



## CITY COUNCIL MEETING

### Minutes

**Tuesday, December 10, 2024 – 5:30 P.M.**

A regular meeting of the City Council of the City of Lyons was called to order by Council President Steinmeyer at 5:31 P.M., December 10, 2024, at Lyons City Hall. Upon roll call, the following Council members were present: Allen Steinmeyer, Kyle Phillips, Tyler Vacha, and Matthew Carr. Mayor Brink had an emergency and was absent. Also in attendance were City Clerk Whitney Anderson, Utility Supervisor Terry Ueding, Library Director Mike Heavrin, and Chief Svendsen. Visitors were Kyle and Abby Simonsen.

#### **I. ROUTINE BUSINESS/COUNCIL REORGANIZATION**

Steinmeyer 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.

Motion by Carr, seconded by Vacha to approve consent agenda item 1. Approval of minutes of regular meeting on November 12, 2024, as on file in the City Clerk's Office. On roll call, AYE: Phillips, Vacha, Carr, Steinmeyer. NAY: None. **MOTION CARRIED.**

Motion by Phillips, seconded by Steinmeyer, that the Certificate of Election of the November 5, 2024, General Election, as certified by the County Clerk, be received and placed on file. On roll call, AYE: Vacha, Carr, Phillips. NAY: None. **MOTION CARRIED.**

Clerk Anderson presented Allen Steinmeyer with a Certificate of Appreciation for his 24 Years of Service.

Meeting Adjourned Sine Die at 5:33 P.M.

Council Member Phillips called the meeting to order at 5:34. Phillips 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. Upon roll call, the following Council members were present: Brantley Vavra, Kyle Phillips, Tyler Vacha and Matthew Carr. Mayor Brink had an emergency and was absent.

Clerk Anderson administered the Oath of Office to Brantley Vavra and Matthew Carr as the newly elected Council Members.

Motion by Vavra, seconded by Carr to Nominate Kyle Phillips as Council President. On roll call, AYE: Vacha, Carr, Vavra. NAY: None. Abstain: Phillips. **MOTION CARRIED.**



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II. PUBLIC HEARING

- 1. Motion by Vacha, seconded by Carr to enter into a Public Hearing. On roll call, AYE: Vavra, Carr, Vacha. NAY: None. MOTION CARRIED. Council President Phillips opened the Public Hearing at 5:40 PM to to hear comments, suggestions, agreements, or objections pertaining to the adoption of an official zoning map, as amended. There being no other verbal or written comments or objections, a motion by Carr, seconded by Vacha was made to adjourn the Public Hearing. On roll call, AYE: Vavra, Carr, Vacha. NAY: None. MOTION CARRIED. Council President Phillips Closed the Public Hearing at 5:40 PM.

III. CONSENT AGENDA

- 1. Approved above.
2. Claims as presented except claims of KB’s Mini Mart.
3. Approve the Amended Northeast Nebraska Economic Development District (NENEDD) service/consultant agreement for construction management for Lyons’ 23-PWF-003 grant.
4. 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 WAS ADOPTED AND SIGNED.
5. RESOLUTION NO. 2024-15: A RESOLUTION AUTHORIZING THE SIGNING OF THE YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT 2024 BY THE MAYOR WAS ADOPTED AND SIGNED.

Claims Nov 13- Dec 10, 2024

Table with 3 columns: Vendor Name, Description, and Amount. Rows include ACCO UNLIMITED CORPORATIO (\$564.35), AMERITAS LIFE CORP (\$4,378.16), APPEARA (\$331.56), AUTO VALUE (\$219.29), BLUE CROSS BLUE SHIELD (\$7,593.04), BLUE VALLEY PUBLIC SAFETY (\$1,850.00), BOK FINANCIAL (\$2,031.25), BOMGAARS (\$506.78), BORDER STATES INDUSTRIES (\$571.85), BURT COUNTY CLERK (\$100.00), BURT COUNTY PUBLIC POWER (\$2,898.00), BURT COUNTY SHERIFF (\$24.00), BURT COUNTY TREASURER (\$50.00), and CENGAGE LEARNING (\$109.46).



