

LYONS
CITY COUNCIL MEETING
AGENDA

Tuesday, December 6, 2022 – 5:30 P.M.

A Copy of the "Open Meetings Act" Has Been Posted on the Bulletin Board on the East Side in the Council Chambers.

The City Council reserves the right to go into Executive Session at any time as deemed appropriate and in accordance with State Statute.

I. ROUTINE BUSINESS

1. Meeting called to order.

II. PUBLIC HEARING

III. CONSENT AGENDA

Recommended Action: *Approval of Consent Agenda*

NOTE: All items are automatically approved when the Consent Agenda is approved unless moved to the Regular Agenda by the request of any single Council member.

1. Dispense with reading of minutes of meeting held November 3, 2022.
2. Dispense with reading of minutes of meeting held November 22, 2022.
3. Claims as presented except claims of KB's Mini Mart and Steiny's General Store.
4. Treasurer report.
5. **RESOLUTION NO. 2022-12: A RESOLUTION AUTHORIZING THE SIGNING OF THE YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT 2022 BY THE MAYOR WAS ADOPTED AND SIGNED.**
6. **RESOLUTION NO. 2022-13: A RESOLUTION THAT THE FORM OF PLAN AND TRUST EFFECTIVE NOVEMBER 3, 2002, PRESENTED TO THIS MEETING IS HEREBY APPROVED AND ADOPTED AND THAT AN AUTHORIZED REPRESENTATIVE OF THE EMPLOYER IS HEREBY AUTHORIZED AND DIRECTED TO EXECUTE AND DELIVER TO THE ADMINISTRATOR OF THE PLAN ONE OR MORE COUNTERPARTS OF THE PLAN WAS ADOPTED AND SIGNED.**
7. **RESOLUTION NO. 2022-14: A RESOLUTION THAT ALL CONTRIBUTIONS TO THE CITY OF LYONS NON-QUALIFIED RETIREMENT PLAN SHALL CEASE AS OF NOVEMBER 2, 2022 AND THE CITY OF LYONS NON-QUALIFIED RETIREMENT PLAN SHALL TERMINATE AS OF NOVEMBER 2, 2022 WAS ADOPTED AND SIGNED.**

Motion and second to approve the Consent Agenda/Tabulation of Vote.

IV. REGULAR AGENDA / NEW BUSINESS

Consideration and Action:

1. Acceptance of Election Certificate
State law requires the governing body to formally accept the certificate of election issued by The County Clerk of Burt County for the November 8, 2022 Mayor and City Council General Election. An election certificate containing the vote totals and results is attached. A MOTION to accept the election certificate is in order.
2. Oath of Office: Kyle Brink as Mayor; Tyler Vacha and Kyle Phillips as Council Members.
3. Nominate Council President for calendar year 2023.
 - a. Motion and second from Council members.
 - b. Tabulation of votes.

LYONS

CITY COUNCIL MEETING

AGENDA

Tuesday, December 6, 2022 – 5:30 P.M.

4. Mayor recommends the following appointments for January 1 through December 31, 2023:
 - a. Commissioner for Utilities Distribution & Maintenance: Allen Steinmeyer
 - b. Commissioner for Sanitation, Recycling, & Landfill: Carvin Housh Sr.
 - c. Commissioner for Parks, Pools, Recreation, & Community Center: Kyle Phillips
 - d. Commissioner for City Streets: Tyler Vacha
 - e. Audit Committee: Allen Steinmeyer, Tyler Vacha
 - f. City Physician: Lyons Mercy One Medical Clinic
 - g. Board of Health: Lyons Mercy One Medical Clinic, Chief of Police Bryan Dunn, Kyle Brink, Kyle Phillips
 - h. Council Representative to Library: Carvin Housh Sr.
 - i. City Clerk/Treasurer: Whitney Anderson
 - j. City Attorney: Dan Smith
 - k. Legal Paper: Lyons Mirror-Sun
 - l. Burt County Economic Development: Tyler Vacha & Shawn Vetick
 - m. Northeast Nebraska Economic Development District Council of Officials: Carvin Housh Sr.
 - n. Engineering Company: Olsson Associates
 - o. City Street Superintendent: Matthew Smith of Olsson Associates
 - p. Tree Board: Terry Ueding, Rocky Lane, Steve Schlichting, David Armstrong
 - q. Hearing Officer: Chief of Police Bryan DunnApprove/not approve said appointments above:
 1. Motion and second from Council members
 2. Tabulation of vote.
5. Consider to approve/not approve Mayor Brink's nomination of Jay Maddox on the Planning Commission Board to replace Tyler Vacha.
 - a. Motion and second from Council Members.
 - b. Tabulation of votes.
6. Consider to approve/not approve Mayor Brink's recommendation of appointing Jack Waite on the Lyons Housing Authority Board of Commissioners to replace Dennis Blankenbeckner.
 - a. Motion and second from Council Members.
 - b. Tabulation of votes
7. Fred Schellpeper Jr. with Sundance Investments - Discuss Plans and decide if we want to continue with selected 457 plan or pick a different plan.
 - a. 457 Plan – 5% Match
 - b. Simple IRA – 3% Match
 - c. Govt Entities of Nebraska – 7% MatchMotion and second from Council members
Tabulation of vote.
8. Nate Wing of Olssons – Update on Water Treatment Plant Project
9. Consider to approve/not approve Change Order #17 in the amount of \$2,726.11 for installation costs for boiler.
 - a. Motion and second from Council Members.
 - b. Tabulation of votes

