



CITY COUNCIL MEETING

Minutes

Tuesday, July 09, 2024 – 5:30 P.M.

I. ROUTINE BUSINESS

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., July 9, 2024, at Lyons City Hall. Upon roll call, the following Council members were present: Tyler Vacha, Kyle Phillips, Allen Steinmeyer, and Matthew Carr. Also in attendance were City Clerk Anderson, Library Director Heavrin, Utility Supervisor Ueding, and Police Chief Svendsen.

Visitors included Baylor Bestgen with JEO.

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. Motion by Carr, seconded by Vacha to enter into a Public Hearing. On roll call, AYE: Steinmeyer, Phillips, Vacha, Carr. NAY: None. **MOTION CARRIED.** Mayor Brink opened the Public Hearing at 5:31 PM for the purpose of hearing support, opposition, criticism, suggestions, or observations concerning an application to the Nebraska Department of Economic Development for a \$435,000 Community Development Block Grant funds for improvements in the City's downtown business district. Mayor Brink stated "Whereas, the City of Lyons, Nebraska, has obtained its citizens' comments on community development and housing needs; and has conducted public hearing(s) upon the proposed application and received favorable public comment respecting the application which for an amount of \$435,000 for implement infrastructure improvements in the City's downtown business district. Infrastructure improvements include streets, curbs, gutters, and sidewalks on Main Street from 1st through 4th Street. An additional \$25,000 will be used for general administration of the grant and another \$10,000 will be used for construction management. The City of Lyons will provide matching funds in the amount of \$100,000. The total project cost with grant administration and construction management is \$535,000. All CDBG funds will benefit at least 51.4% of low-to-moderate (LMI) people; no persons are anticipated to be displaced as a result of CDBG activities, however, the City will follow its plan for assisting persons actually displaced." There being no verbal or written comments or objections, a motion by Vacha, seconded by Carr was made to adjourn the Public Hearing. On roll call, AYE: Phillips, Steinmeyer, Carr, Vacha. NAY: None. **MOTION CARRIED.** Mayor Brink Closed the Public Hearing at 5:33 PM.
2. Motion by Phillips, seconded by Carr to enter into a Public Hearing. On roll call, AYE: Vacha, Steinmeyer, Carr, Phillips. NAY: None. **MOTION CARRIED.** Mayor Brink opened the Public Hearing at 5:33 PM for the purpose of hearing support, opposition, criticism, suggestions, or observations concerning a Consideration of Acquisition of Real Estate Commonly Referred to 125 Main St and Legally Described as LOT: PT 10-11



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BLOCK: 8 LYONS Lyons, NE in the amount of \$1 plus delinquent taxes of \$745.36. There being no verbal or written comments or objections, a motion by Phillips, seconded by Carr was made to adjourn the Public Hearing. On roll call, AYE: Vacha, Steinmeyer, Carr, Phillips. NAY: None. **MOTION CARRIED.** Mayor Brink Closed the Public Hearing at 5:34 PM.

III. CONSENT AGENDA

1. Dispense with reading of minutes of meeting held June 24, 2024.
2. Claims as presented except claims of KB's Mini Mart and Steiny's General Store.
3. **RESOLUTION 2024-08 – LARM AGREEMENT 2024-25 was adopted and signed.**

JUNE 2024

EFTPS	FED/FICA TAX	\$ 5,644.98
CITY OF LYONS UTILITIES	UTILITIES	\$ 3,235.91
AMERICAN LEGAL PUBLISHING	CODEBOOK 2024 S1	\$ 1,089.85
ACCO UNLIMITED CORPORATIO	CHEMICALS	\$ 2,521.80
FARM AND HOME INSURANCE	INSURANCE	\$ 428.00
JACK'S UNIFORMS	CLOTHING	\$ 251.75
JOHNSON-ERICKSON-O'BRIAN	GIS MAPPING PROJECT	\$ 14,500.00
KB'S MINI MART	POOL CONCESSIONS	\$ 3,314.62
LYONS MIRROR-SUN	LEGAL PRINTING	\$ 242.85
NEBRASKA DEPT OF REVENUE	STATE TAXES	\$ 1,464.80
NOVUS COMPUTERS	365 EXCHANGE/BUSINESS	\$ 341.20
ONE CALL CONCEPTS, INC.	LOCATE FEE	\$ 55.90
SAVEMORE MARKET	SUPPL	\$ 20.94
MIDWEST LABORATORIES INC	TESTING	\$ 22.00
AMERICAN TEST CENTER (WI)	ANNUAL SAFETY INSPECT	\$ 1,536.00
WASTE CONNECTIONS OF NE	GARBAGE SERV	\$ 8,546.78
JENSEN PLG & HTG INC	REPAIRS	\$ 752.00
NEBR STATE FIRE MARSHALL	BOILER INSP/CERT	\$ 142.00
SAPP BROS PETROLEUM INC	PROPANE	\$ 20.00
NPGA	NATURAL GAS PURCHASES	\$ 5,107.08
USABLUEBOOK	SUPPL	\$ 155.00
US BANK	EQUIP ANIMAL TRAPS	\$ 347.99
CORE & MAIN	SUPPL	\$ 2,216.88
WESCO RECEIVABLES CORP	SUPPL	\$ 412.49
SCOTT'S HARDWARE	MTCE	\$ 13.58



