CITY COUNCIL MEETING

Minutes

Tuesday, December 9, 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., December 9, 2025, at Lyons City Hall. Upon roll call, the following Council members were present: Tyler Vacha and Kyle Phillips. Absent: Matthew Carr. 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 Roger Gustafson with Lower Elkhorn NRD.

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 regular meeting on November 18, 2025, as on file in the City Clerk's Office.
2. Claims as presented, except claims of KB's Mini Mart.
3. **RESOLUTION NO. 2025-18:** A resolution authorizing the signing of the Year-End Certification of City Street Superintendent 2025 by the Mayor was adopted and signed.

CLAIMS

ACCO UNLIMITED CORPORATION	CHEMICALS	$	8,051.97
AMERITAS	RETIREMENT	$	5,090.39
ANDREW CULLEN	MTCE	$	938.73
ARMOR EQUIPMENT	STREET SWEEPER RENTAL	$	2,667.00
ARNOLD MOTOR SUPPLY, LLP	MTCE	$	240.90
AUSTIN SHANYFELT	REIMBURSEMENT FINGERPRINT	$	10.00
BLUE CROSS BLUE SHIELD OF NEBR	GROUP HEALTH INS	$	11,870.84
BOKF, NA	SEWER BOND	$	1,893.75
BOO INC	EQUIP	$	675.00
BURT COUNTY INDEPENDENT	LEGAL PRINTING	$	149.06
BURT COUNTY PUBLIC POWER	ELECTRIC	$	3,382.85
BURT COUNTY SHERIFF	JAN TELETYPE FEES	$	24.00

CENTER POINT LARGE PRINT	BOOKS	$	199.56
CITY EMPLOYEES	HSA	$	2,092.34
CMRS-FP	POSTAGE	$	600.00
CNA AUTOMOTIVE SERVICES LLC	MTCE	$	171.96
COMPLETE SECURITY & INVESTIGATIONS	2/3 PMT SECURITY CAMERAS	$	9,833.33
DALE'S TRASH SERVICE INC	NOV SERV	$	70.00
DUDLEY LAUNDRY COMPANY	CLOTHING	$	652.40
EFTPS	PAYROLL TAX	$	10,665.54
FASTWYRE BROADBAND	SERV	$	798.57
FIREGUARD INC	FIRE ALARM INSPECT	$	484.00
GOOSMAN LAW FIRM, PLC	LEGAL FEES	$	1,347.50
GOOSMAN LAW FIRM, PLC	LB840 LEGAL FEES	$	73.50
GPM	PLANT MTCE	$	504.00
GUARDIAN	INSURANCE	$	500.04
IOWA PUMP WORKS INC	PLANT MTCE	$	2,106.00
JENSEN PLUMBING & HEATING INC	MTCE	$	120.08
JEO CONSULTING GROUP	DD#10 PARK PROJECT	$	2,831.25
JOHNSON & MOCK, PC, LLO	OCT LEGAL FEES	$	2,149.50
JOHNSON & MOCK, PC, LLO	OCT LB840 LEGAL FEES	$	514.50
JOSH SVENDSEN	POSTAGE REIMBURSEMENT	$	16.85
LEO'S PUMP SHOP INC	MTCE - WELL	$	416.60
LORENSEN LUMBER & GRAIN LLC	ROCK	$	119.00
LYONS POSTMASTER	ANNUAL BOX FEE - LIB	$	162.00
MATTHEW R SCHERE	ROOF MTCE	$	6,051.00
MCNALLY OPERATIONS LLC	SHIPPING	$	60.29
MIDWEST LABORATORIES INC	TESTING	$	181.57
NEB DEPT OF WATER, ENERGY & ENVIR	DOLEZAL WW TEST	$	125.00
NEBR DEPT OF REVENUE	SALES AND USE TAX/PAYROLL TAX	$	8,771.32
NEBRASKA DEPT. OF WATER, ENERGY, & ENVIR	GRADE III WATER RAABE	$	115.00
NEBRASKA MUNI CLERK INSTITUTE	CLERK SCHOOL FRAHM/ANDERSON	$	886.00
NPGA	NATURAL GAS	$	10,778.41
NPPD	ELECTRIC	$	30,019.06
P & H ELECTRIC	CREDIT	$	(933.42)
POWERMANAGER	2026 SOFTWARE/SUPPORT	$	5,983.44

