

LYONS CITY COUNCIL MEETING
JULY 5, 2022

A regular meeting of the Mayor and Council of the City of Lyons was called to order by Mayor Fuston at 5:32 P.M., JULY 5, 2022, at Lyons City Hall. Present were Council members Brink, Housh Sr, Wheaton. Steinmeyer arrived at 5:33 P.M. Also in attendance were City Attorney Smith, City Clerk Anderson, Police Chief Anderson, Utility Superintendent Ueding, and Library Director Heavrin.

Visitors at the meeting were Nate Wing of Olsson, Penny Murphy of Farm and Home Insurance, Ron Brovont, Lindsey Beaudette Superintendent of LDNE Schools, Representatives of Clark & Enersen, Celina Hall, and Jason Redding-Geu of the Lyons Mirror Sun.

The meeting was called to order upon motion by Brink, second by Housh Sr. On roll call, AYE: Housh Sr, Brink, Wheaton. NAY: None. Absent: Steinmeyer. 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. Steinmeyer arrives at 5:33 P.M.

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

1. Dispense with reading of minutes of meeting held June 7, 2022.
2. Dispense with reading of minutes of meeting held June 14, 2022.
3. Claims as presented except claims of KB's Mini Mart, CNA Auto, and Steiny's General Store.
4. Treasurer report.
5. **Resolution No 2022-05: Resolution to Amend 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 bank account for the Water Treatment Plant Project) was adopted and signed.**

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

CLAIMS: ACCO 9,976.88, A-OX WELDING SUPPLY 408.34, ACE REFRIGERATION 5,991.89, AMERICAN BROADBAND 1,059.34, AMERICAN FUNDS SERVICE 409.52, APPA 700.00, APPEARA 215.00, ARBOR DAY FOUNDATION 40.00, BLUE CROSS BLUE SHIELD 10,441.31, BOMGAARS 395.99, BORDER STATES INDUSTRIES 47.64, BRENDA ANDERSON reimbursement 187.59, BURT COUNTY CLERK 302.58, BURT COUNTY PUBLIC POWER 2,640.00, BURT COUNTY ECONOMIC DEVELOPMENT CORP 2,100, BURT COUNTY SHERIFF 20.00, CARDIS FENCE & IRON CO 54.00, CENTER POINT LARGE PRINT 535.68, CENGAGE LEARNING 67.61, CENTURY LINK 60.68, CITY OF LYONS 3,006.55 util, COLONIAL RESEARCH 207.78, DAN SMITH 1,000, DURABLE FLAGS 211.31, FARM AND HOME INSURANCE 127,491.50, SEWER/WASTEWATER BOND 50,465.00, INGERSOLL RAND COMPANY 916.63, JACK'S UNIFORMS AND EQUIPMENT 231.39, JMR CONSTRUCTION LLC 10,072.12, JENSEN PLG & HTG 784.55, KOONS GAS MEASUREMENT 294.60, KNOVA'S CARPETS 5,694, LINCOLN FINANCIAL 388.48, LINCOLN WINWATER WORKS CO 5,258.60, LORENSEN LUMBER & GRAIN 3,901.63, LYONS MIRROR SUN 300.40, MS ROOF REPAIRS 429.00, NPGA 9,400.12, NE DEPT OF REVENUE \$18,012.55, NE DEPT OF ENVIRONMENT & ENERGY 150.00, NORTHEAST INSTANT RAIN 429.49, NOVUS COMPUTERS 115.00, NPPD 30,962.39, OHIO NATIONAL 1,662.75, OLSSON 2,996.84, ONE CALL CONCEPTS 41.92, PETAL PUSHERS 300.00, PORT A JOHNS 70.00, QUADIANT 600.00, QUADIANT LEASING 342.00, QUADIANT INC 139.73, QUALITY PRINTING 42.05, S&S LAWN CARE 2,370.00, SAPP BROS 20.00, SAVEMORE MARKET 468.37, SCHWAN'S HOME DELIVERY 626.98, SCOTT'S HARDWARE 150.46, SEAL AND SERVICE INC 321.40, SOOLAND BOBCAT 36.15, NE DHHS 1,140.00, STEINY'S FARM REPAIR 4,559.16, SYNCHRONY BANK 810.61, TERRY UEDING reimbursement 144.40, US BANK 443.09, USA BLUEBOOK 347.73, UCI TESTING 510.00, UTILITY SAFETY AND DESIGN 1,852.76, VERIZON 71.15, WAPA 4,134.49, WESCO DISTRIBUTION 449.40, WASTE CONNECTIONS 6,902.99, WHITNEY ANDERSON reimbursement 257.35, NEBR DEPT OF REVENUE sales tax 18,012.55, CITY OF LYONS combined payroll