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PORT-A-JOHNS	JUNE SERV	\$ 70.00
CITY EMPLOYEES	HSA	\$ 700.00
LIFEGUARD	AED PADS	\$ 62.00
APPEARA	CLOTHING	\$ 337.10
ONE OFFICE SOLUTION	SUPPL	\$ 61.69
AMERITAS LIFE CORP	RETIREMENT	\$ 2,406.43
JOHNSON & MOCK, PC, LLO	LEGAL FEES	\$ 635.50
NCSPC	GARNISHMENT PAYABLE	\$ 450.46
LARM	INSURANCE	\$ 26,723.00
PAYROLL CHECKS	PAYROLL CHECKS ON 06/28/2024	\$ 24,233.97
July 2024		
AMERITAS LIFE CORP	RETIREMENT PLAN	\$ 2,547.69
BURT COUNTY PUBLIC POWER	ELECTRIC	\$ 2,823.60
BURT COUNTY SHERIFF	AUG SERV	\$ 24.00
CITY EMPLOYEES	HSA	\$ 700.00
CITY EMPLOYEES	PAYROLL CHECKS ON 07/12/2024	\$ 23,485.12
CNA AUTO SERVICE	MTCE	\$ 5.32
COLONIAL RESEARCH CHEMICA	SUPPL	\$ 330.23
EFTPS	FED/FICA TAX	\$ 5,485.17
FASTWYRE BROADBAND	SERV	\$ 588.03
LEW'S FIREWORKS	FIREWORKS	\$ 10,000.00
LORENSEN GRAIN & READY MI	ROCK/GRAVEL	\$ 2,436.21
LYONS MIRROR-SUN	LEGAL PRINTING	\$ 68.62
NPPD COLUMBUS	ELECTRIC	\$ 47,178.84
STEINY'S GENERAL STORE	SUPPL	\$ 1,451.82
VERIZON WIRELESS	SERV - UTIL	\$ 152.70
WESCO RECEIVABLES CORP	SUPPL	\$ 237.54

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

IV. REGULAR AGENDA / NEW BUSINESS

1. Baylor Bestgen with JEO presented council with the Downtown Revitalization Conceptual Plan. With a total projected cost of 2.2 million, council asked for an additional conceptual plan of just lighting and sidewalks.



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2. Motion by Vacha, seconded by Phillips to adopt **RESOLUTION 2024-09** - Authorizing Chief Official to sign an application for CDBG Funds. On roll call, AYE: Steinmeyer, Carr, Phillips, Vacha. NAY: None. **MOTION CARRIED.**
3. Motion by Phillips, seconded by Carr to approve the purchase of 125 Main St. Legally Described as LOT: PT 10-11 BLOCK: 8 LYONS Lyons, NE in the amount of \$1 plus delinquent taxes of \$745.36. On roll call, AYE: Vacha, Steinmeyer, Carr, Phillips. NAY: None. **MOTION CARRIED.**
4. Motion by Steinmeyer, seconded by Vacha to hire Nicole Frahm as Deputy Clerk at \$20/hr. On roll call, AYE: Carr, Phillips, Vacha, Steinmeyer. NAY: None. **MOTION CARRIED.**
5. Motion by Carr, seconded by Phillips to approve Amy Kanger's building permit 2024-017 for a new construction dwelling. On roll call, AYE: Vacha, Steinmeyer, Phillips, Carr. NAY: None. **MOTION CARRIED.**
6. Motion by Phillips, seconded by Steinmeyer to approve payment to JEO in the amount of \$14,500 for the completion of the Lyons GIS Mapping project. On roll call, AYE: Carr, Vacha, Steinmeyer, Phillips. NAY: None. **MOTION CARRIED.**
7. Police Report – Chief Svendsen
Chief Svendsen presented the June police report, which included 21 calls for service, 10 animal control calls, 6 traffic stops, and 43 ordinance violations. Justice Hansen started the SkillBridge program on June 18 and introduced himself to the council. Hansen has completed FEMA 100, FEMA 200, and FEMA 700, which are NLETC requirements. A self-assessment using the LARM Law Enforcement Service Checklist is in progress. Svendsen is also exploring classes to send CEO Olsen to.
8. Library Director Mike Heavrin Library and Grant Report: Income in May was \$800 and this is \$602.08 above the monthly budgetary goal. Income for the fiscal year totals \$6,973.43, which is \$4,598.43 above our FY 2023-2024 goal. Expenses for April came to \$6,064.95, which was \$1,188.70 below the monthly budget. Fiscal year expenses total \$38,590.85, and that is \$418.77 below the approved budget for this point in FY 2023-2024.
E-Rate has been approved for 80% subsidy on internet bill. As a tribute to Mary Jane Bell, Paul and Michelle Roscoe arranged to have a guest speaker for the 4th of July observance. The Humanities speaker was Darrell Draper, who gave a presentation on the Statue of Liberty. The program drew 41 attendees. A significant project has been undertaken by library patrons, with financial support from the Endowment Board, to repaint the entire facility, add shelving, and rearrange the space.
Grant update: The city lost their low-to-medium income status. If the new numbers are used, we will be unable to apply for CDBG DTR Grant. A proposal to the Waste Management Playground Equipment Grant is almost ready to submit. We are asking for \$10,000 to go towards the match of \$25,000 for the new playground equipment. A new grant program called Revitalize Rural Nebraska aims to assist with the



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demolition of dilapidated commercial properties owned by the city. Although the city currently doesn't own any such properties, the program would cover 85% of the demolition cost.

