



CITY COUNCIL MEETING

Minutes

Tuesday, August 12, 2025 – 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., August 12, 2025, at Lyons City Hall. Upon roll call, the following Council members were present: Brantley Vavra, Matthew Carr and Kyle Phillips. Absent: Tyler Vacha. Also in attendance were City Clerk Whitney Anderson, Utility Superintendent Terry Ueding, Library Director Lacy Hollman, Grant Writer Mike Heavrin, and Chief Svendsen.

Visitors included Gary Loftis with Lower Elkhorn NRD, Larry Arens with NPPD, and James Bensinger.

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. None

III. CONSENT AGENDA

1. Approval of minutes of special meeting on July 23, 2025, as on file in the City Clerk's Office.
2. Claims as presented except claims of KB's Mini Mart and Megan Vavra.

CLAIMS

ACCO UNLIMITED CORPORATION	CHEMICALS/MTCE	\$ 3,975.50
ANDREW CULLEN	365 EXCHANGE/BUSINESS/MTCE	\$ 292.00
ARMOR EQUIPMENT	TURBOJET CHAIN FLAIL/SUPPL	\$ 3,995.26
ARNOLD MOTOR SUPPLY, LLP	MTCE - RECY BAILER	\$ 170.22
BENCHMARK GOVERNMENT SOLUTIONS	MEALS - OLSEN	\$ 473.00
BIBLIONIX LLC	ANNUAL SUB	\$ 990.00
BLUE CROSS BLUE SHIELD OF NEBR	GROUP HEALTH INSURANCE	\$ 11,313.02
BOMGAARS	SUPPL	\$ 1,648.83
BOO INC	MTCE	\$ 438.24
BORDER STATES INDUSTRIES	SUPPL	\$ 599.85
BRYCE OLSEN	MILEAGE REIMBURSEMENT	\$ 868.00
BURT COUNTY INDEPENDENT	LEGAL PRINTING	\$ 214.53
BURT COUNTY SHERIFF	SEPT TELETYPE FEES	\$ 24.00



CITY COUNCIL MEETING

Minutes

Tuesday, August 12, 2025 – 5:30 P.M.

CENGAGE LEARNING	BOOKS	\$ 26.24
CENTER POINT LARGE PRINT	BOOKS	\$ 198.96
CLASSIC CLEAN CARWASH	JUNE/JULY SERV	\$ 71.92
CMRS-FP	POSTAGE	\$ 600.00
CNA AUTOMOTIVE SERVICES LLC	MTCE	\$ 293.58
COLONIAL RESEARCH CHEMICAL CO	SUPPL	\$ 3,524.25
CUMING COUNTY INDUSTRIES LLC	MTCE	\$ 164.08
DALE VITITO	CLOTHING	\$ 441.89
DALE'S TRASH SERVICE INC	JULY SERV	\$ 70.00
DUDLEY LAUNDRY COMPANY	CLOTHING	\$ 47.08
DUDLEY LAUNDRY COMPANY	CLOTHING	\$ 339.48
EFTPS	TAXES	\$ 6,547.60
FASTWYRE BROADBAND	SERV	\$ 648.96
FRANCISCAN HEALTHCARE	MEDICAL EXPENSE	\$ 381.00
FRANCOTYP-POSTAGE, INC.	METER LEASE	\$ 251.85
CITY EMPLOYEES	HSA	\$ 1,026.17
INTERSTATE POWER SYSTEMS, INC.	MTCE-GENERATOR	\$ 1,333.50
JENSEN PLUMBING & HEATING INC	MTCE - AC UNIT	\$ 865.85
JOHNSON & MOCK, PC, LLO	LEGAL FEES	\$ 2,017.00
LAYNE CHRISTENSEN COMPANY	PLANT MTCE	\$ 420.00
LEAGUE OF NE MUNICIPALITIES	ANNUAL DUES	\$ 2,617.00
LORENSEN LUMBER & GRAIN LLC	CONCRETE/ROCK	\$ 429.52
MAIN STREET SERVICES LLC	MTCE	\$ 134.01
MARTIN MARIETTA MATERIALS	ROCK-LAGOON PROJECT	\$ 1,014.20
MCNALLY OPERATIONS LLC	SUPPL	\$ 279.35
MENARDS - SIOUX CITY	MTCE	\$ 80.91
MIDWEST LABORATORIES INC	TESTING	\$ 30.00
NEBRASKA PUBLIC HEALTH	TESTING	\$ 19.00
NENEDD	DD#8 GEN ADMIN/CONST.	\$ 1,080.00
NPGA	NATURAL GAS PURCHASES	\$ 3,663.06
NPPD	ELECTRIC PURCHASE	\$ 53,272.93
POWERPLAN	MTCE JD 544J	\$ 1,245.28
AMERITAS	RETIREMENT	\$ 2,670.62
SAVEMORE MARKET	LIB SUPPL	\$ 124.81
SCOTT GATEWOOD	SUPPL	\$ 283.55



CITY COUNCIL MEETING

Minutes

Tuesday, August 12, 2025 – 5:30 P.M.