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CENTER POINT LARGE PRINT	BOOKS	\$ 194.76
CHAD BREHMER	2013 KUBOTA RTV 1100	\$ 10,500.00
CHASE NYC BANK	POOL BOND PRINCIPAL	\$ 126,571.25
CITY EMPLOYEES	HSA	\$ 700.00
CITY EMPLOYEES	PAYROLL CHECKS	\$ 38,967.17
CITY OF LYONS UTILITIES	UTILITIES	\$ 5,342.50
COLONIAL RESEARCH CHEMICA	SUPPL	\$ 165.07
DEPARTMENT OF ENERGY	ELECTRIC	\$ 6,178.56
DEPOSIT REFUNDS	REFUND DATE 12/10/2024	\$ 797.36
DUTTON-LAINSON COMPANY	REMOTE SUPPORT	\$ 322.50
EFTPS	FED/FICA TAX	\$ 9,223.00
FASTWYRE BROADBAND	SERV	\$ 564.20
FIREGUARD INC	FIRE INSPECT	\$ 574.30
FP MAILING SOLUTIONS	POSTAGE	\$ 600.00
G WORKS	2025 LICENSE SUPPORT	\$ 12,000.00
IOWA PUMP WORKS, INC.	MTCE	\$ 5,563.37
JACK'S UNIFORMS	CLOTHING	\$ 28.50
JENSEN PLG & HTG INC	MTCE	\$ 1,213.48
JOHNSON & MOCK	GARNISHMENT PAYABLE	\$ 264.66
JOHNSON & MOCK, PC, LLO	LEGAL FEES	\$ 1,251.00
LARM	INSURANCE-KUBOTA	\$ 123.91
LEO'S PUMP SHOP	MTCE	\$ 2,953.94
LINCOLN FINANCIAL	INSURANCE	\$ 466.13
LINCOLN WINWATER WORKS	SUPPL	\$ 89.97
LORENSEN GRAIN & READY MI	ROCK/GRAVEL	\$ 1,009.21
LYONS MIRROR-SUN	LEGAL PRINTING	\$ 296.89
LYONS POSTMASTER	1YR BOX FEE - LIB	\$ 154.00
MAIN STREET SERVICES LLC	MTCE SCAG	\$ 539.54
MEAN	TRAINING	\$ 478.00
MEGAN VAVRA	JANITOR SERV OCT	\$ 350.00
MENARDS - SIOUX CITY	SUPPL	\$ 129.92
MIDWEST LABORATORIES INC	TESTING	\$ 339.09
MS ROOF REPAIRS	ROOF REPAIRS	\$ 5,715.00
MUTUAL OF OMAHA	INSURANCE	\$ 293.55
NEBRASKA DEPT OF REVENUE	SALES AND USE TAX	\$ 10,094.92



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NOVUS COMPUTERS	365 EXCHANGE/BUSINESS	\$ 165.00
NOVUS COMPUTERS	COUNCIL LAPTOPS	\$ 6,057.50
NPGA	NATURAL GAS	\$ 6,363.81
NPPD COLUMBUS	ELECTRIC PURCHASE	\$ 28,051.29
OMAHA WINWATER	LINE MTCE	\$ 648.62
ONE OFFICE SOLUTION	SUPPL	\$ 210.77
PORT-A-JOHNS	NOV SERV	\$ 70.00
POWERMANAGER	SOFTWARE	\$ 13,825.00
POWERPLAN	MTCE SKID STEER	\$ 1,417.33
SAVEMORE MARKET	SUPPL	\$ 35.31
SOOLAND BOBCAT	TREE PULLER RENTAL	\$ 267.50
STEINY'S GENERAL STORE	SUPPL	\$ 644.90
T SQUARE SUPPLY	FIRE EXTINGUISHER	\$ 32.00
THE RADAR SHOP	RADAR INSPECT	\$ 128.00
US BANK	POLICE SUPPL	\$ 775.48
USABLUBOOK	SUPPL	\$ 220.31
USDA RURAL DEVELOPMENT	WATER BOND ISSUE FEE	\$ 2,000.00
UTILITY EQUIPMENT	SUPPL	\$ 823.37
VERIZON WIRELESS	SERV-POLICE	\$ 358.91
WASTE CONNECTIONS OF NE	GARBAGE SERV NOV/DEC	\$ 17,351.61
WESCO RECEIVABLES CORP	SUPPL	\$ 326.03

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

#### **IV. REGULAR AGENDA / NEW BUSINESS**

Council President Phillips 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. Council President Phillips introduced **ORDINANCE NO. 776 - AN ORDINANCE OF THE CITY OF LYONS, NEBRASKA, ADOPTING AN OFFICIAL ZONING MAP OF THE CITY; REPEALING ANY AND ALL ORDINANCES AND SECTIONS THEREOF IN CONFLICT HERewith; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.** Motion by Vacha, seconded by Carr for the suspension of the statutory rule requiring reading on three separate days. On roll call, AYE: Vavra, Vacha, Carr. NAY: None.