9. Utilities Report – Terry Ueding

- a. Working on plans to put in new culverts under Debbie Ln and the dump road.
- b. Mayor Brink met with Matthew with Olssons to discuss pool issues and was asked to compile a list of issues since the pool has opened to discuss with Olssons and the Contractor. Ueding provided list to council and asked if there was anything else they would like to see added.
Motion by Vacha, seconded by Phillips to purchase a new boiler for the pool from Jensen's for \$36,860. On roll call, AYE: Steinmeyer, Carr, Phillips, Vacha. NAY: None. **MOTION CARRIED.**
- c. School Electric project will be starting July 15 and the Utility Department will be out most of the week working on that project.
- d. Maintainer Hydraulic Controls were fixed. There was a leak in the antler rack.
- e. We are working on implementing some changes at the recycling center to sort #1 plastics and delivering some items to FirstStar Recycling in Omaha and others to Siouxland Recovery in Sioux City as well as residents participating in the Hefty ReNew Program to fill the orange bags with hard to recycle plastics. FirstStar will provide 100 starter packs that will be given to residents at the recycling center.
- f. Terry asked council how they would like him to proceed with approving building permits when lot lines are not surveyed. Suggestion to add a disclaimer to building permit that building permits are approved contingent on setback requirements being met. It is not the city's responsibility to determine lot lines.
- g. A discussion was held regarding concrete being crushed inside city limits in C-2 zone which is against permitted and conditional use. Council asked Ueding to contact the owner to inform him of the zoning violation.
- h. Lighting at the library is being fixed.
- i. Three large gas meters need to be replaced and cost is approximately \$2,500 per meter.
- j. Blue Valley Public Safety is coming to do a maintenance check and study on our siren alarms.

10. Clerk's Report – Whitney Anderson

- a. Clerk Anderson presented the June Treasurer Report. Motion by Vacha, seconded by Phillips to accept Clerk Anderson's Treasurer Report. On roll call, AYE: Steinmeyer, Carr, Phillips, Vacha. NAY: None. **MOTION CARRIED.**
- b. General, Utility, and Debt Service Income Statements for the month ending June 30, 2024. The General Fund had a month-to-date net gain of \$32,640.34 and a year-to-date net gain of \$146,415.88. The Utility Fund had a month-to-date net loss of \$9,424.63 and a year-to-date net gain of \$171,220.02. Debt Service had a month-to-date net gain of \$14,580.07 and a year-to-date net loss of \$41,161.49.
- c. Budget reports for the ninth month (75%) on the General, Utility, and Debt Service Funds were as follows: General Receipts were 47.41%. General Expenses were 37.59%. Utility Receipts were



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83.39%. Utility Expenses were 69.81%. Debt Service Receipts were 71.23% and Debt Service Expenses were 99.99%

- d. FY23-24 Budget with insurance change left approximately \$76,000 on the utility side and \$44,000 on the general side unexpended. This is due to the pro-rate from July-October with the new bill due in October of next fiscal year. Council agreed that they would like to allocate some of the funds to redo an alley. More research will be done on if any more of the budget will be reallocated and decided at future meetings.

11. Motion by Vacha, seconded by Carr to enter executive session at 7:30 PM to discuss employee Jorma Hedges annual review. On roll call, AYE: Steinmeyer, Phillips, Carr, Phillips, Vacha. NAY: None. **MOTION CARRIED.**
Motion by Carr, seconded by Phillips to return to regular session at 7:33 PM. On roll call, AYE: Vacha, Steinmeyer, Phillips, Carr. NAY: None. **MOTION CARRIED.**

12. Motion by Phillips, seconded by Carr to approve a raise to \$13.50/hr for Jorma Hedger effective July 11, 2024. On roll call, AYE: Vacha, Steinmeyer, Carr, Phillips. NAY: None. **MOTION CARRIED**

13. Motion by Phillips, seconded by Carr to approve payment of \$3,314.62 to KB's Mini-Mart. On roll call, AYE: Vacha, Steinmeyer, Carr, Phillips. NAY: None. **MOTION CARRIED**

14. Motion by Carr, seconded by Vacha to approve payment of \$1,451.82 to Steiny's General Store. On roll call, AYE: Phillips, Vacha, Carr. NAY: None. ABSTAIN: Steinmeyer. **MOTION CARRIED.**

15. Budget Workshop scheduled for July 29th at 5:30.

16. Mayor Brink adjourned the meeting at 7:42 PM.

Kyle Brink
Mayor

Whitney Anderson
City Clerk



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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)