

LYONS CITY COUNCIL MEETING
October 5, 2021

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., October 5, 2021, at the Lyons City Hall. Present were Council members Brink, Housh Sr, and Steinmeyer. Wheaton arrived at 5:34 p.m. Also in attendance were City Attorney Dan Smith, Police Chief Moore, Utility Superintendent Ueding, City Clerk Ritter, and Library Director Heavrin.

Visitors at the meeting were Matthew Smith of Olsson, Chris Garrett, Amanda Cole, Jarrod and Brandy McElroy, Shelly Bacon, Lana Minton, and Rocky Lane.

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

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. 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 Brink to approve the following consent agenda:

1. Dispense with reading of minutes of meetings held on September 7, 2021.
2. Claims as presented.
3. Treasurer report.
4. Resolution 2021-09: Authorizing the Mayor or Council President to sign the Municipal Annual Certification of Program Compliance Form 2021 to Nebraska Board of Public Roads Classifications and Standards was approved and signed.

On roll call, AYE: Steinmeyer, Brink, Housh Sr. NAY: None. Absent: Wheaton. Motion carried.
CLAIMS: AMANDA COLE exp reimb 246.56, AMERICAN FUNDS SERVICE 3Q2021 EE IRA 351.78, BLUE CROSS BLUE SHIELD health prem 10,917.13, BOMGAARS suppl 632.65, BORDER STATES INDUSTRIES suppl 861.52, BURT COUNTY SHERIFF fees 20.00, CENTURYLINK serv 58.47, CITY OF LYONS util 3,445.86, CORE & MAIN meter 1,119.77, CUMING COUNTY INDUSTRIES suppl 879.51, DANIEL A SMITH fee 1,000.00, WESTERN AREA POWER ADMIN elec 5,219.35, DOLEZAL'S DPA TRUCK maint 206.00, EFTPS payroll tax 7,787.46, ENERGY WORLDNET annual serv/training 1,179.00, GLENN MOORE exp reimb 863.79, HSA contributions 1,610.00, INTERSTATE INDUSTRIAL SERVICE certify backflow gauge 117.70, JACK'S UNIFORMS suppl 80.25, JOHN DEERE CREDIT motorgrader 2,587.84, LINCOLN FINANCIAL ins 351.87, LINCOLN WINWATER WORKS suppl 201.46, LYONS MIRROR-SUN publ 159.30, MAIN STREET SERVICES maint 209.95, MUNICIPAL PIPE SERVICES line maint 5,908.00, NE PUBLIC HEALTH ENVIRONMENT testing 970.00, NEBR DEPT OF REVENUE sales & use tax 10,329.52, NEBR DEPT OF REVENUE FEE 25.00, NENEDD pymt 5 admin fees/constr mgmt 840.00, NPGA nat gas 2,828.14, NPPD elec 47,476.09, OHIO NATIONAL retirement plan 1,763.88, OLSSON engineering fee 3,000.00, PORT-A-JOHNS rental 70.00, QUADIENT LEASING lease 342.00, QUALITY PRINTING suppl 77.02, RICK COEN JR Aug & Sept serv 1,800.00, S & S LAWN CARE mowing 1,750.00, SCOTT'S HARDWARE suppl 29.99, STAN HOUSTON EQUIPMENT blades 500.00, STATE OF NEBRASKA energy assistance refund 300.00, TRI-STATE COMMUNICATIONS radios 447.73, US BANK suppl 68.45, VERIZON serv 243.18,

WEST POINT NEWS help want ad 104.80, NEBR DEPT OF REVENUE payroll tax 1,214.07, CITY OF LYONS total payroll 27,321.85.

Matthew Smith of Olsson gave an update on the Water Treatment Plant Project. Demo work has started on the plant. The temporary treatment filter is ready to be hooked up. Also, there is an overrun of expenses by \$200,000 plus change order contingency for a total of \$300,000. Three options are available first, pay out of pocket; second, apply for additional funds to cover what has not been expended; and third, apply for all \$300,000. Mike Heavrin will work with Anthony Guenther of USDA to apply for the total \$300,000.

Motion by Steinmeyer, seconded by Housh Sr to approve Payment #1 for \$259,598.06 to Rubin Construction LLC for work on the water treatment plant project. On roll call, AYE: Steinmeyer, Housh Sr, Wheaton, Brink. NAY: None. Absent: None. Motion passed.

Chris Garrett discussed the excessive noise in town from neighbors. Dan Smith will look at the ordinances and get with the Police Chief. Chris Garrett is to be kept informed.

Chief Moore presented the police report.

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

A donation of over \$2,000.00 was received by the Lyons Library from the family of Blanche Guill.

For FY 2021-2022 on E-Rate, the Library was approved for an 80% subsidy on the Internet Access billing from American Broadband.

The Lyons Public Library Endowment approved approximately \$1,400 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 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. Coliform samples are tested every month to ensure clean, safe drinking water for the city.

Terry Ueding gave the Utility Report: Received a revised spec sheet from Bobcat of Omaha for a new backhoe. The cost proposal was \$56,200.00 that included the \$8,000.00 trade in of the City's current backhoe. Motion by Steinmeyer, second by Housh Sr to approve purchasing the proposed backhoe for \$56,200.00 that included the \$8,000.00 trade in. On roll call, AYE: Wheaton, Brink, Steinmeyer, Housh Sr. NAY: None. Absent: None. Motion passed.

