



CITY COUNCIL MEETING

Minutes

Tuesday, November 12, 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., November 12, 2024, at Lyons City Hall. Upon roll call, the following Council members were present: Allen Steinmeyer, Kyle Phillips, Tyler Vacha and Matthew Carr. Also in attendance were City Clerk Whitney Anderson, Utility Supervisor Terry Ueding, Library Director Mike Heavrin, and Chief Svendsen.

I. ROUTINE BUSINESS

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 Vacha, seconded by Carr to enter into a Public Hearing. On roll call, AYE: Phillips, Steinmeyer, Carr, Vacha. NAY: None. **MOTION CARRIED.** Mayor Brink opened the Public Hearing at 5:30 PM to consider vacating unimproved east/west right-of-way within block 9 and abutting the following described real estate shall be vacated, to wit: lots 4, 5, 6, 8, 9, 10, and 11, block 9, original, City of Lyons, Burt County, Nebraska. Utility Superintendent Ueding advised council that he has no issues with this vacation as he will still be allowed access to utilities. There being no other verbal or written comments or objections, a motion by Vacha, seconded by Phillips was made to adjourn the Public Hearing. On roll call, AYE: Carr, Steinmeyer, Phillips, Vacha. NAY: None. **MOTION CARRIED.** Mayor Brink Closed the Public Hearing at 5:31 PM.

III. CONSENT AGENDA

1. Dispense with reading of minutes of meeting held October 15, 2024.
2. Claims as presented except claims of KB’s Mini Mart and Steiny’s General Store.

CLAIMS OCT 15-NOV 12 2024

AARON BRENSEL	REIMBURSEMENT UNIFORMS	\$ 177.09
ACCO UNLIMITED CORPORATIO	CHEMICALS	\$ 9,495.00
AMERITAS LIFE CORP	RETIREMENT PLAN	\$ 2,241.32
APPEARA	CLOTHING	\$ 331.56
AUTO VALUE	MTCE	\$ 575.84
BARCO MUNICIPAL PRODUCTS	SUPPL	\$ 1,194.00
BAUER UNDERGROUND	REPAIR EVISTA	\$ 6,424.52
BINSWANGER	MTCE DOOR	\$ 300.56
BLACK DIAMOND ELECTRONICS	ZONING SIGN	\$ 165.00



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BLUE CROSS BLUE SHIELD	HEALTH INS	\$ 13,225.58
BORDER STATES INDUSTRIES	SUPPL	\$ 1,819.05
BURT COUNTY PUBLIC POWER	ELECTRIC	\$ 2,898.00
BURT COUNTY SHERIFF	TELETYPE FEES	\$ 48.00
CENTER POINT LARGE PRINT	BOOKS	\$ 195.36
CITY OF LYONS UTILITIES	UTILITIES	\$ 6,892.15
COMFORT INN	LODGING	\$ 344.85
CONSOLIDATED MANAGEMENT	MEALS-TRAINING	\$ 51.45
CORE & MAIN	SUPPL	\$ 3,762.45
DEPARTMENT OF ENERGY	VENDOR #1880 - ELECTRIC	\$ 4,143.38
DHHS NEB	LIHEAP REFUND	\$ 143.00
EFTPS	FED/FICA TAX	\$ 8,798.64
FASTWYRE BROADBAND	SERV	\$ 610.80
HAWTHORNE INDUSTRIES	SNOW BLADE	\$ 12,450.00
CITY EMPLOYEES	HSA	\$ 1,400.00
HUNDERTMARK, INC	REPAIR POWERWASHER	\$ 1,481.15
INDUSTRIAL SALES	PLANT MTCE	\$ 2,570.97
ITRON	24-25 MAIN/SUPPORT	\$ 2,323.12
JACK'S UNIFORMS	CLOTHING	\$ 521.84
JENSEN PLG & HTG INC	REPAIRS	\$ 684.33
JOHNSON & MOCK	GARNISHMENT	\$ 402.62
JOHNSON & MOCK, PC, LLO	LEGAL FEES	\$ 1,045.50
LARM	INSURANCE	\$111,449.81
LEADING EDGE	GAS BROCHURES	\$ 1,063.00
LINCOLN FINANCIAL	INSURANCE	\$ 747.10
LINCOLN WINWATER WORKS	LINE MTCE	\$ 11,071.90
LORENSEN GRAIN & READY MI	ROCK/CONCRETE	\$ 1,652.79
LYONS FIRE DISTRICT	WATER HOSES	\$ 299.74
LYONS MIRROR-SUN	LEGAL PRINTING	\$ 214.52
MATT PARROTT/STOREY KENWO	LB840 CHECKS	\$ 220.99
MIDWEST ALARM SERVICES	MTCE	\$ 1,376.94
MIDWEST LABORATORIES INC	TESTING	\$ 44.00
MILESTONE LAND SURVEYING	BOUNDARY SURVEY	\$ 1,000.00
MUNICIPAL SUPPLY INC OF	SUPPL	\$ 1,386.71
MURPHY TRACTOR & EQUIP	OIL	\$ 1,203.40