POWERPLAN	EQUIP RENTAL	$	1,050.00
PV BUSINESS SOLUTIONS INC	SUPPL	$	298.50
S & W WELDING	MTCE - SPRAYER YELLOW TRUCK	$	20.00
SAVEMORE MARKET	SUPPL	$	122.81
STEINY'S GENERAL STORE	SUPPL	$	713.22
T SQUARE SUPPLY	MTCE	$	32.00
THURMAN PSYCHOLOGICAL LLC	SERV	$	325.00
TMS, INC	SERVICE	$	109.50
US BANK/CORP PAYMENT SYSTEMS	SUPPL	$	870.77
VERIZON WIRELESS	SERV	$	193.07
VETICK CONSTRUCTION	SUPPL	$	89.29
WASTE CONNECTIONS OF NE	GARBAGE SERV	$	8,810.43
WESTERN AREA POWER ADMIN	ELECTRIC	$	6,644.40

Motion by Vacha, seconded by Phillips to approve the consent agenda. On roll call, AYE: Phillips, Vacha, Brink. NAY: None. ABSENT: Carr. **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. Motion by Phillips, seconded by Vacha to approve the appointment of Jay Maddox as Councilmember to fill the vacancy of Brantley Vavra, whose term of office would continue until the first meeting in December 2028. On roll call, AYE: Vacha, Phillips, Brink. NAY: None. ABSENT: Carr. **MOTION CARRIED.**

Clerk Anderson administered the Oath of Office to Jay Maddox as the newly appointed Council Member.

2. Motion by Vacha, seconded by Maddox to approve the nomination of Kyle Phillips as Council President. On roll call, AYE: Maddox, Vacha, Brink. NAY: None. ABSTAIN: Phillips. ABSENT: Carr. **MOTION CARRIED.**

3. Mayor recommends the following appointments for January 1 through December 31, 2026:
    a. Commissioner for Utilities Distribution & Maintenance: Kyle Phillips
    b. Commissioner for Sanitation, Recycling, & Landfill: Matthew Carr
    c. Commissioner for Parks, Pools, Recreation, & Community Center: Jay Maddox
    d. Commissioner for City Streets: Matthew Carr
    e. Audit Committee: Jay Maddox, 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: Burt County Independent
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: Dave Ziska 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 Phillips, seconded by Vacha to approve said appointments above. On roll call, AYE: Maddox, Vacha, Phillips. NAY: None. ABSENT: Carr. **MOTION CARRIED.**

4. Mayor Brink recommendations for the following appointments:
   a. Reappoint Brian Raabe as a Housing Authority Member for a 5-year term.
   b. Reappoint Lexi Ronnfeldt as a Board of Adjustments Member for a 3-year term.
   c. Appoint Jesse Frahm to the Planning Commission Member and as the Planning Commission representation on the Board of Adjustments, both for a 3-year term, replacing Jay Maddox.
   d. Appoint Sharon Brink to complete Erin Mockler's term as a Board of Adjustments Member. Term ends 1/1/27.
   e. Reappoint Brad Brink as Park and Rec Advisory Board Member for a 4-year term.
   f. Appoint Sam Barada to complete Julie Brehmer's term as Park and Rec Advisory Board Member. Term ends 1/1/29.

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

5. Lower Elkhorn NRD Board of Directors member Roger Gustafson presented the City with a check for $24,814.12, along with a funding sign, for the completion of the lagoon rocking project funded through their Urban Conservation Assistance Program. The Council thanked Gustafson and the Lower Elkhorn NRD for their partnership on this project.

