



CITY COUNCIL MEETING

Minutes

Tuesday, April 9, 2024 – 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., April 9th, 2024, at Lyons City Hall. Present were Council members Vacha, Phillips, and Steinmeyer. Carr had an excused absence. Also in attendance were City Clerk Anderson, Library Director Heavrin and Utility Supervisor Ueding.

Visitors included Kayli Wheaton, Corbin Wheaton, Brooks Larsen, Ball Association Board Members Leah Miller and Cassie Myers, and Park and Rec Advisory member Dale Webster.

I. ROUTINE BUSINESS

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

1. None.

III. CONSENT AGENDA

1. Dispense with reading of minutes of meeting held March 13, 2024.
2. Claims as presented except claims of KB’s Mini Mart and Steiny’s General Store.
3. **Resolution No. 2024-04 – ONE & SIX YEAR STREET PROGRAM was adopted and signed.**
4. **Resolution No. 2024-05 - A RESOLUTION OF THE CITY OF LYONS, NEBRASKA, ADOPTING POLICE POLICY 006 - MOBILE VIDEO/AUDIO EQUIPMENT, POLICY 007 - TRAINING, BEGIN AND END TOUR OF DUTY, POLICY 009 - OFF DUTY EMPLOYMENT was adopted and signed.**

MARCH CLAIMS

AMERITAS LIFE CORP	RETIREMENT	\$ 3,771.98
APPEARA	CLOTHING	\$ 336.00
AUTO VALUE	SUPPL	\$ 383.76
BARCO MUNICIPAL PRODUCTS	EQUIP-GRADER BLADE	\$ 1,240.51
BLUE CROSS BLUE SHIELD	GROUP HEALTH INS	\$ 8,766.33
BOMGAARS	SUPPL	\$ 339.98
BURT COUNTY PUBLIC POWER	ELECTRIC	\$ 2,823.60
BURT COUNTY SHERIFF	TELETYPE FEES	\$ 24.00
CENGAGE LEARNING	BOOKS	\$ 52.48
CITY OF LYONS EMPLOYEES	HSA	\$ 1,400.00



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CITY OF LYONS PETTY CASH	MEAL REIMBURSEMENT	\$ 21.85
CITY OF LYONS UTILITIES	STATE SHED TRANSFER	\$ 122.70
CNA AUTO SERVICE	BATTERIES - ALARM SYSTEM	\$ 123.00
COMFORT INN	LODGING	\$ 459.80
CORE & MAIN	SUPPL	\$ 916.56
CREATIVE XPRESSIONS	CLOTHING	\$ 153.00
EFTPS	FED/FICA TAX	\$ 6,831.34
FASTWYRE BROADBAND	SERV	\$ 645.80
FP MAILING SOLUTIONS	POSTAGE	\$ 600.00
IAMU	24-25 DUES	\$ 500.00
INTERSTATE INDUSTRIAL SER	MTCE	\$ 112.36
JOHNSON & MOCK, PC, LLO	LEGAL SERVICES	\$ 3,628.50
LIFEGUARD	AED'S -INFANT/CHILD	\$ 503.10
LINCOLN FINANCIAL	GROUP INS	\$ 288.75
LORENSEN GRAIN & READY MI	WHITE ROCK	\$ 353.16
LYONS MIRROR-SUN	1 YR SUB - CITY	\$ 45.00
MATT PARROTT/STOREY KENWO	SUPPL-CHECKS	\$ 775.73
MEGAN VAVRA	JANITOR SERV - MARCH	\$ 370.00
MIDWEST LABORATORIES INC	TESTING	\$ 22.00
MUTUAL OF OMAHA	GROUP INS	\$ 495.30
NEBRASKA DEPT OF REVENUE	SALES AND USE TAX	\$ 8,410.09
NOVUS COMPUTERS	365 EXCHANGE/BUSINESS	\$ 169.50
NPGA	NATURAL GAS PURCHASES	\$ 56,024.49
NPPD COLUMBUS	ELECTRIC PURCHASES	\$ 66,237.81
ONE CALL CONCEPTS, INC.	LOCATE FEE	\$ 22.20
ONE OFFICE SOLUTION	SUPPL	\$ 160.68
PAYROLL CHECKS	PAYROLL CHECKS	\$ 26,773.63
PORT-A-JOHNS	SERV-MARCH	\$ 70.00
RAMADA WORLDWIDE	LODGING-ANDERSON	\$ 396.00
RIC ORTMEIER	2022/2023 AUDIT	\$ 20,800.00
S & S LOCKSMITH	MTCE - KITCHEN DOOR	\$ 650.00
STAN HOUSTON EQUIPMENT CO	MTCE - JACK HAMMER	\$ 259.88
VERIZON WIRELESS	SERV - UTIL	\$ 158.75
WASTE CONNECTIONS OF NE	GARBAGE SERV	\$ 8,188.25
WESCO RECEIVABLES CORP	SUPPL	\$ 6,505.60



