



# CITY COUNCIL MEETING

## Minutes

Tuesday, February 11, 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 5:31 P.M., February 11, 2025, at Lyons City Hall. Upon roll call, the following Council members were present: Tyler Vacha, Brantley Vavra, Kyle Phillips, and Matthew Carr. Also in attendance were City Clerk Whitney Anderson, Utility Supervisor Terry Ueding, Library Director Mike Heavrin, and Chief Svendsen.

Visitors included Tony Mathis, Brad Brink, Brodie Brodersen, Street Superintendent Matthew Smith from Olssen, and Jeff Ray from JEO.

### **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 January 14, 2025, as on file in the City Clerk’s Office.
2. Claims as presented except claims of KB’s Mini Mart and Megan Vavra.
3. **ORDINANCE NO. 777 - 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 WAS ADOPTED AND SIGNED.**
4. **RESOLUTION NO. 2025-01 – A RESOLUTION OF THE CITY OF LYONS, NEBRASKA, ADOPTING POLICE POLICY 010 – OFFICER INVOLVED DEATH OR INCIDENT INVESTIGATION, POLICY 011 -POST SHOOTING, POLICY 012 – VEHICLE INVENTORIES, POLICY 013 – RIDE-ALONG WAS ADOPTED AND SIGNED.**

#### **JAN 15-FEB 12, 2025 CLAIMS**

AMERICAN LEGAL PUBLISHING	CODEBOOK S-2	\$ 600.10
AMERITAS LIFE CORP	RETIREMENT	\$ 4,485.22
APPA	MEMBERSHIP DUES	\$ 700.00
APPEARA	CLOTHING JAN SERV	\$ 331.56
BLUE CROSS BLUE SHIELD	INSURANCE	\$ 1,438.12
BOMGAARS	SUPPL	\$ 209.97
BURT CO ECONOMIC DEVELOP	1ST HALF 2025 DUES	\$ 2,100.00
BURT COUNTY PUBLIC POWER	ELECTRIC	\$ 2,898.00



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CENGAGE LEARNING	BOOKS	\$ 25.49
CITY EMPLOYEES	HSA	\$ 1,400.00
CITY OF LYONS UTILITIES	UTILITIES	\$ 6,668.01
CLASSIC CLEAN CARWASH	MTCE	\$ 63.70
CNA AUTO SERVICE	MTCE	\$ 35.53
COLONIAL RESEARCH CHEMICA	SUPPL	\$ 1,140.56
CONTINENTAL RESEARCH	MTCE	\$ 408.76
CORE & MAIN	SUPPL	\$ 94.28
DEPARTMENT OF ENERGY	VENDOR #1880 - ELECTRIC	\$ 7,580.15
DEPOSIT REFUNDS		\$ 104.33
DUTTON-LAINSON COMPANY	SUPPL	\$ 990.00
EFTPS	FED/FICA TAX	\$ 7,669.50
FASTWYRE BROADBAND	SERV	\$ 681.75
FRANCISCAN HEALTHCARE	DOT PHYSICAL	\$ 145.00
GERALD DOLEZAL	MEAL REIMBURSEMENT	\$ 44.14
HEATH CONSULTANTS	MTCE	\$ 935.25
J.P. COOKE CO.	CAT/DOG/POOL TAGS	\$ 261.95
JACK'S UNIFORMS	CLOTHING	\$ 245.75
JENSEN PLG & HTG INC	MTCE	\$ 208.90
JEO	40% CONSTRUCTION DOCS	\$ 13,920.00
JOHNSON & MOCK	GARNISHMENT PAYABLE	\$ 314.75
JOHNSON & MOCK, PC, LLO	LEGAL FEES	\$ 1,619.50
JOYRIDE PUBLIC TRANSIT	ANNUAL SUPPORT	\$ 2,000.00
KB'S MINI MART	FUEL/PROPANE	\$ 1,290.65
KOONS GAS MEASUREMENT	SUPPL	\$ 542.65
LARM	WORK COMP	\$ 237.67
LINCOLN FINANCIAL	INSURANCE	\$ 327.26
LYONS MIRROR-SUN	LEGAL PRINTING	\$ 293.68
MEAN	TRAINING	\$ 478.00
MEGAN VAVRA	JANITOR SERV JAN	\$ 375.00
MENARDS	MTCE	\$ 64.83
MIDWEST LABORATORIES INC	TESTING	\$ 22.00
MUTUAL OF OMAHA	INSURANCE	\$ 436.97
NEBR MUNICIPAL CLERK INST	CLERK SCHOOL FRAHM/ANDERSON	\$ 493.00
NEBRASKA DEPT OF REVENUE	SALES AND USE TAX	\$ 10,592.13