6. Council received a bid summary from JEO regarding the Brink Memorial Park Improvements Project for a new pavilion. Three bids were received on November 20, 2025. JEO advised that Nelson Construction, LLC

has the capabilities to complete the project in accordance with the Contract Documents and is the lowest responsible bidder.
Motion by Vacha, seconded by Phillips to approve the bid from Nelson Construction, LLC as the contractor for the Brink Memorial Park Improvements project. On roll call, AYE: Maddox, Phillips, Vacha. NAY: None. ABSENT: Carr. **MOTION CARRIED.**

7. Mayor Brink introduced **ORDINANCE NO. 788 - AN ORDINANCE OF THE CITY OF LYONS, NEBRASKA, ESTABLISHING A FEE AND TAX SCHEDULE TO INCLUDE THE VARIOUS AND CERTAIN FEES AND TAXES CHARGED BY THE CITY FOR VARIOUS PERMITS, SERVICES, LICENSES, AND OTHER MATTERS; REPEALING CONFLICTING ORDINANCES AND SECTIONS THEREOF; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.** Motion by Phillips, seconded by Vacha for the suspension of the statutory rule requiring reading on three separate days. On roll call, AYE: Maddox, Vacha, Phillips. NAY: None. ABSENT: Carr. **MOTION CARRIED. ORDINANCE NO. 788** was read by title, and Vacha moved for the passage of the ordinance, seconded by Maddox. On roll call, AYE: Phillips, Maddox, Vacha. NAY: None. ABSENT: Carr. **MOTION CARRIED. ORDINANCE NO. 788 has been passed, approved, and available in pamphlet form.**

8. Mayor Brink introduced **ORDINANCE NO. 789 - AN ORDINANCE OF THE CITY OF LYONS, NEBRASKA, REQUIRING A PERMIT AS A CONDITION OF AN ELECTRICAL UTILITY CONSUMER'S USE OR MAINTENANCE OF A GENERATOR; PROVIDING A PENALTY FOR VIOLATIONS; REPEALING MUNICIPAL CODE SECTIONS, ORDINANCES, AND RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM.** Motion by Phillips, seconded by Maddox for the suspension of the statutory rule requiring reading on three separate days. On roll call, AYE: Vacha, Maddox, Phillips. NAY: None. ABSENT: Carr. **MOTION CARRIED. ORDINANCE NO. 789** was read by title, and Phillips moved for the passage of the ordinance, seconded by Maddox. On roll call, AYE: Vacha, Maddox, Phillips. NAY: None. ABSENT: Carr. **MOTION CARRIED. ORDINANCE NO. 789 has been passed, approved, and available in pamphlet form.**

9. Mayor Brink introduced **ORDINANCE NO. 790 - AN ORDINANCE OF THE CITY OF LYONS, NEBRASKA, AMENDING EXISTING CITY CODE SECTIONS 94.30 AND 94.31 PERTAINING TO THE MEMBERSHIP OF THE CITY'S TREE BOARD; INCREASING THE MEMBERSHIP IN NUMBER FROM FOUR TO FIVE; REPEALING MUNICIPAL CODE SECTIONS, ORDINANCES, AND RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM.** Motion by Vacha, seconded by Maddox for the suspension of the statutory rule requiring reading on three separate days. On roll call, AYE: Phillips, Maddox, Vacha. NAY: None. ABSENT: Carr. **MOTION CARRIED. ORDINANCE NO. 790** was read by title, and Phillips moved for the passage of the ordinance, seconded by Maddox. On roll call, AYE: Vacha, Maddox, Phillips. NAY: None. ABSENT: Carr. **MOTION CARRIED. ORDINANCE NO. 790 has been passed, approved, and available in pamphlet form.**

10. Mayor Brink introduced **ORDINANCE NO 791 - AN ORDINANCE OF THE CITY OF LYONS, NEBRASKA, AMENDING EXISTING CITY CODE SECTION 32.01 PERTAINING TO THE CITY'S LIBRARY BOARD; REPEALING**