LYONS
CITY COUNCIL MEETING
AGENDA

Tuesday, December 6, 2022 – 5:30 P.M.

10. Consider to approve/not approve Payment #11 to Rubin Construction in the amount of \$2,726.11.
 - a. Motion and second from Council Members.
 - b. Tabulation of votes

- 11. Ordinance No. 752: AN ORDINANCE OF THE CITY OF LYONS, NEBRASKA, RELATING TO APPOINTED OFFICIALS, AND ADDING THE POSITION OF CODE ENFORCEMENT OFFICER.**
 - a. Suspend the Statutory Rule requiring reading on three different days.
 - b. Tabulation of votes.
 - c. Final Passage and adoption of Ordinance No.752 and to be published.
 - d. Tabulation of votes.

- 12. Consider Ordinance No. 753: AN ORDINANCE OF THE CITY OF LYONS, NEBRASKA, RELATING TO MUNICIPAL AND APPOINTED OFFICIALS, AND EMPLOYEES OF THE CITY; PROVIDING A MINIMUM AND MAXIMUM COMPENSATION RANGE SCHEDULE FOR EACH; REPEALING ALL PREVIOUS ORDINANCES, AMENDMENTS, AND SECTIONS IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.**
 - a. Suspend the Statutory Rule requiring reading on three different days.
 - b. Tabulation of votes.
 - c. Final Passage and adoption of Ordinance No.753 and to be published.
 - d. Tabulation of votes.

- 13. Consider Resolution No 2022-15: 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)**
 - a. Motion and second by Council members.
 - b. Tabulation of votes.

14. Consider to approve the building permit by Boyd Jones for the new school at PLT33 THIRD ADD LYONS CITY WEST OF H&K ADD.
 - a. Motion and second
 - b. Tabulation of votes.

15. Police Dept. Report

16. Library & Grant reports by Mike Heavrin.

17. Utilities report.
 - a. New Pickup
 - b. Camera ordered
 - c. Utility Building Roof
 - d. Yellow Truck
 - e. Basket Truck
 - f. Police Cars and Roof
 - g. Digger Truck
 - h. Water Treatment Plant

LYONS
CITY COUNCIL MEETING
AGENDA

Tuesday, December 6, 2022 – 5:30 P.M.

18. Clerk's Report.
 - a. Income Statements.
 - b. Budget Reports.
 - c. 2023 Holiday Calendar
 - d. Comprehensive Plan Survey
 - e. Request for Whitney Anderson and Shalena Findlay to attend the NE Municipal Clerk Institute & Academy in Kearney Sunday, March 12 through Friday, March 17, 2022. Early Bird Registration is \$393 per person.
 - f. Bare Root Seedling Community Nursery Program

19. Consider to move January 3, 2023 Council Meeting to a further date.
 - a. Motion and second from Council Members.
 - b. Tabulation of votes.

20. Consider to approve/not approve using ARPA Funds for the Lagoon Baffle Curtains Replacement Project.
 - a. Motion and second from Council Members.
 - b. Tabulation of votes.

21. Consider to approve a special designated liquor license from Lyons Fire and Rescue Dept for Burt County Fair Kickoff on February 11, 2023 with an alternate date of February 12, 2023.
 - a. Motion and second from Council Members.
 - b. Tabulation of votes.

22. Consider to approve/not approve payment of \$1,195.48 to KB's Mini Mart.
 - a. Motion and second from Council Members.
 - b. Tabulation of votes.

23. Consider to approve/not approve payment of \$1,136.64 to Steiny's General Store.
 - a. Motion and second from Council Members.
 - b. Tabulation of votes.

24. Motion and second by Council members to adjourn the meeting.
 - a. Tabulation of vote.