m. to discuss potential litigation. On roll call, AYE: Steinmeyer, Housh Sr, Mayor Fuston. NAY: None. Absent: Brink, Wheaton. Motion passed. The meeting returned to Regular session at 6:44 p.m.

Council member Brink arrived at 6:45 p.m. Motion by Housh Sr, seconded by Mayor Fuston to approve payment of \$641.96 to Steiny's General Store. On roll call, AYE: Housh Sr, Brink, Mayor Fuston. NAY: None. Abstained: Steinmeyer. Absent: Wheaton. Motion passed.

Motion by Housh Sr, seconded by Steinmeyer to adjourn the meeting at 6:46 PM. On roll call, AYE: Housh Sr, Steinmeyer, Mayor Fuston. NAY: None. Absent: Brink, Wheaton. Motion passed.

Andrew Fuston, Mayor

Mary Lou Ritter
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.

Mary Lou Ritter
City Clerk
(SEAL)