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MUTUAL OF OMAHA	INSURANCE	\$ 366.15
NE LAW ENF TRAINING CTR	LODGING	\$ 75.00
NE PUBLIC HEALTH ENVIRONM	TESTING	\$ 237.00
NEBRASKA DEPT OF REVENUE	STATE TAX	\$ 1,499.21
NEBRASKA LIBRARY COMM.	OVERDRIVE FEE	\$ 500.00
NEBRASKA STATE TREASURER	CAT/DOG LICENSE FEE	\$ 135.42
NENEDD	DD #1 & DD #2 ADMIN	\$ 2,635.00
NOVUS COMPUTERS	365 EXCHANGE/BUSINESS	\$ 491.50
NPGA	NATURAL GAS PURCHASE	\$ 3,479.08
NPPD COLUMBUS	ELECTRIC	\$ 29,858.81
ONE OFFICE SOLUTION	BACKFLOW BROCHURES	\$ 262.00
PAYROLL CHECKS	PAYROLL CHECKS ON 10/17/2024	\$ 18,242.26
PAYROLL CHECKS	PAYROLL CHECKS ON 11/01/2024	\$ 17,656.54
PORT-A-JOHNS	OCT SERV	\$ 70.00
PV BUSINESS SOLUTIONS	2025 OSHA MANUAL	\$ 298.50
RED BARN VETERINARY CLINI	ANIMAL CONTROL	\$ 152.00
S & S LOCKSMITH	REPAIRS	\$ 457.50
S & S PUMPING	LINE MTCE	\$ 1,160.00
SAPP BROS PETROLEUM INC	PROPANE	\$ 20.00
SAVEMORE MARKET	SUPPL	\$ 52.91
SCHMADER ELECTRIC	LINE MTCE EVISTA	\$ 5,209.00
SITEONE LANDSCAPE SUPPLY	FERT	\$ 93.19
T & H ELECTRIC	MTCE	\$ 7,076.02
TERRY UEDING	REIMBURSEMENT WATER SUPPL	\$ 9.97
TOTAL FIRE & SECURITY	ANNUAL FIRE INSPECT	\$ 250.00
UCI	TESTING	\$ 75.00
US BANK	LIB BOOKS	\$ 155.35
VERIZON WIRELESS	SERV-POLICE	\$ 358.91
WASTE CONNECTIONS OF NE	GARBAGE SERV	\$ 8,518.68
WESCO RECEIVABLES CORP	SUPPL	\$ 1,486.96
WHITNEY ANDERSON	MILEAGE REIMBURSEMENT	\$ 151.42

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

IV. REGULAR AGENDA / NEW BUSINESS



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Mayor Brink stated that during this time, comments from members of the public are permitted only on the agenda items listed below. Comments are limited to 2 minutes per individual and 20 minutes total per meeting. If speaking tonight, please state your name, address, and the name of the organization you represent. There was no public comment.

1. Mayor Brink introduced **ORDINANCE NO. 775 - AN ORDINANCE OF THE CITY OF LYONS, NEBRASKA, PROVIDING THE PLATTED, UNIMPROVED EAST/WEST RIGHT-OF-WAY WITHIN BLOCK 9 AND ABUTTING THE FOLLOWING DESCRIBED REAL ESTATE SHALL BE VACATED, TO WIT: LOTS 4, 5, 6, 8, 9, 10, AND 11, BLOCK 9, ORIGINAL, CITY OF LYONS, BURT COUNTY, NEBRASKA; PROVIDING THE OWNERS OF THE ABUTTING REAL ESTATE SHALL TAKE TITLE TO THE RIGHT-OF-WAY SO VACATED; REPEALING CONFLICTING ORDINANCES AND SECTIONS; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.** Motion by Phillips, seconded by Steinmeyer for the suspension of the statutory rule requiring reading on three separate days. On roll call, AYE: Vacha, Carr, Steinmeyer, Phillips. NAY: None. **MOTION CARRIED. ORDINANCE NO. 775** was read by title, and Vacha moved for passage of the ordinance, seconded by Phillips. On roll call, AYE: Steinmeyer, Carr, Phillips, Vacha. NAY: None. **MOTION CARRIED.**
ORDINANCE NO. 775 has been passed, approved, and available in pamphlet form.
2. Joshua Tiedgen was not in attendance to discuss a request for a 4-way stop or speed bump on N 5th St & Everett St. Chief Svendsen offered council to do selectives and gather more data. Future discussion will be had at a future date when more data is collected.
3. Amber Gott was not present to discuss public parking in front of 465 Main St. The Suggestion would be to paint red on the curb where no parking is allowed that would block driveway. There will be no public parking removed at this time.