66,368.28, EFTPS payroll tax 13,424.46, HSA contributions 1,300, NEBR DEPT OF REVENUE payroll tax 2,024.76.

Nate Wing of Olsson gave an update on the Water Treatment Plant Project. Anticipated completion date is end of July. Rubin Construction should be here next week. Funding from USDA should be coming soon.

Motion by Wheaton, seconded by Brink to approve USDA Subsequent Loan Resolution (RUS Bulletin 1780-27) in the amount of \$100,000. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. Motion carried.

Motion by Housh Sr., seconded by Brink to approve the amended USDA Water and Waste System Grant Agreement. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. Motion carried.

Penny Murphy of Farm and Home Insurance presented and reviewed the City's property and liability insurance renewal for 2022/2023. Building valuation increased over 600,000, which was a major part of the increase. Mayor Fuston suggested looking into higher deductibles to mitigate the increase.

Motion by Wheaton, seconded by Steinmeyer to approve agreement with Mary Lou Ritter as a consultant to the City of Lyons and forego using Ortmeier & Associates with the amendment that there are no fringe benefits. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. Motion carried.

Motion by Brink, seconded by Housh Sr. to approve selling 230 Grant St. Lyons, NE, (a city lot) to Three Rivers Housing Authority in the amount of \$1 to move a home on. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. Motion carried.

Ron Brovont with Everett Township discussed the township levy that we are currently opted out of. Motion by Steinmeyer, seconded by Housh Sr. to opt out of the Everett Township Levy Tax. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. Motion carried.

Motion by Housh Sr., seconded by Brink to waive Utility Lien at 455 Pearl St. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. Motion carried.

Police Chief Anderson gave the police report. The police department is still looking for part-time help. New police cars and computers for the cars have been ordered.

Library director Mike Heavrin gave the Library and grants reports. Finances for the month of June: income was below monthly goal and above yearly goal. Expenses were below monthly budget and below yearly budget. Grants update: Submitted final report for the Recycling Operations Grant. There is a Safe Streets and Roads For All grant that would need matching funds and looking into the Downtown Revitalization Grant that was put on hold due to covid.

Terry Ueding's report:

-The pool is experiencing a lot of water loss. We will either need to hire someone this fall to camera, or look into purchasing our own camera that we can also use for other pipes around the city.

-Due to the amount of water being consumed city wide, the council is asking for a voluntary restriction on water usage.

-The NDEE is requiring a Lead Service Line Inventory be submitted for all home by October of 2024. Shalena and Whitney will help the Utility Department in getting inventory from residents before they have to go door to door.

-Ueding is looking into updating our zoning ordinances and has asked council if they would like to see anything added or removed from the current regulations.

-July 12th, the water plant will be shut down for electrical maintenance and they are asking for all the residents to shut off sprinklers and limit water use that day.

-Ueding asked council if they had any ideas of what they would like to see done with the donation from the Kenaston's family.

-Ueding is looking into getting trees planted at the park with a donation for Nielson Tree Farm.

City Clerk Anderson report:

-General, Utility, and Debt Service Income Statements for the month ending June 30th, 2022. The General Fund had a month to date net loss of \$10,532.64 and a year to date net loss of \$59,627.33. The Utility Fund had a month to date net loss of \$98,168.52 and a year to date net loss of \$1,545,945.35.

Debt Service had a month to date net gain of \$11,379.91 and a year to date net loss of \$40,070.15. Budget reports for the ninth month on the General, Utility, and Debt Service Funds were as follows: General Receipts were 64.36%. General Expenses were 71.74%. Utility Receipts were 47.49%. Utility Expenses were 83.66%. Debt Service Receipts were 72.03% and Debt Service Expenses were 100.00%. -Looking into other options for the employee's retirement plans and will have some advisors come present at a council meeting.