STAN HOUSTON EQUIPMENT CO	MTCE	\$ 2,271.40
STEINY'S GENERAL STORE	SUPPL	\$ 692.09
T & H ELECTRIC	MTCE	\$ 1,459.10
TMS, INC	SERVICE	\$ 183.00
US BANK/CORP PAYMENT SYSTEMS	SUPPL	\$ 1,494.10
VERIZON WIRELESS	SERV	\$ 558.71
WASTE CONNECTIONS OF NE	GARBAGE FEE	\$ 8,858.32
WESCO RECEIVABLES CORP	SUPPL	\$ 464.40
WESTERN AREA POWER ADMIN	ELECTRIC PURCHASED	\$ 7,850.35

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

IV. REGULAR AGENDA / NEW BUSINESS

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. No Public Comment.

1. Gary Loftis with the Lower Elkhorn NRD presented the council with a \$4,000 check for the completion of the Community Forestry Incentive grant. He also provided a funding sign to be placed at the new playground, which is partially funded through the LENRD Recreation Area Development Program, once the project is completed.
2. James Bensinger addressed the Council with concerns regarding late utility fees and presented a written statement, which is now included in the records of the City Clerk. He noted that customers on budget billing were not previously charged late fees under the old software, even though city ordinance provides for a 10% late fee. With the implementation of the new software, budget customers are now being assessed late fees. Bensinger explained that his Social Security checks are received on varying dates throughout the year, causing him to incur late penalties. He requested that the penalty due date be moved to the 30th of each month to alleviate this burden for all customers receiving Social Security benefits.
3. Larry Arens from NPPD presented a new Wholesale Power Contract to the Council. The current contract has a 20-year term ending in 2035, while the proposed contract would extend to 35 years, ending in 2060. Arens explained that NPPD is planning a \$1.4 billion generation facility in Beatrice, which will go out for bond issuance this fall, and that updating contracts to align with the bond's term will help secure favorable rates. He noted that not signing the new contract could risk NPPD choosing not to renew after



CITY COUNCIL MEETING

Minutes

Tuesday, August 12, 2025 – 5:30 P.M.

2035, as well as the loss of CFC financing at 45%. Guest Shelly Bacon asked if the contract was related to NPPD's net-zero carbon goal by 2050, to which Arens responded that while it aligns with the carbon-neutral goal, its primary purpose is to ensure sufficient capacity for the future. The type of capacity may change in the future to help get to the net zero.

4. Motion by Phillips, seconded by Vavra to table **Resolution 2025-09**: Approving Wholesale Power Contract with NPPD. On roll call, AYE: Carr, Vavra, Phillips. NAY: None. ABSENT: Vacha. **MOTION CARRIED.**
5. Motion by Phillips, seconded by Carr to adopt **Resolution 2025-10**: Authorizing the Mayor to sign the Municipal Annual Certification of Program Compliance Form 2025 to Nebraska Board of Public Roads Classifications and Standards. On roll call, AYE: Vavra, Carr, Phillips. NAY: None. ABSENT: Vacha. **MOTION CARRIED.**
6. Motion by Carr, seconded by Phillips to table **ORDINANCE NO. 783 - AN ORDINANCE OF THE CITY OF LYONS, NEBRASKA, TO AMEND MUNICIPAL CODE SECTIONS 95.01 (DEFINING TERMS, INCLUDING "SIDEWALK SPACE") AND 95.09 (PERTAINING TO WEEDS); TO REPEAL ANY AND ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE AN EFFECTIVE DATE; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM.** On roll call, AYE: Vavra, Phillips, Carr. NAY: None. ABSENT: Vacha. **MOTION CARRIED.**
7. Mayor Brink provided the Council with an update on the Park Project. JEO is moving forward with the development of the single park structure that was approved at the July council meeting. Tracy Sporleder with NENEED has confirmed there is no need for an amendment to the CDBG agreement because there haven't been any changes to the budget or National Objective. JEO will have documents wrapped up by the end of August, with the bid opening at the end of September.
8. Motion by Phillips, seconded by Vavra to approve DD#8 of CDBG funds 23PWF003 in the amount of \$1,633.74 for 80% match of invoice 161833 from JEO Consulting and Construction Management and General Admin from NENEDD. On roll call, AYE: Carr, Vavra, Phillips. NAY: None. ABSENT: Vacha. **MOTION CARRIED.** Transfer from General MM to General Checking equals \$138.43
9. Motion by Carr, seconded by Phillips to approve the automatic renewal of a Class CK Liquor License to Ruth Cole, dba Merly's. On roll call, AYE: Vavra, Phillips, Carr. NAY: None. ABSENT: Vacha. **MOTION CARRIED.**
10. Lacy Hollman presented the Lyons Public Library Director's Report. Summer story-time is wrapping up with an average of over a dozen participants each week. Community helpers included Matt Hollman, who taught the children about the importance of organic farming, Gary Fugman, who shared a lesson on astronomy, and Marilyn Tenney, who led a pottery activity. Program updates include Lego Club moving to Tuesdays from 4:00 to 5:00 p.m., Story Time changing to Fridays at 10:00 a.m. beginning August 22, and Board Game Night scheduled on Thursdays from 5:00 to 7:00 p.m. The featured artist for August and September is Elijah Swanson, with an artist reception planned for September 6 from 10:00 a.m. to 12:00