Dale Miller met with the council to address the issue of two parcels that are still under the City of Lyons' ownership. This situation was only discovered while switching insurance companies. Miller requested that the property be transferred to the Lyons Rural Fire District.
4. Motion by Vacha, seconded by Carr to approve the execution and delivery of a quit claim deed from the City of Lyons to the Lyons Rural Fire District for the South 40' of Lot 8, Block 5, Original and North 40' of Lot 7, Block 5, Original. On roll call, AYE: Steinmeyer, Carr, Vacha. NAY: None. ABSTAIN: Phillips. **MOTION CARRIED.**
5. Kelly Adamson with Three Rivers Housing was not in attendance.
6. Dale Webster and Brad Brink with the Park Advisory Committee discussed adding sewer to the current campground and removal of approximately 5 spots. Mayor Brink suggested getting a drawing and plan drawn up with costs before council makes any decisions. Decision also needs to be had on if this will be hired out or the utility department would install.



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7. Motion by Steinmeyer, seconded by Vacha to approve Mayor Brink's recommendation of appointing Jordan Moody to the LB840 Citizens Advisory Review Committee. On roll call, AYE: Carr, Phillips, Vacha, Steinmeyer. NAY: None. **MOTION CARRIED.**
8. Motion by Vacha, seconded by Carr to adopt **Resolution No. 2024-15**: A resolution authorizing the signing of the Year-End Certification of City Street Superintendent 2024 by the Mayor. On roll call, AYE: Steinmeyer, Phillips, Carr, Vacha. NAY: None. **MOTION CARRIED.**
9. Motion by Phillips, seconded by Carr to approve the Letter Agreement for Professional Services from Olsson on Street Superintendent for calendar year 2025. On roll call, AYE: Vacha, Steinmeyer, Carr, Phillips. NAY: None. **MOTION CARRIED.**
10. Motion by Vacha, seconded by Phillips to approve Northeast Nebraska Economic Development District (NENEDD) service/consultant agreement for construction management for Lyons' 23-PWF-003 grant. On roll call, AYE: Steinmeyer, Carr, Phillips, Vacha. NAY: None. **MOTION CARRIED.**
11. Motion by Steinmeyer, seconded by Carr to approve Drawdown #1 of CDBG funds 23PWF003 in the amount of \$1,445 to NENEDD for General Administration fees. On roll call, AYE: Vacha, Phillips, Carr, Steinmeyer. NAY: None. **MOTION CARRIED.**
12. Motion by Steinmeyer, seconded by Phillips to approve Drawdown #2 of CDBG funds 23PWF003 in the amount of \$1,190 to NENEDD for General Administration fees. On roll call, AYE: Vacha, Carr, Phillips, Steinmeyer. NAY: None. **MOTION CARRIED.**
13. Motion by Steinmeyer, seconded by Phillips to approve agreement with JEO for Architect services for the Park Project Lyons' 23-PWF-003 grant in the amount of \$39,800 contingent upon NENEDD approval. On roll call, AYE: Vacha, Carr, Phillips, Steinmeyer. NAY: None. **MOTION CARRIED.**
14. Police Report – Chief Svendsen
Chief Svendsen presented the police report for October, which included 13 calls for service, 7 traffic citations and warnings, and 4 ordinance violations. Radars are getting recertified for all patrol vehicles, LARM assessment is on November 13.
Motion by Phillips, seconded by Steinmeyer to approve 40 hours of vacation time for Aaron Brensel effective immediately. On roll call, AYE: Vacha, Carr, Steinmeyer, Phillips. NAY: None. **MOTION CARRIED.**
15. Library Director Mike Heavrin Library and Grant Report: Income in September was \$121.09 and this is \$76.83 below the monthly budgetary goal. Income for the fiscal year totals \$7,441.82 which is \$5,266.82 above our FY 2023-2024 goal. Expenses for September came to \$4,617.87, which was \$258.38 below the monthly budget. Fiscal year expenses total \$62,412.02, and that is \$3,749.02 above the approved budget for FY 2023-2024. Painting the library is estimated during the 2nd or 3rd week of December.



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Grant Update: Heavrin has continued monitoring potential funders for the police department security camera project. A letter of Inquiry has been sent to a number of grant resources for funding new playground equipment. Additionally, he is regularly monitoring the Department of Transportation (DOT) grant program, "Safe Streets and Roads for All," which is expected to open in early 2025.