MUNICIPAL CODE SECTIONS, ORDINANCES, AND RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM. Motion by Vacha, seconded by Maddox for the suspension of the statutory rule requiring reading on three separate days. On roll call, AYE: Phillips, Maddox, Vacha. NAY: None. ABSENT: Carr. **MOTION CARRIED. ORDINANCE NO. 791** was read by title, and Phillips moved for the passage of the ordinance, seconded by Vacha. On roll call, AYE: Maddox, Vacha, Phillips. NAY: None. ABSENT: Carr. **MOTION CARRIED. ORDINANCE NO. 791 has been passed, approved, and available in pamphlet form.**

11. Motion by Phillips, seconded by Maddox to approve the appointment of Whitney Anderson to the Tree Board for a 1-year term, January 1 through December 31, 2026. On roll call, AYE: Vacha, Maddox, Phillips. NAY: None. ABSENT: Carr. **MOTION CARRIED.**

12. Motion by Vacha, seconded by Phillips to approve the appointment of Robin Frahm to the Library Board for a 4-year term, replacing Julie Brehmer effective January 1, 2026. On roll call, AYE: Maddox, Phillips, Vacha. NAY: None. ABSENT: Carr. **MOTION CARRIED.**

13. **Lacy Hollman presented the Lyons Public Library Director's Report.**
The featured artist for December and January is Bev Armstrong, displaying a collection quilts. NE-BRASS-KA Brass Quintet held a concert on December 6th, all proceed will be put into the Lyons Library Friends account. Movie Matinees and Christmas crafts are the upcoming events. Total income for November was $1,804.85 and will be deposited into the City's general fund.

14. **Mike Heavrin presented the Grant Report.**
Heavrin reported that he may have a funder for the Police Department's second round of security camera installations and will coordinate with Chief Svendsen. He will also be attending the CCCFF webinar on December 19th. His state contact indicated that eligible project categories have recently changed, and some previously allowable uses are no longer permitted; Heavrin will have more information following the webinar. Mayor Brink asked Heavrin to research potential funding opportunities for community fiber installation.

15. **Chief Svendsen presented the Police Report.**
November activity included 14 calls for service, 2 assist, 38 traffic citations and warnings, and 37 ordinance violations. The second iteration of the Security Cameras installation locations is being looked at with CSI. All documents were sent to NLETC for Austin Shanyfelt to enter the academy on January 4, 2026. Working with NLETC to host an 8-hour training event covering: De-escalation, mental health, substance abuse, and officer wellness, all go toward CE hours for 2026, and costs are covered by a SCIP grant.

16. **Terry Ueding presented the Utility Report.**
    a. Park Project – Council gave the utility department the go-ahead to demo the old Pavilion.

b. We have not yet received an updated schedule from Schmader's for the underground electric replacement behind Everett Street. Funding for the Lincoln Street Underground Electric Project will be requested in next year's budget to address issues related to the tree line.
c. Interlocal Agreement with Oakland for Water Operator is still in the works, and will get information to our attorney to draw up paperwork.
d. Due to weather conditions, the wiring harness on the yellow truck has not been replaced yet.