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WHITNEY ANDERSON	MEALS/MILEAGE REIMBURSEMENT	\$ 144.89
WILLIAM FINDLAY	ATV LICENSE PLATES	\$ 510.00

APRIL CLAIMS

AMERITAS LIFE CORP	RETIREMENT PLAN	\$ 2,314.10
CITY EMPLOYEES	HSA	\$ 700.00
CITY OF LYONS UTILITIES	UTILITIES	\$ 7,260.36
DEPARTMENT OF ENERGY	ELECTRIC	\$ 6,490.05
EFTPS	FED/FICA TAX	\$ 3,312.91
HOA	REMOTE SERV	\$ 267.50
LYONS MIRROR-SUN	LEGAL PRINTING	\$ 171.35
PAYROLL CHECKS	PAYROLL CHECKS ON 04/05/2024	\$ 12,634.01
SCOTT BURGETT	HEARTSAVER CPR	\$ 240.00
WAPA	ELECTRIC	\$ 6,790.05
BREHMER MFG	ENERGY EFFICIENCY CREDIT	\$ 11,480.00
MATT PARROTT/STOREY KENWO	SUPP - CHECKS	\$ 771.59
DEPOSIT REFUNDS	DEPOSIT	\$ 838.74
NPPD	ELECTRIC	\$ 17,552.15

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

IV. REGULAR AGENDA / NEW BUSINESS

1. Kayli Wheaton proposed ideas for achieving community service hours by doing some beautification projects in her hometown. She suggested replacing the wood at horseshoe pits, painting fire rings, painting the welcome sign at Brink Park, and painting fire hydrants. Ueding suggested starting with the fire hydrants, and he also had gas pipes that needed to be painted. However, he didn't think that paint would hold up well on the fire rings. Council member Phillips agreed to check if there was any funding available from the Fire Department for painting the fire hydrants. The council unanimously agreed to help Wheaton with the approximate cost of \$475 in supplies and any community service projects she presented.
2. Dale Webster from the Park and Rec Advisory Board suggested that the sand volleyball courts could be used to accommodate approximately 5 campers if the proposed bathhouse is not constructed in that location. This would replace the 5 spots that currently need to be removed from the existing campground. Webster also recommended that the council should start planting trees along the east fence of the vacant field located east of the ball fields, if the plan is to use it for a campground. Mayor Brink asked if Brooks or the Ball Association had anything to discuss, Brooks informed the council that the open field in question is approximately 500 ft x 400 ft. Myers added that a practice field in that location would be 150 ft to center and 100 ft ends. However, due to not receiving the survey on base flood elevation, Mayor Brink suggested moving any discussion on the campground and park project to the next meeting.



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3. Library Director Mike Heavrin Library and Grant Report: Income in February was \$65 and this is \$132.92 below the monthly budgetary goal. Income for the fiscal year totals \$2,200.90, which is \$1,212.90 above our FY 2023-2024 goal. Expenses for February came to \$4,059.66, which was \$816.59 below the monthly budget. Fiscal year expenses total \$22,126.30, and that is \$2,215.95 below the approved budget for this point in FY 2023-2024.
The Endowment Board will be providing funds needed to fix and update the alarm system in the library. Heavrin has located a potential funder for the fountain at the lagoon and will work with Dale Webster on the cost of the project.
4. Utilities Report – Terry Ueding
 - a. Electric Project – 4 transformers were ordered at \$20,872 and 46 weeks out. Still need to order wire and get a quote from Schmader Electric for updating the underground wiring on Everett St.
 - b. Council reviewed bids for a Sprayer.
Motion by Phillips, seconded by Vacha to purchase a Scag STS30 Sprayer from Mel’s Small Engines for \$16,000. On roll call, AYE: Steinmeyer, Vacha, Phillips. NAY: None. ABSENT: Carr. **MOTION CARRIED**
 - c. Discussion was held regarding making N. 3rd St no parking or parking on only one side. No decision was made and further discussion moved to next meeting.
 - d. LENRD Forestry Grant Update - 20 trees were planted at Brink Park, 2 out of the 5 at Burlington Park, and still need to plant the 8 boulevard trees.
 - e. GPS mapping of water and sewer utilities on the south side of town has begun.
5. Motion by Steinmeyer, seconded by Vacha to approve the JEO Gas and Electric system agreement in a lump sum fee of \$4,420 for GIS Mapping. Using NMPP Grant of \$949.59 to help with funding. On roll call, AYE: Phillips, Vacha, Steinmeyer. NAY: None. ABSENT: Carr. **MOTION CARRIED**
6. Clerk’s Report – Whitney Anderson
 - a. Clerk Anderson presented the March Treasurer Report. Motion by Vacha, seconded by Steinmeyer to accept Clerk Anderson’s Treasurer Report. On roll call, AYE: Phillips, Steinmeyer, Vacha. NAY: None. ABSENT: Carr. **MOTION CARRIED.**
 - b. General, Utility, and Debt Service Income Statements for the month ending March 31st 2024. The General Fund had a month-to-date net gain of \$26,105.75 and a year-to-date net gain of \$128,324.23. The Utility Fund had a month-to-date net loss of \$3,384.43 and a year-to-date net gain of \$214,298.75. Debt Service had a month-to-date net gain of \$6,298.12 and a year-to-date net loss of \$94,663.
 - c. Budget reports for the sixth month (50%) on the General, Utility, and Debt Service Funds were as follows: General Receipts were 28.82%. General Expenses were 20.02%. Utility Receipts were 59.51%. Utility Expenses were 45.3%. Debt Service Receipts were 22.87% and Debt Service Expenses were 88.51%.



