

## LYONS CITY COUNCIL MEETING

September 7, 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., September 7, 2021, at the Lyons City Hall. Present were Council members Brink, Wheaton, Housh Sr. Steinmeyer arrived at 5:32 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 Nate Wing of Olsson, Dan and Rachel Nielsen, and Shelly Bacon.

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

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 Wheaton, seconded by Brink to approve the following consent agenda:

1. Dispense with reading of minutes of meetings held on August 17 and September 2, 2021.
2. Claims as presented.
3. Treasurer report.
4. Resolution 2021-05: Designating Bank for Deposits and Authorizing Signers for Necessary or Appropriate Bank Transactions for All City of Lyons Accounts per the Bank Corporate Authorization Resolution. (Includes the new bank account for the ARPA Funds) was approved and signed.
5. Resolution 2021-06: Increase the restricted funds authority by one percent, to become three- and one-half percent was approved and signed.
6. Resolution No. 2021-7: 2021-2022 Budget Year - Set Property Tax request at a different amount than prior year was approved and signed.
7. Resolution No. 2021-8: Adopt the 2021-2022 Budget was approved and signed.

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

CLAIMS: ACCO chem 4,239.23, BURT COUNTY SHERIFF fees 20.00, CITY OF LYONS util 3,100.25, JACK'S UNIFORMS suppl 72.45, JOHN DEERE CREDIT motorgrader 2,587.84, LINCOLN FINANCIAL ins 351.37, LYONS MIRROR-SUN publ 628.07, PORT-A-JOHNS rental 70.00, SIMPLE BLOSSOMS flowers 53.50, VERIZON serv 278.43, BIBLIONIX software 900.00, BLUE CROSS BLUE SHIELD health prem 10,614.12, BOMGAARS suppl 578.10, CENTER POINT LARGE PRINT books 173.76, DANIEL A SMITH fee 1,000.00, KB'S MINI MART gas 1,349.94, QUALITY PRINTING suppl 59.01, SCHWAN'S concessions 362.42, SCOTT'S HARDWARE suppl 66.86, SILVER CREEK NURSERY tree removal 1,500.00, STEINY'S GENERAL suppl 346.76, SYNCHRONY BANK/AMAZON books 324.70, TARDY RENTALS rental 26.00, VFW POST #7998 flags 120.00, AMERICAN BROADBAND serv 413.86, CNA AUTOMOTIVE suppl 175.72, GENE STEFFY repairs 1,352.34, LORENSEN GRAIN rock/sand 601.17, OAKLAND LUMBER suppl 117.62, SAVEMORE MKT suppl 58.82, RICHARD P COEN JR serv 900.00, GLENN MOORE exp reimb 156.30, WESTERN AREA POWER ADMIN elec 6,271.64, FRANSYL EQUIPMENT repairs 460.20, LINCOLN WINWATER WORKS suppl 8,412.60, NORTHEAST TRACTOR PARTS repairs 220.36, NPGA nat gas

3,777.13, NPPD elec 47,160.55, UCI serv 60.00, BNSF RAILWAY fee 181.51, BURT COUNTY PUBLIC POWER elec 2,200.00, CENTURLINK serv 58.47, JENSEN PLUMBING serv 750.00, KOONS GAS MEASUREMENT suppl 289.14, MUNICIPAL SUPPLY suppl 161.05, NEBRASKA PUBLIC HEALTH suppl 237.00, OHIO NATIONAL retirement plan 683.88, OLSSON engineering fee 12,000.00, OVERHEAD DOOR maint 1,530.00, USABLUBOOK suppl 256.95, UTILITIES SECTION workshop 55.00, WASTE CONNECTIONS serv 6,616.13, WESTECH ENGINEERING temp water treatment system 30,392.00, BREHMER MFG freight 160.37, MIDWEST LABS testing/suppl 140.00, QUADIENT FINANCE postage 600.00, NEBR DEPT OF REVENUE sales/use tax 7,981.53, VICTORIA WATKINS deposit refund 242.18, EFTPS payroll tax 12,359.93, HSA contributions 1,910.00, NEBR DEPT OF REVENUE payroll tax 1,855.56, CITY OF LYONS total payroll 45,147.82.

Nate Wing of Olsson gave an update on the Water Treatment Plant Project. Pre-construction meeting with David Rubin of Rubin Construction, electricians, Matthew Smith of Olsson, Utility Superintendent Ueding, and City Clerk Ritter was held at 3 p.m. on September 7. Contracts will be signed in the next couple weeks. The temporary treatment filter is to arrive in Lyons on September 22.