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**MOTION CARRIED. ORDINANCE NO. 776** was read by title, and Carr moved for passage of the ordinance, seconded by Vavra. On roll call, AYE: Vacha, Vavra, Carr. NAY: None. **MOTION CARRIED. ORDINANCE NO. 776 has been passed, approved, and available in pamphlet form.**

2. Mayor recommends the following appointments for January 1 through December 31, 2025:
  - a. Commissioner for Utilities Distribution & Maintenance: Kyle Phillips
  - b. Commissioner for Sanitation, Recycling, & Landfill: Matthew Carr
  - c. Commissioner for Parks, Pools, Recreation, & Community Center: Brantley Vavra
  - d. Commissioner for City Streets: Matthew Carr
  - e. Audit Committee: Brantley Vavra, Matthew Carr
  - f. City Physician: Saint Francis Memorial Hospital
  - g. Board of Health: Saint Francis Memorial Hospital, Chief of Police, Kyle Brink, Kyle Phillips
  - h. Council Representative to Library: Tyler Vacha
  - i. City Clerk/Treasurer: Whitney Anderson
  - j. City Attorney: Matthew Munderloh
  - k. Legal Paper: Lyons-Mirror Sun
  - l. Burt County Economic Development: Tyler Vacha & Cassie Myers
  - m. Northeast Nebraska Economic Development District Council of Officials: Tyler Vacha
  - n. Engineering Company: JEO
  - o. City Street Superintendent: Matthew Smith of Olsson Associates
  - p. Tree Board: Terry Ueding, Rocky Lane, Steve Schlichting, David Armstrong
  - q. Hearing Officer: Matthew Munderloh
  - r. Building Inspector: Terry Ueding
  - s. Utility Superintendent: Terry Ueding
  - t. Chief of Police: Joshua Svendsen
  - u. Floodplain Administrator: Kyle Brink

Motion by Carr, seconded by Vacha to approve said appointments above. On roll call, AYE: Vavra, Vacha Carr. NAY: None. **MOTION CARRIED.**

3. Mayor Brink recommendations for the following appointments:
  - a. Appoint Lexi Ronnfeldt and McKinna McCulloch to the Library Board for 4-year terms, replacing Leah Miller and Linda Alford.
  - b. Reappoint Travis Williams and Kassie Jensen as Planning Commission Members for a 3-year term.
  - c. Appoint ??? as a Housing Authority Member for a 5-year term, replacing RonDa Armagost.
  - d. Reappoint Ross Bacon and Glenn Thummel, and appoint Jesse Frahm to replace Brantley Vavra as a Board of Adjustments Member for a 3-year term.
  - e. Reappoint Julie Brehmer as a Park and Rec Advisory Board Member for a 4-year term.

Motion by Vacha, seconded by Carr to approve above appointments a,b,d,e and table c. On roll call, AYE: Vavra, Carr, Vacha. NAY: None. **MOTION CARRIED.**



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4. Motion by Carr, seconded by Vavra to adopt **Resolution No. 2024-16 - 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.** On roll call, AYE: Vacha, Vavra, Carr. NAY: None. **MOTION CARRIED.**
5. Kyle and Abby Simonsen attended to express concern that a faulty ERT had caused their water meter to read incorrectly, resulting in significant back charges. Council agreed Anderson should collaborate with the Simonsen's on a payment plan for a percentage of the usage during the time the meter was not functioning properly. Council would like to see a better process to ensure faulty ERTs are caught in a timely manner moving forward.

Mayor Brink arrived at 6:20 P.M.

6. Police Report – Chief Svendsen  
Chief Svendsen presented the police report for November, which included 16 calls for service, 8 traffic citations and warnings, and 9 ordinance violations. Radars were recertified for all patrol vehicles on December 7. All officers meet certification requirements for NLETC. Been speaking with Flock Security Cameras for a potential camera security system and working with Mike Heavrin for possible grants. Patrol Sergeant Brensel's last day was December 6. Chief Svendsen performed a selective for data collection at North 5<sup>th</sup> & Everett St. Results were provided to the council and no further action was taken.
7. Library Director Mike Heavrin Library and Grant Report: Income in October was \$0 and this is \$197.13 below the monthly budgetary goal. Income for the fiscal year totals \$0 which is \$197.13 below our FY 2024-2025 goal. Expenses for October came to \$12,670.26, which was \$5,911.74 above the monthly budget. Fiscal year expenses total \$12,670.26, and that is \$5,911.74 above the approved budget for FY 2024-2025. Refresh project for the library is underway. Once complete the library staff with weed and reorganize the newly remodeled facility. The Festival of Trees event went very well and approximately \$1,200 was raised to help pay costs associated with the Refresh Project. Ne-Brass-Ka and Bancroft Bell Choir Christmas was held Saturday, December 7<sup>th</sup> in the meeting room.  
Grant Update: Waste Management Grant application was denied. Heavrin reached out to Landscape Structures about potential funding. Continued monitoring of potential funders for the police department security camera project. Safe Streets and Roads for All will likely open in early 2025 for the next round of grants.  
Clerk Anderson asked Heavrin when she can expect a response regarding our auditor's question concerning the discrepancy in income reported for FY 23-24. The Library report shows \$500 more in income than the City's report under the Geri Dekker Memorial. Anderson mentioned that if he can obtain details about the donation, including the month it was deposited and the check number, Anderson will follow up with the bank. Additionally, Heavrin stated that he will provide the Library Minutes for FY 23-24, as the auditors only received the agendas.