16. Utilities Report – Terry Ueding

- a. Motion by Vacha, seconded by Steinmeyer to purchase two aerators in the amount of 8400 for the sewer lagoon. On roll call, AYE: Phillips, Carr, Steinmeyer, Vacha. NAY: None. **MOTION CARRIED.**
- b. Discussion was held regarding no breaking on Hwy 77 and the paving of the entrance of Main St and Hwy 77. Street Commissioner Vacha will reach out to the Nebraska Dept of Roads.
- c. Motion by Vacha, seconded by Carr to approve the purchase of a 2013 Kubota in the amount of \$10,500. On roll call, AYE: Steinmeyer, Carr, Vacha. NAY: Phillips. MOTION CARRIED.
- d. Ueding advised council that they are working on sewer drawdowns.
- e. Ueding asked council if he was able to send Dolezal to training this winter or if they wanted to wait until after his 6 month probation period. Council unanimously agreed to start training this winter.

17. Clerk's Report – Whitney Anderson

- a. Clerk Anderson presented the October Treasurer Report. Motion by Steinmeyer, seconded by Carr to accept Clerk Anderson's Treasurer Report. On roll call, AYE: Vacha, Phillips, Carr, Steinmeyer. NAY: None. **MOTION CARRIED.**
- b. General, Utility, and Debt Service Income Statements for the month ending October 31, 2024. The General Fund had a month-to-date net loss of \$62,377.10. The Utility Fund had a month-to-date net loss of \$61,135.15. LARM Insurance payment was paid in October. Debt Service had a month-to-date net loss of \$119,262.89.
- c. Budget reports for the first month (8.3%) on the General, Utility, and Debt Service Funds were as follows: General Receipts were 3.18%. General Expenses were 6.63%. Utility Receipts were 8.88%. Utility Expenses were 11.02%. Debt Service Receipts were 5.13% and Debt Service Expenses were 89.21%
- d. Motion by Carr, seconded by Steinmeyer to approve the agreement with enhance PowerManager Utility Billing Suite solutions for a one-time price of \$13,825 and an annual support and maintenance plan of \$5,176/yr. On roll call, AYE: Phillips, Vacha, Steinmeyer, Carr. NAY: None. **MOTION CARRIED.**
- e. Motion by Phillips, seconded by Vacha to approve the purchase of laptops and Microsoft business for council members and mayor from Novus Computers in the amount of \$6,057.50. On roll call, AYE: Steinmeyer, Carr, Vacha, Phillips. NAY: None. **MOTION CARRIED.**
- f. Burt County Public Power is projected rate increase would increase approximately \$7,245. WAPA project to decrease their drought added but increase their base rate over the next two years. Will let the council know when the final numbers are available.
- g. Sewer rates are determined for residential customers by average water usage between January, February and March. Lyons Apartments is questioning if they could be given an average as well.



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Council unanimously agreed that they do not plan on changing ordinance rates at this time and the apartments council install a separate meter for their sprinkler system.

- h. MAP's Training is January 20th at the Lyons Community Center. This will be a free training for board/council members in the surrounding area.

18. Motion by Vacha, seconded by Carr to enter executive session at 7:11 PM to discuss Joel Fredrickson and Lacy Hollman's annual reviews. On roll call, AYE: Steinmeyer, Phillips, Carr, Vacha. NAY: None. **MOTION CARRIED.**
Motion by Vacha, seconded by Steinmeyer to return to regular session at 7:17 PM. On roll call, AYE: Phillips, Carr, Steinmeyer, Vacha. NAY: None. **MOTION CARRIED.**

19. Motion by Steinmeyer, seconded by Phillips to approve a 3% raise for Joel Fredrickson. On roll call, AYE: Vacha, Carr, Phillips, Steinmeyer. NAY: None. **MOTION CARRIED.**

20. Motion by Steinmeyer, seconded by Phillips to approve a \$1.54 raise for Lacy Hollman. On roll call, AYE: Vacha, Carr, Phillips, Steinmeyer, NAY: None. **MOTION CARRIED.**

21. Motion by Carr, seconded by Phillips to approve payment of \$1,603.66 to KB's Mini Mart. On roll call, AYE: Vacha, Steinmeyer, Phillips, Carr. NAY: None. **MOTION CARRIED.**

22. Motion by Carr, seconded by Vacha to approve payment of \$756.71 to Steiny's General Store. On roll call, AYE: Phillips, Vacha, Carr. NAY: None. ABSTAIN: Steinmeyer. **MOTION CARRIED.**

23. Mayor Brink adjourned the meeting at 7:20 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



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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)