



CITY COUNCIL MEETING

Minutes

Tuesday, October 10, 2023 – 5:30 P.M.

A regular meeting of the Mayor and Council of the City of Lyons was called to order by Mayor Brink at 5:30 P.M., October 10, 2023, at Lyons City Hall. Present were Council members Vacha, Phillips, Steinmeyer and Carr. Also in attendance were City Attorney Smith, City Clerk Anderson, Library Director Heavrin, Police Chief Dunn, and Utility Supervisor Ueding.

I. ROUTINE BUSINESS

The meeting was called to order upon motion by Phillips, seconded by Vacha. On roll call, AYE: Steinmeyer, Carr, Vacha, Phillips. NAY: None. **MOTION CARRIED**

Mayor Brink 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 September 22, 2023.
2. Claims as presented except claims of KB’s Mini Mart and Steiny’s General Store.
3. **Resolution 2023-18 – 2023-2024 Budget Year - Set Property Tax request at a different amount than the prior year was adopted and signed.**

September 2023 Claims

| | | |
|---------------------------|-----------------------|-------------|
| EFTPS | FED/FICA TAX | \$ 3,093.37 |
| LYONS MIRROR-SUN | LEGAL PRINTING | \$176.85 |
| OLSSON ASSOCIATES | FINAL PMT WTP PROJECT | \$6,155.00 |
| THREE RIVERS CLERK’S ASSN | 23-24 DUES | \$20.00 |
| BLUE CROSS BLUE SHIELD | HEALTH INS | \$7,603.16 |
| BURT COUNTY PUBLIC POWER | ELECTRIC | \$81.60 |
| PETAL PUSHERS | CLOTHING | \$495.84 |
| MARY LOU RITTER | CONTRACT SERV | \$135.00 |
| SCOTT’S HARDWARE | MTCE | \$127.58 |
| CUMING COUNTY INDUSTRIES | MTCE | \$438.72 |
| MAIN STREET SERVICES LLC | MTCE | \$36.03 |
| ONE OFFICE SOLUTION | FLYERS | \$257.32 |



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| GPM ENVIRONMENTAL | MTCE | \$448.00 |
| AMERITAS LIFE CORP | RETIREMENT | \$1,083.42 |
| MAKENNA MCCULLOCK | JANITOR SERV | \$175.00 |
| JOSH SVENDSEN | MILEAGE REIMBURSEMENT | \$936.65 |

OCTOBER CLAIMS

| | | |
|---------------------------|------------------------------|-------------|
| ACCO UNLIMITED CORPORATIO | SUPPL | \$129.44 |
| AMERICAN LEGAL PUBLISHING | CODIFICATION 40% | \$3,283.60 |
| AMERITAS LIFE CORP | RETIREMENT | \$1,077.66 |
| APPEARA | CLOTHING | \$276.96 |
| BORDER STATES INDUSTRIES | SUPPL | \$210.01 |
| BURT COUNTY CLERK | JOINT HEARING EXP | \$122.33 |
| CITY EMPLOYEES | HSA | \$700.00 |
| CITY EMPLOYEES | PAYROLL CHECKS ON 10/06/2023 | \$13,062.86 |
| EFTPS | FED/FICA TAX | \$3,081.84 |
| FASTWYRE BROADBAND | SERV | \$646.76 |
| G WORKS | 2024 LICENSE/SUPPORT | \$4,626.00 |
| HAWKINS INC. | CHEMICALS | \$548.50 |
| IOWA PUMP WORKS, INC. | REPAIRS | \$2,605.31 |
| JOSH SVENDSEN | CLOTHING/EQUIP REIMBURSEMENT | \$425.36 |
| LANE'S TREE SERVICE | TREE REMOVAL | \$3,675.00 |
| LIFEGUARD | SUPPL | \$204.00 |
| LINCOLN WINWATER WORKS | SUPPL | \$201.58 |
| LORENSEN GRAIN & READY MI | ROCK/GRAVEL | \$1,948.83 |
| LYONS MIRROR-SUN | LEGAL PRINTING | \$21.62 |
| MIDWEST LABORATORIES INC | TESTING | \$124.05 |
| NEBRASKA STATE TREASURER | 75 DOG 24 CAT LICENSES | \$123.75 |
| NMPP | TRAINING | \$464.00 |
| NOVUS COMPUTERS | 365 EXCHANGE | \$36.00 |
| ONE CALL CONCEPTS, INC. | LOCATE FEE | \$52.10 |
| ONE OFFICE SOLUTION | SUPPL | \$77.09 |
| QUADIENT FINANCE USA INC | POSTAGE | \$600.00 |
| S & S LAWN CARE LLC | MOWING/WEED CONTROL | \$2,475.00 |
| SAPP BROS PETROLEUM INC | PROPANE | \$24.00 |
| SAVEMORE MARKET | SUPPL | \$12.51 |
| T & H ELECTRIC | SUPPL | \$37.88 |