Motion by Brink, seconded by Housh Sr to approve Payment #2 for \$30,392.00 to WesTech Engineering for one third deposit/cost of the Temporary Treatment System. On roll call, AYE: Steinmeyer, Housh Sr, Wheaton, Brink. NAY: None. Absent: None. Motion passed.

Motion by Housh Sr, seconded by Steinmeyer to authorize drawdown #5 of CDBG funds in the amount of \$25,153.60 to receive from Nebraska Department of Economic Development for the City of Lyons Water Treatment Plant Project. On roll call, AYE: Steinmeyer, Wheaton, Brink, Housh Sr. NAY: None. Absent: None. Motion passed.

Dan Nielsen discussed having water service for property west of the school football field on South 5<sup>th</sup> St (currently Gary Olson property) for trees. Mr Nielsen is requesting a 4-inch water line that transitions into a 2-inch water line service on the property. The city crew would put in the water line. Mr Nielsen presented a water usage plan that included water conservation. The water consumption on his tree farm on Lincoln St would be comparable to the four-acre property being looked at. Mr Nielsen understands if the town needs the water for the people first, he is good with that. Council approves and supports this project.

Chief Moore presented the police report.

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

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.

Grants update: LB131 State funding to cover 80% of the \$287,587.73 was received in the amount of \$230,070.18 for the huge costs of the natural gas bill in mid-February. The Council decided to give half of the amount received as a credit back to the customers. The credit appeared on the September utility bills.

An ARPA grant to cover 90% of the cost to upgrade our laptops has been approved. We should receive a check for \$3,970 to cover costs.

A grant proposal is being worked on 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: Water plant update was given already.

The water valve replacement project on 5<sup>th</sup> Street is back together and holding.

Terry was looking to order a new 2021, six liter, ¾ ton Chevy pickup using state bid pricing at \$37,800. It would be through Sid Dillon. Also wanting to order a \$60,400 Bobcat (mini excavator) with trailer through state bid pricing. Council would like to see more information before ordering.

The west road in Brink Park is being worked on—trees have been removed with the road redone within the next few weeks.

Dan Nielsen would like to donate trees for the pool area and park. The council agrees to go ahead with the project.

There are issues with the yellow snow truck not running. It will be taken to Midwest Diesel in Beemer to be checked over.

We have not received a solid number on the sewer manhole project yet. ARPA funds to be used on this project.

City Clerk Ritter reported on the General, Utility, and Debt Service Income Statements for the month ending August 31, 2021. The General Fund had a month to date net loss of \$15,590 and a year-to-date net gain of \$18,306. The Utility Fund had a month to date net gain of \$209,275 and a year-to-date net gain of \$178,368. Debt Service had a month to date net gain of \$2,830 and a year-to-date net loss of \$13,699. Budget reports for the eleventh month on the General, Utility, and Debt Service Funds were as follows: General Receipts were 102.25%. General Expenses were 99.94%. Utility Receipts were 55.58%. Utility Expenses were 51.15%. 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 in April. Debt Service Receipts were 90.15% and Debt Service Expenses were 100.00%. Benchmark for August was 91.6%.

Motion by Brink, seconded by Housh Sr to approve Resolution 2021-9: 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. On roll call, AYE: Brink, Steinmeyer, Housh Sr, Wheaton. NAY: None. Absent: None. Motion passed.

Motion by Steinmeyer, seconded by Brink to approve the 2020/2021 Audit Agreement with Ric Ortmeier, CPA for \$18,000.00 plus an amount not to exceed \$1,500 for preparation of financial statements. On roll call, AYE: Wheaton, Brink, Steinmeyer, Housh Sr. NAY: None. Absent: None. Motion passed.

Motion by Steinmeyer, seconded by Housh Sr to approve payment of \$175.72 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 Steinmeyer to approve payment of \$1,349.94 to KB's Mini Mart. On roll call, AYE: Steinmeyer, Wheaton, Housh Sr. NAY: None. Abstained: Brink. Absent: None. Motion passed.

Motion by Brink, seconded by Wheaton to approve payment of \$346.76 to Steiny's General Store. On roll call, AYE: Housh Sr, Wheaton, Brink. NAY: None. Abstained: Steinmeyer. Absent: None. Motion passed.

Council member Wheaton moved to enter Closed Session, seconded by Brink at 6:32 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 6:38 p.m. Motion by Housh Sr, seconded by Wheaton to approve 6% increase for Mary Lou Ritter 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 Steinmeyer, seconded by Wheaton to adjourn the meeting at 6:39 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)