8. Utilities Report – Terry Ueding



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- a. Park benches are assembled and Ueding would like input on best locations. There are four benches and they will be cemented to the ground.
- b. Since the previous street sweeper is no longer in business, Ueding is looking into other options of either renting or purchasing our own.
- c. Sewer Aerators have been ordered.
- d. There is no update on the jake break signs on the highway. Vacha received information on the contractors resurfacing the highway and will contact to get a quote to do the spur at Hwy 77 and Main St.

#### 9. Clerk’s Report – Whitney Anderson

- a. Clerk Anderson presented the November Treasurer Report. Motion by Phillips, seconded by Carr to accept Clerk Anderson’s Treasurer Report. On roll call, AYE: Vacha, Vavra, Carr, Phillips. NAY: None.

**MOTION CARRIED.**

- b. General, Utility, and Debt Service Income Statements for the month ending November 30, 2024. The General Fund had a month-to-date net loss of \$28,299.67 and a year-to-date net loss of \$90,676.77. The Utility Fund had a month-to-date net loss of \$24,590.24 and a year-to-date net loss of \$85,725.39. Debt Service had a month-to-date net gain of \$890.31 and a year-to-date net loss of \$118,372.58.
- c. Budget reports for the second month (16.6%) on the General, Utility, and Debt Service Funds were as follows: General Receipts were 5.47%. General Expenses were 10.38%. Utility Receipts were 16.18%. Utility Expenses were 18.86%. Debt Service Receipts were 5.75% and Debt Service Expenses were 89.21%
- d. Power Manager has been installed and is set to go live in March or April.
- e. The Letter of Conditions for the USDA Loan for the Water Treatment Plant Project outlines the following financial requirements:
  - 1. A Debt Service Reserve account is required with annual contributions of \$3,276 until a total of \$32,670 is accumulated.
  - 2. An annual contribution of \$44,000 is also needed for the Short-Lived Asset Reserve, which is intended for the replacement of water tower painting, water meters, water wells, and filter plant equipment.

In 2024, Anderson transferred funds from the Utility Money Market (MM) account to support both of these reserves. She will continue to use money from the Utility MM account for 2025. Moving forward, we will work on an ordinance to set aside funds for our Utility MM, Short-Lived Asset (SLA), and Emergency Reserve Account (ERA).

f.

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#### **2025 Holiday Schedule**

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New Year's Day	Wednesday	January 1, 2025
Martin Luther King Jr Day	Monday	January 20, 2025
President's Day	Monday	February 17, 2025



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Arbor Day (floating)	Friday	April 25, 2025
Memorial Day	Monday	May 26, 2025
4th of July	Friday	July 4, 2025
Labor Day	Monday	September 1, 2025
Veteran's Day	Tuesday	November 11, 2025
Thanksgiving Day	Thursday	November 27, 2025
Day After Thanksgiving Day	Friday	November 28, 2025
Christmas Day	Thursday	December 25, 2025
Day after Christmas	Friday	December 26, 2025

- g. Delinquent Utilities are being taken care of with updated liens placed on properties.
  - h. Motion by Phillips, seconded by Vacha to approve the purchase of a 20" floor scrubber in the amount of \$3,500 from Eakes. On roll call, AYE: Vavra, Carr, Vacha, Phillips. NAY: None. **MOTION CARRIED.**
10. Motion by Phillips, seconded by Vacha to enter executive session at 7:24 PM to discuss Mary Strohmyer's annual reviews. On roll call, AYE: Vavra, Carr, Vacha, Phillips. NAY: None. **MOTION CARRIED.**  
Motion by Vacha, seconded by Carr to return to regular session at 7:25 PM. On roll call, AYE: Phillips, Vavra, Carr, Vacha. NAY: None. **MOTION CARRIED.**
11. Motion by Vacha, seconded by Carr to approve a \$1.03 raise for Mary Strohmyer. On roll call, AYE: Vavra, Phillips, Carr, Vacha. NAY: None. **MOTION CARRIED.**
12. Motion by Carr, seconded by Phillips to approve payment of \$1,202.68 to KB's Mini Mart. On roll call, AYE: Vacha, Steinmeyer, Phillips, Carr. NAY: None. **MOTION CARRIED.**
13. Mayor Brink adjourned the meeting at 7:28 PM.

Kyle Brink  
Mayor





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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)