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|-------------------------|--------------------|-------------|
| US BANK | BOOKS/SUPPL/JOB AD | \$74.06 |
| VERIZON WIRELESS | SERV UTIL | \$101.74 |
| WALTHILL SERVICE | TYM T574HC TRACTOR | \$38,240.50 |
| WAPA | ELECTRIC | \$5,779.37 |
| WASTE CONNECTIONS OF NE | GARBAGE FEE | \$8,150.35 |

Motion by Vacha, seconded by Carr to approve the consent agenda. On roll call, AYE: Phillips, Steinmeyer, Carr, Vacha. NAY: None. **MOTION CARRIED.**

IV. REGULAR AGENDA / NEW BUSINESS

1. Motion by Vacha, seconded by Carr to approve the hiring of Ron Daberkow as a utility maintenance worker and hiring package with a start date of October 16th, 2023. On roll call, AYE: Steinmeyer, Phillips, Carr, Vacha. NAY: None. **MOTION CARRIED.**
2. Motion by Steinmeyer, seconded by Phillips to adopt **Resolution No. 2023-19: Creating an Advisory Board for the Park and Recreational facilities.** On roll call, AYE: Carr, Vacha, Phillips, Steinmeyer. NAY: None. **MOTION CARRIED.**
3. Motion by Phillips, seconded by Carr to approve Mayor Brink's recommendation of appointing Julie Brehmer, Brad Brink, Dale Webster and Joshua Svendsen on the Lyons Park and Rec Advisory Board effective October 10th, 2023 with 4 year terms up for appointment or re-appointment based on the following schedule: Julie Brehmer – 1/1/2025, Brad Brink - 1/1/2026, Dale Webster – 1/1/2027, Joshua Svendsen – 1/1/2028. On roll call, AYE: Steinmeyer, Vacha, Carr, Phillips. NAY: None. **MOTION CARRIED.**
4. Motion by Carr, seconded by Steinmeyer to adopt **Resolution No. 2023-20: Changing City Office Hours and City Employee Working Hours.** On roll call, AYE: Vacha, Phillips, Steinmeyer, Carr. NAY: None. **MOTION CARRIED.**
5. Motion by Vacha, seconded by Phillips to adopt **Resolution No. 2023-21: End the Water Emergency with mandatory conservation measures on Class 1 water uses.** On roll call, AYE: Steinmeyer, Carr, Phillips, Vacha. NAY: None. **MOTION CARRIED.**
6. Motion by Phillips, seconded by Carr to approve the 2022/2023 Audit Agreement with Ric Ortmeier, CPA for \$20,800 plus an amount not to exceed \$1,500 for preparation of financial statements and an additional fee no more than \$4,500 if a Single Audit is required. On roll call, AYE: Vacha, Steinmeyer, Carr, Phillips. NAY: None. **MOTION CARRIED.**



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7. Library & Grant reports - Mike Heavrin.
Income in August was \$0 and this is \$197.92 below the monthly budgetary goal. Income for the fiscal year through August totaled \$2,609.14, which is \$433.64 above our FY 2022-2023 goal. Expenses for August came to \$9,529.79, which was \$4,763.21 above the monthly budget. Fiscal year expenses through the end of August totals \$48,751.96, and that is \$3,642.32 below the approved budget for this point in FY 2022-2023.
Mike has been looking for grants that can help cover the costs associated with efforts to rebuild our police department and asked our council to share their ideas with Chief Dunn or himself.
8. Police Report – Chief Dunn
Chief Dunn presented the September police report, which included 21 ordinance violations. Dunn will order two toolboxes for the police trucks totaling \$1,300. Evidence cage is at a stall and still working on purging evidence. No new information on Skillbridge candidates.
9. Motion by Carr, seconded by Steinmeyer to approve the purchase of a Desktop PC, Laptop docking kit, and hardware for police department in the amount up to \$7,500 from Novus Computers. On roll call, AYE: Vacha, Phillips, Steinmeyer, Carr. NAY: None. **MOTION CARRIED.**
10. Utilities report – Terry Ueding
 - a. Council discussed being a backup for Bancroft sewer/water operator. Ueding noted that we are not licensed to run a wastewater plant but could be a backup for the water. Council asked to have Bancroft write up a proposal for Council to review.
 - b. Polymer is in at Water Treatment Plant and will continue to monitor how it is working.
 - c. New Tractor has been delivered. Council agreed to put the 1530A JD Tractor up for bid.
 - d. Council agreed to put the 510B Dresser up for bid.
 - e. Park campground and bathhouse are set to close on October 15th. The council agreed to keep them open as long as weather permits.
11. Mayor Brink opened sealed bids. Motion by Phillips, seconded by Carr to accept Cole Boden’s bid of \$2,000 for 1971 Wabco-LeRoi -125 Portable Air Compressor. On roll call, AYE: Steinmeyer, Carr, Vacha, Phillips. NAY: None. **MOTION CARRIED.**
12. Motion by Steinmeyer, seconded by Carr to approve the payment of \$38,240.50 to Walthill Service for TYM T574HC Tractor and Loader. On roll call, AYE: Phillips, Vacha, Carr, Steinmeyer. NAY: None. **MOTION CARRIED.**
13. Motion by Vacha, seconded by Carr to approve the purchase of snow bucket in the amount of \$6,600. On roll call, AYE: Steinmeyer, Phillips, Carr, Vacha. NAY: None. **MOTION CARRIED.**
14. Clerk’s Report – Whitney Anderson