CITY COUNCIL MEETING

Minutes

Tuesday, August 12, 2025 – 5:30 P.M.

p.m. Income reported was \$7.45 from copies and \$15.00 from a meeting room donation, to be deposited into the City's account.

11. Mike Heavrin provided an update on grants, noting that the City is still waiting to hear back on the Police Department Surveillance Project grant application submitted to the Fremont Area Community Foundation. Discussion was held regarding the Water Security Grant, with consideration given to funding part of the surveillance project through cameras at the water treatment plant or purchasing a generator for the water tower. The Council agreed to move forward with an application for a generator at the water tower. It was also noted that the CCCFF grant has an estimated deadline of February 15.
12. Chief Svendsen presented the Police Report, which included 15 calls for service, 1 assist, 10 traffic citations and warnings, and 2 ordinance violations. He noted that Officer Olsen graduates from the Nebraska Law Enforcement Training Center on August 14 and will complete 2–4 weeks of field training following graduation. Officer Olsen will also conduct a bicycle safety class with students at LDNE Schools.
13. **Utilities Report – Terry Ueding**
Fall Cleanup: The Council agreed to move forward with a fall cleanup event, providing two general disposal dumpsters and one metal-only dumpster, available on a first-come, first-served basis.
Sewer Repairs: With the main sewer line plugging, the utility department noticed that the media from the old water treatment plant was the main factor for the clog, along with tree roots and other items. S&S will assist the City with jetting the lines and removing the media.
14. Clerk's Report – Whitney Anderson
 - a. Clerk Anderson presented the July Treasurer Report. Motion by Carr, seconded by Vavra to accept Clerk Anderson's Treasurer Report. On roll call, AYE: Phillips, Vavra, Carr. NAY: None. ABSENT: Vacha. **MOTION CARRIED.**
 - b. General, Utility, and Debt Service Income Statements for the month ending July 31, 2025. The General Fund had a month-to-date net loss of \$22,799.28 and a year-to-date net loss of \$59,180.03. The Utility Fund had a month-to-date net gain of \$10,479.91 and a year-to-date net loss of \$111,771.39.
 - c. Budget reports for the tenth month (83%) on the General, Utility, and Debt Service Funds were as follows: General Receipts were 52.72%. General Expenses were 49.91%. Utility Receipts were 83.75%. Utility Expenses were 81.53%. Debt Service Receipts were 71.15% and Debt Service Expenses were 100%.
 - d. Council received updated rates for CDs as their CD matured on August 12, 2025. Motion by Phillips, seconded by Carr to approve a new term rate of 60 months at 3.75% interest for the City's CD. On roll call, AYE: Vavra, Carr, Phillips. NAY: None. ABSENT: Vacha. **MOTION CARRIED.** The interest of \$97,937.41 from the prior term will go into the ERA and SLA accounts for their annual USDA requirement, and the remaining interest will go into the Utility MM fund.
 - e. The September Regular Meeting will be moved to September 16, 2025, at 5:30 P.M.



CITY COUNCIL MEETING

Minutes

Tuesday, August 12, 2025 – 5:30 P.M.

15. Motion by Carr, seconded by Vavra to approve payment of \$2,038.27 for fuel \$1,394.04 for pool concessions to KB's Mini Mart. On roll call, AYE: Phillips, Vavra, Carr. NAY: None. **MOTION CARRIED.**
16. Motion by Carr, seconded by Phillips to approve payment of \$100 to Megan Vavra for Janitor Services. On roll call, AYE: Phillips, Carr, Brink. NAY: None. ABSTAIN: Vavra. **MOTION CARRIED.**
17. Mayor Brink adjourned the meeting at 7:19 PM.

Kyle Brink

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)