-Our Zoning Regulations and Comprehensive plan needs updated. Will be working on bids for that to get into budget for next year.

-Clerk Anderson asked the council if there are any special projects to budget for Fiscal Year 2022/2023 and what percentage for wage increases? Need amounts for budget.

Motion by Brink, seconded by Steinmeyer to adopt **RESOLUTION 2022-6: A RESOLUTION TO REQUIRE THAT PAY PERIODS WILL BE EVERY TWO WEEKS AND END ON SUNDAYS AND ALL TIMECARDS WILL BE TURNED IN TO THE CITY CLERK'S OFFICE NO LATER THAN 9:00 A.M. ON TUESDAY FOLLOWING THE END OF THE PAY PERIOD. CHECKS WILL BE ISSUED ON THE FRIDAY FOLLOWING THE END OF THE PAY PERIOD. THIS CHANGE IS EFFECTIVE AS OF THE END OF THE PAY PERIOD OF JULY 24, 2022.** On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. Motion carried.

Motion by Wheaton, seconded by Brink to approve the purchase of a laptop for the City Office. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. Motion carried.

Motion by Wheaton, seconded by Housh Sr. to approve the recommendation of the 3 waivers (Setback from street, Stormwater Requirement, and Alley Encroachments) from LDNE. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. Motion carried.

Motion by Steinmeyer, seconded by Housh Sr. to approve the recommendation of a building permit from Tyler Vacha to add a roof on his patio. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. Motion carried.

Motion by Wheaton, seconded by Brink to approve recommendation of a building permit from Northeast Tractor Parts for a Morton storage building at 1110 Co. Rd RS. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. Motion carried.

Motion by Brink, seconded by Housh Sr. to **not** approve the fence height for Celina Hall at 405 Everett St with the stipulations: a. It does not obstruct the front of the house. B. It is chain link vs. privacy fence c. It is under 6 feet. d. The fence is located behind the shrubs that are in the front west portion of the yard previously. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. Motion carried.

Motion by Wheaton, seconded by Housh Sr. to approve the building permit for a fence from Celina Hall at 405 Everett St with an amendment that setbacks and height requirements are met. On roll call, AYE: Wheaton, Steinmeyer, Brink, Housh Sr. NAY: None. Motion carried.

Motion by Housh Sr, seconded by Brink to approve payment of \$112.57 to CNA Automotive Services. On roll call, AYE: Steinmeyer, Housh Sr, Brink. NAY: None. Abstained: Wheaton. Motion passed.

Motion by Wheaton, seconded by Housh Sr. to approve payment of \$1,692.56 to KB's Mini Mart. On roll call, AYE: Housh Sr, Steinmeyer, Wheaton. NAY: None. Abstained: Brink. Motion passed.

Motion by Wheaton, seconded by Housh Sr. to approve payment of \$1,281.52 to Steiny's General Store. On roll call, AYE: Housh Sr, Brink, Wheaton. NAY: None. Abstained: Steinmeyer. Motion passed.

Motion by Brink, seconded by Wheaton to approve payment of \$63 to Allen Steinmeyer for reimbursement from S&S Locksmith. On roll call, AYE: Housh Sr, Brink, Wheaton. NAY: None. Abstained: Steinmeyer. Motion passed.

Council member Steinmeyer moved to enter into Executive Session, seconded by Brink at 7:01 p.m. to discuss personnel annual review of Jorma Hedges. On roll call, AYE: Steinmeyer, Brink, Wheaton, Housh Sr. NAY: None. The meeting returned to Regular session at 7:03 p.m. by motion by Wheaton, seconded by Brink. On roll call, AYE: Brink, Steinmeyer, Wheaton, Housh Sr. NAY: None.

Motion by Steinmeyer, second by Wheaton to approve 3% increase for Jorma Hedges, effective the first full pay period after the anniversary date. On roll call, AYE: Brink, Steinmeyer, Wheaton, Housh Sr. NAY: None. Motion passed.

Motion by Wheaton, seconded by Steinmeyer to adjourn the meeting at 7:04 PM. On roll call, AYE: Housh Sr, Brink, Steinmeyer, Wheaton. NAY: None. Motion passed.

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)