17. **Clerk's Report – Whitney Anderson**
    a. Clerk Anderson presented the November Treasurer Report. Motion by Vacha, seconded by Phillips to accept Clerk Anderson's Treasurer Report. On roll call, AYE: Maddox, Phillips, Vacha. NAY: None. ABSENT: Carr. **MOTION CARRIED.**
    b. General, Utility, and Debt Service Income Statements for the month ending November 30, 2025. The General Fund had a month-to-date net loss of $7,765.84 and a year-to-date net loss of $108,056.96. The Utility Fund had a month-to-date net loss of $22,152.49 and a year-to-date net loss of $89,397.87. Debt Service had a month-to-date net gain of $2,481.10 and a year-to-date net loss of $117,150.37.
    c. Budget reports for the second month FY25-26 (16.7%) on the General, Utility, and Debt Service Funds were as follows: General Receipts were 9.72%. General Expenses were 14.84%. Utility Receipts were 15.31%. Utility Expenses were 16.98%. Debt Service Receipts were 5.75% and Debt Service Expenses were 89.98%.
    d. The tree grant is due Dec 31, 2025. Anderson has been working with the tree board to complete the application. The project is estimated at approximately $300,000 over three years and requires a 0% match, which will also help mitigate costs for the removal of Ash Trees due to Ash Borer Disease and trees will be planted and removed at a 1 to 1 ratio. Anderson discussed with the bank the possibility of a line of credit to cover project expenses until reimbursement is received if the funding is awarded.
    e. A discussion was held regarding tap fees. The City's current ordinance requires a tap fee only for gas, not for water or sewer. Examples of water and sewer tap fees from other municipalities were provided to the Council. Council directed Anderson to have the City Attorney draft an ordinance establishing water and sewer tap fees. Further discussion on specific amounts will take place during the fee schedule approval process if an ordinance is adopted.
    f. Discussion was held regarding the office remodel. Service Master has scheduled the City for restoration work at the beginning of January; however, the timing is not ideal due to year-end procedures and payroll. Anderson would like to push that back if we do the remodel at the same time. The remodel would not be covered under the CCCFF grant previously discussed applying for. Anderson requested guidance on how to proceed and expressed a preference to avoid moving everything out for restoration, back in, and then out again for the remodel. It was acknowledged that the remodel is a budgeted item. Mayor Brink stated that if the City intends to move forward with the remodel, the contractor needs to be notified so the project can be placed on their schedule. Vacha voiced concerns about proceeding if the exterior work around the building and the roof was not the underlying issue and stated he would prefer to wait for a heavy rain event to see if

any leaks recur. Anderson noted that if another issue exists, it may be discovered when the carpet is removed and can be addressed at that time. Updated quotes will be placed on the January agenda.

g. **2026 Holiday Schedule**

New Year's Day	Thursday	January 1, 2026
Martin Luther King Jr Day	Monday	January 19, 2026
President's Day	Monday	February 16, 2026
Arbor Day (Floating)	Friday	April 24, 2026
Memorial Day	Monday	May 25, 2026
4th of July (observed July 3)	Friday	July 3, 2026
Labor Day	Monday	September 7, 2026
Columbus/Indigenous People's Day (Floating)	Monday	October 12, 2026
Veteran's Day	Wednesday	November 11, 2026
Thanksgiving Day	Thursday	November 26, 2026
Day After Thanksgiving Day	Friday	November 27, 2026
Christmas Day	Friday	December 25, 2026

City of Lyons Police/Public Safety Dept

New Year's Day	Thursday	January 1, 2026
Martin Luther King Jr Day	Monday	January 19, 2026
President's Day	Monday	February 16, 2026
Arbor Day (floating)	Friday	April 24, 2026
Memorial Day	Monday	May 25, 2026
4th of July	Saturday	July 4, 2026
Labor Day	Monday	September 7, 2026
Columbus/Indigenous People's Day (Floating)	Monday	October 12, 2026
Veteran's Day	Wednesday	November 11, 2026
Thanksgiving Day	Thursday	November 26, 2026
Day After Thanksgiving Day	Friday	November 27, 2026
Christmas Day	Friday	December 25, 2026

h. An updated quote for picnic tables was provided by Anderson Structures. This expense is eligible for reimbursement under the grant. Council requested additional options be explored and reviewed before making a final decision.

18. Motion by Phillips, seconded by Maddox to approve payment of $2,002.84 for fuel to KB's Mini Mart. On roll call, AYE: Vavra, Maddox, Phillips. NAY: None. ABSENT: Carr. **MOTION CARRIED.**

19. Motion by Vacha, seconded by Phillips to approve wage increase for Jorma Hedges to $15 per hour effective Jan 1, 2026. On roll call, AYE: Maddox, Phillips, Vacha. NAY: None. ABSENT: Carr. **MOTION CARRIED.**

20. Mayor Brink adjourned the meeting at 6:55 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 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)