The new pickup to replace the Dodge pickup can be ordered. It is for a new 2021, six liter, ¾ ton Chevy pickup using state bid pricing at \$37,800. It would be through Sid Dillon.

If the testing comes back good on the water treatment plant, then the temporary treatment filter will be hooked up on Monday, October 11.

Brink Park water fountain is back from repairs. Also, Jarrod made new brackets. It was not put back into the park lagoon as it is getting late in the season.

Kevin Neuhaus discussion moved to executive session later.

We received a cost proposal from GPM of Blair, NE for \$31,610.00 which would cover 40% pre-payment to initiate the manhole replacements project at the wastewater lagoons. The ARPA funds are allocated to pay for this project. Total proposal is \$79,025.02 with remaining

balance after the \$31,610.00 is \$47,415.02. Motion by Brink, seconded by Housh Sr to approve the pre-payment of \$31,610.00 of ARPA funds to GPM of Blair, Nebraska on the sewer manhole replacement project. On roll call, AYE: Wheaton, Brink, Steinmeyer, Housh Sr. NAY: None. Absent: None. Motion passed.

Austin Bonneau is back to work now.

Terry requested to have his comp time extended due to training of new city crew and not having the time to take it off. There is a concern at times where only one person is working at the light plant. There needs to be at least two people there for safety reasons.

Lights are falling off the building on the corner of 3rd and Main St.

The yellow snow truck was taken to Midwest Diesel in Beemer for repairs.

The school has a bunch of locates to mark for the utility crew as they are looking to build.

Three opener bids for the doors to the Municipal Building were given to the Burt County Clerk so a grant can be submitted for Lyons.

City Clerk Ritter reported on the General, Utility, and Debt Service Income Statements for the month ending September 30, 2021. The General Fund had a month to date net gain of \$43,889 and a year-to-date net gain of \$62,195. The Utility Fund had a month to date net loss of \$55,444 and a year-to-date net gain of \$122,924. Debt Service had a month to date net gain of \$28,767 and a year-to-date net gain of \$15,068. Budget reports for the twelfth month on the General, Utility, and Debt Service Funds were as follows: General Receipts were 113.01%. General Expenses were 104.73%. Utility Receipts were 56.76%. Utility Expenses were 53.78%. Utility revenue and expenses are low due to the budget including the \$1,586,000 USDA loan/grant for the Water Treatment Plant project. There were some water project expenditures. Debt Service Receipts were 110.61% and Debt Service Expenses were 100.00%. Benchmark for September was 100.00%.

The 2021-2022 Adopted Budget was submitted to the State Auditor and the Burt County Clerk.

Motion by Steinmeyer, seconded by Housh Sr to approve the hiring of Shalena Findlay as the deputy clerk/utility billing clerk at \$19.00 per hour and starting work on October 25, 2021. On roll call, AYE: Brink, Steinmeyer, Housh Sr, Wheaton. NAY: None. Absent: None. Motion passed.

Motion by Steinmeyer, seconded by Brink to approve going ahead with the public hearing with the Planning Commission to vacate the plotted street on Charles Lane property at 720 Everett St. On roll call, AYE: Wheaton, Brink, Steinmeyer, Housh Sr. NAY: None. Absent: None. Motion passed.

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 November 27, 2021, at the Lyons Community Center. On roll call, AYE: Brink, Steinmeyer, Housh Sr, Wheaton. NAY: None. Absent: None. Motion passed.

Motion by Brink, seconded by Steinmeyer to approve payment of \$303.53 to CNA Automotive Services. On roll call, AYE: Brink, Housh Sr, Steinmeyer. NAY: None. Abstained: Wheaton. Absent: None. Motion passed.

Motion by Wheaton, seconded by Housh Sr to approve payment of \$1,326.33 to KB's Mini Mart. On roll call, AYE: Steinmeyer, Wheaton, Housh Sr. NAY: None. Abstained: Brink. Absent: None. Motion passed.

Motion by Housh Sr, seconded by Wheaton to approve payment of \$1,443.11 to Steiny's General Store. On roll call, AYE: Housh Sr, Wheaton, Brink. NAY: None. Abstained: Steinmeyer. Absent: None. Motion passed.

Council member Brink moved to enter Closed Session, seconded by Wheaton at 6:34 p.m. to discuss personnel. On roll call, AYE: Wheaton, Steinmeyer, Housh Sr, Brink. NAY: None. Absent: None. The meeting returned to Regular session at 7:25 p.m. by motion of Wheaton, seconded by Housh Sr. On roll call, AYE: Brink, Steinmeyer, Housh Sr, Wheaton. NAY: None. Absent: None. Motion passed.

Motion by Wheaton, seconded by Steinmeyer to hold off a wage increase for Glenn Moore; and approve 5% wage increase each for Terry Ueding and Michael Heavrin effective the first full pay period after the anniversary date. On roll call, AYE: Brink, Steinmeyer, Wheaton, Housh Sr. NAY: None. Absent: None. Motion passed.

Motion by Wheaton, seconded by Steinmeyer to adjourn the meeting at 7:40 PM. On roll call, AYE: Housh Sr, Steinmeyer, Brink, Wheaton. NAY: None. Absent: None. 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)