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- a. Motion by Phillips, seconded by Carr to accept Clerk Anderson's Treasurer Report. On roll call, AYE: Vacha, Steinmeyer, Carr, Phillips. NAY: None. **MOTION CARRIED.**
 - b. General, Utility, and Debt Service Income Statements for the month ending September 30th, 2023. The General Fund had a month to date net gain of \$148,641.19 and a year to date net loss of \$1,183.81. Budget: \$4,378. The Utility Fund had a month to date net loss of \$71,865.23 and a year to date net gain of \$21,036.52. Budget: -\$139,033. Debt Service had a month to date net gain of \$32,728.62 and a year to date net gain of \$2,819.97.
 - c. Budget reports for the twelfth month (100%) on the General, Utility, and Debt Service Funds were as follows: General Receipts were 97.17%. General Expenses were 97.79%. Utility Receipts were 110.02%. Utility Expenses were 104.65%. Debt Service Receipts were 101.93% and Debt Service Expenses were 100%. We will be beta testers for HR Hub with gWorks.
 - d. City office closed for a few hours Oct 19th for Clerk Association meeting and training.
 - e. Council agreed for Anderson to move forward with a grant application that would require up to \$1,250 for the Lower Elkhorn NRD Tree Grant.
 - f. Council discussed new City Attorney options due to Dan Smith going into senior status with the bar association at the end of 2023. Matthew Munderloh is willing to represent the City and provided council with his CV for their review.
 - g. Mayor Brink informed Council that Franciscan Healthcare looking for a local match for Cuming & Burt County Public Transit to secure NDOT & FTA Grant.
 - h. We received American Legal's draft manuscript of the Lyons Code of Ordinances for review.
 - i. Council discussed fee schedule to consider adopting at November council meeting.
15. Motion by Phillips, seconded by Steinmeyer to approve payment of \$1,418.09 to KB's Mini Mart. On roll call, AYE: Vacha, Carr, Steinmeyer, Phillips. NAY: None. **MOTION CARRIED.**
16. Motion by Phillips, seconded by Carr to approve payment of \$112.62 to Steiny's General Store. On roll call, AYE: Vacha, Carr, Phillips NAY: None. ABSTAIN: Steinmeyer. **MOTION CARRIED.**
17. Motion by Vacha, seconded Carr to go into executive session at 7:08 PM to discuss employee personnel annual review. On roll call, AYE: Phillips, Steinmeyer, Carr, Vacha. NAY: None. **MOTION CARRIED.** Motion by Phillips, seconded by Steinmeyer to return to regular session at 7:16 PM. On roll call, AYE: Vacha, Carr, Steinmeyer, Phillips. NAY: None. **MOTION CARRIED.**
18. Motion by Carr, seconded by Vacha to approve a \$1.15 raise for Terry Ueding. On roll call, AYE: Phillips, Steinmeyer, Vacha, Carr. NAY: None. **MOTION CARRIED.**
19. Motion by Vacha, seconded by Carr to approve a \$0.80 raise for Shalena Findlay. On roll call, AYE: Steinmeyer, Phillips, Carr, Vacha. NAY: None. **MOTION CARRIED.**



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20. Motion by Steinmeyer, seconded by Phillips to approve a raise of \$0.53 for Library Director and \$0.63 for Grant Writer for Mike Heavrin. On roll call, AYE: Vacha, Carr, Phillips, Steinmeyer. NAY: None. **MOTION CARRIED.**

21. Mayor Brink adjourned the meeting at 7:22 PM.

Kyle Brink
Mayor

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)