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- d. Discussion was held regarding a water leak at 400 Grant Street. We are still unable to get into the house and council agreed that if denied, move forward with an inspection warrant.
 - e. Motion by Phillips, seconded by Vacha to approve Remote Supplemental Service Authorization with ITRON with an estimated fee of \$818 for upgrade and migration support and service. On roll call, AYE: Steinmeyer, Vacha, Phillips. NAY: None. ABSENT: Carr. **MOTION CARRIED.**
 - f. Working on Downtown Revitalization Committee and they will meet April 22nd with JEO.
 - g. Motion by Phillips, seconded by Steinmeyer to table decision on Welcome Sign at Burlington Park until next meeting as we wait on more information on Welcome Sign that was damaged on Hwy 77. On roll call, AYE: Vacha, Steinmeyer, Phillips. NAY: None. ABSENT: Carr. **MOTION CARRIED.**
 - h. Discussion was held regarding amending Floodplain Management Ordinance to 1ft above BFE to align with State regulations. Anderson will work on updating Ordinance and send to DNR for approval, then FEMA for approval before bringing back to council for final approval.
 - i. Shalena has given notice that she will be departing the City of Lyons as Deputy Clerk. Posting job opening and starting interviews immediately as we do not know exactly how much longer we have for Shalena to train a new hire. Mayor Brink asked Anderson if Shalena would be willing to help train after she leaves via Zoom etc. Anderson believes she would but will ask.
 - j. American Legal Recodifying Code Book Update – Legal Review and Notes submitted March 18th. Allow 3 months for completion.
7. Motion by Vacha, seconded by Phillips to approve hiring the following additional Lifeguards for the 2024 Swimming Pool season with current certifications: Lauren Miller, JaeLeigh Tuttle, and Kennedy Blevins. On roll call, AYE: Steinmeyer, Phillips, Vacha. NAY: None. ABSENT: Carr. **MOTION CARRIED**
 8. Motion by Steinmeyer, seconded by Vacha to table setting a wage for Pool Manager, Assistant Manager, and Lifeguard until next meeting. On roll call, AYE: Phillips, Vacha, Steinmeyer. NAY: None. ABSENT: Carr. **MOTION CARRIED**
 9. Police Report – Chief Svendsen
Chief Svendsen was not present but provided council with the March police report. The report included 18 calls for service, 1 arrest, and 13 traffic stops.
 - a. Motion by Vacha, seconded by Phillips to approve a raise for p/t Officer Warner to \$26/hr effective April 9, 2024. On roll call, AYE: Steinmeyer, Phillips, Vacha. NAY: None. ABSENT: Carr. **MOTION CARRIED.**
 10. Motion by Phillips, seconded by Steinmeyer to approve Three Rivers Housing building permit for a new construction home at 340 Pearl St. On roll call, AYE: Vacha, Steinmeyer, Phillips. NAY: None. ABSENT: Carr. **MOTION CARRIED.**
 11. Motion by Phillips, seconded by Vacha to approve Three Rivers Housing building permit for a new construction home at 430 Pearl St. On roll call, AYE: Steinmeyer, Vacha, Phillips. NAY: None. ABSENT: Carr. **MOTION CARRIED.**



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12. Motion by Vacha, seconded by Phillips to approve Brad Brink building permit for home add-on at 735 S 7th Ave. On roll call, AYE: Steinmeyer, Phillips, Vacha. NAY: None. ABSENT: Carr. **MOTION CARRIED.**
13. Motion by Steinmeyer, seconded by Phillips to approve payment of \$1,143.70 to KB's Mini Mart. On roll call, AYE: Vacha, Phillips, Steinmeyer. NAY: None. ABSENT: Carr. **MOTION CARRIED.**
14. Motion by Phillips, seconded by Vacha to approve payment of \$204.11 to Steiny's General Store. On roll call, AYE: Vacha, Phillips, Brink. NAY: None. ABSTAIN: Steinmeyer. ABSENT: Carr. **MOTION CARRIED.**
15. Mayor Brink adjourned the meeting at 6:57 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)