

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

**LYONS CITY COUNCIL**  
**AGENDA**  
**Tuesday, December 7, 2021 – 5:30 P.M.**

**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**

1. Mayor Fuston to open a Public Hearing to consider comments, suggestions, or objections to the request of vacating a portion of North 8th Ave beginning at Everett St going north, Nelsen's Second Addition all in the City of Lyons.

**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 meetings held November 4 and November 9, 2021.
2. Claims as presented except claims of KB's Mini Mart, CNA Auto, and Steiny's General Store.
3. Treasurer report.

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

**IV. REGULAR AGENDA / NEW BUSINESS**

**Consideration and Action:**

1. Matthew Smith of Olsson - Update on Water Treatment Plant Project.
2. Consider to approve Payment #3 of \$164,759.00 to WesTech Engineering LLC for delivery of filter equipment on the water treatment plant project.
  - a. Approve/not approve.
  - b. Tabulation of votes.
3. Consider to approve Payment #3 of \$326,940.09 to Rubin Construction LLC for work completed on the water treatment plant project.
  - a. Approve/not approve.
  - b. Tabulation of votes.
4. Jim Buck and Dale Webster – Discuss county law enforcement.
5. Mitchell Smith – Discuss Main St and the truck traffic.
6. Consider to approve Ordinance No 748: AN ORDINANCE OF THE CITY OF LYONS, NEBRASKA, CLOSING N 8<sup>TH</sup> AVE FROM EVERETT ST TO THE NORTH, AS PLATTED.
  - a. Suspend the Statutory Rule requiring reading on three different days.
  - b. Tabulation of votes.
  - c. Final Passage and adoption of Ordinance No.748 and to be published.
  - d. Tabulation of votes.
7. Consider to approve Resolution No. 2021-10: A resolution of the City of Lyons, Nebraska providing for full participation by the City of Lyons Nebraska, in the Northeast Nebraska Economic Development District through the execution of an Intergovernmental agreement.
  - a. Motion and second by Council.
  - b. Tabulation of votes.

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8. Consider to approve Resolution No. 2021-11: A resolution authorizing the signing of the Year-End Certification of City Street Superintendent 2021 by the Mayor.
  - a. Motion and second by Council.
  - b. Tabulation of votes.
  
9. Consider to approve Resolution No. 2021-12: A resolution that to maintain adequate fiscal policy safeguards and allow for payment of certain claims prior to approval by the City Council, the City Council desires to adopt the following policy with respect to such claims.
  - a. Motion and second by Council.
  - b. Tabulation of votes.
  
10. Report by Chief Public Safety Officer Moore.
  
11. Discuss having a written procedure for ordinance violations for the Public Safety department, City Clerk's office and the City Attorney's office. Need clarification on the Violation: Penalty sections of the municipal code.
  
12. Library & Grant reports by Mike Heavrin.
  
13. Utilities report.
  - a. Dump and locking it.
  - b. Water plant update.
  - c. Automatic door opener.
  - d. Ordering parts and trying to stay ahead of the game.
  - e. Campers in park?
  - f. New employees.
  - g. Concrete crushing and if we want to buy any back - \$20 dollars a ton.
  
14. Clerk's Report.
  - a. Income Statements.
  - b. Budget Reports.
  - c. 2022 Holiday Calendar.
  - d. Deadline for incumbents for City Council is February 15, 2022.
  - e. Discuss purchasing digital timecard and hr-hub software from GWorks.
  
15. Nominate Council President for calendar year 2022.
  - a. Motion and second from Council members.
  - b. Tabulation of votes.
  
16. Mayor recommends the following appointments for January 1 through December 31, 2022:
  - a. Commissioner for Utilities Distribution & Maintenance: Charlie Wheaton
  - b. Commissioner for Sanitation, Recycling, & Landfill: Carvin Housh Sr
  - c. Commissioner for Parks, Pools, Recreation, & Community Center: Kyle Brink
  - d. Commissioner for City Streets: Allen Steinmeyer
  - e. Audit Committee: Allen Steinmeyer & Carvin Housh Sr
  - f. City Physician: Lyons Mercy One Medical Clinic
  - g. Board of Health: Lyons Mercy One Medical Clinic, Chief Glenn Moore, Allen Steinmeyer, & Andrew Fuston
  - h. Council Representative to Library: Carvin Housh Sr
  - i. City Clerk/Treasurer: Mary Lou Ritter
  - j. City Attorney: Dan Smith
  - k. Legal Paper: Lyons Mirror-Sun
  - l. Burt County Economic Development: Kyle Brink & Shawn Vetick
  - m. Northeast Nebraska Economic Development District Council of Officials: Allen Steinmeyer
  - n. Engineering Company: Olsson
  - o. City Street Superintendent: David Ziska of Olsson

Approve/not approve said appointments above:

  1. Motion and second from Council members
  2. Tabulation of vote.

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17. Discuss giving free bottled water to residents of Lyons. Community volunteers would be needed to start and continue the project.
18. Consider to approve the building permit by Lyons Fire Department for a Sign to be placed out front of hall.
  - a. Motion and second from Council Members.
  - b. Tabulation of votes.
19. Consider to approve/not approve payment of \$389.90 to CNA Automotive Services.
  - a. Motion and second from Council Members.
  - b. Tabulation of votes.
20. Consider to approve/not approve payment of \$1,217.41 to KB's Mini Mart.
  - a. Motion and second from Council Members.
  - b. Tabulation of votes.
21. Consider to approve/not approve payment of \$??? to Steiny's General Store.
  - a. Motion and second from Council Members.
  - b. Tabulation of votes.
22. Executive Session: Discuss potential litigation.
23. Motion and second by Council members to adjourn the meeting.
  - a. Tabulation of vote.