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NOVUS COMPUTERS	MICROSOFT OFFICE/MTCE	\$ 460.75
NPGA	NATURAL GAS PURCHASE	\$ 48,246.90
NPPD COLUMBUS	ELECTRIC PURCHASES	\$ 38,890.75
ONE OFFICE SOLUTION	OFFICE CHAIR	\$ 561.09
PAYROLL CHECKS	PAYROLL CHECKS ON 01/24/2025	\$ 15,621.27
PAYROLL CHECKS	PAYROLL CHECKS ON 02/07/2025	\$ 15,321.66
PORT-A-JOHNS	JAN SERV	\$ 70.00
POWERMANAGER	SOFTWARE/SUPPORT 2025	\$ 5,176.00
RED BARN VETERINARY CLINI	ANIMAL CONTROL ANNUAL FEE	\$ 85.00
RIC ORTMEIER	2023/2024 AUDIT	\$ 21,800.00
RON DABERKOW	MEAL REIMBURSEMENT	\$ 50.46
SAVEMORE MARKET	SUPPL	\$ 50.36
SCOTT'S HARDWARE	MTCE	\$ 29.56
STEINY'S GENERAL STORE	SUPPL/MTCE	\$ 223.51
THURMAN PSYCHOLOGICAL	SERV	\$ 325.00
US BANK	SUPP/MTCE	\$ 2,497.95
USDI	INSPECT	\$ 1,055.00
VERIZON WIRELESS	SERV- UTIL	\$ 193.01
WASTE CONNECTIONS OF NE	GARBAGE FEE	\$ 8,593.89

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

### III. 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. There was no public comment.

1. Motion by Carr, seconded by Vacha to adopt **Resolution 2025-02 – Directing Sale of Former Bowling Alley Lot**. On roll call, AYE: Vavra, Phillips, Vacha, Carr. NAY: None. **MOTION CARRIED.**
2. Matthew Smith, of Olsson Associates discussed the One & Six Year Plan. A map of the plan was presented to council. Smith advised council to provide any changes as the plan will be set for a public hearing at the March council meeting.



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3. Brad Brink discussed creating a paving district to improve the roads for H&K Subdivision and would like more information on where to start. Matthew Smith with Olsson Associates will update cost estimates from 2019. If the residents wish to create a district, votes in favor must represent no less than 75% of the front footages.
4. Motion by Vacha, seconded by Carr to approve the closure of streets for the Lyons Car Show on July 6, 2025 on Main Street from Veteran Memorial to the Utility Building (100 Main St) and south on 3<sup>rd</sup> and 2<sup>nd</sup> St from ½ block. On roll call, AYE: Vavra, Phillips, Carr, Vacha. NAY: None. **MOTION CARRIED.**
5. Jay Maddox, the City’s Building Condemnation Consultant, let council know that the inspection of an outbuilding at parcel 11180400 has been completed. The owner has until February 13<sup>th</sup> to appeal or has 60 days from January 29, 2025 to repair or demolish the structure. Maddox asked council if they would like him to continue with another inspection. The council would like Maddox to come back to the March Council Meeting with an updated list of structures that are in disrepair. The current budget includes \$8,000 in demolition costs.
6. Jeff Ray with JEO presented updated construction documents for the Park Project. Jeff reminded council that their documents will not include mechanical equipment and are considered “design-build” without specs. Motion by Phillips, seconded by Vavra to approve the Construction Documents for Park Pavillion and Restroom/Storm Shelter and prepare to be put out for bid. On roll call, AYE: Vacha, Carr, Vavra, Phillips. NAY: None. **MOTION CARRIED.**
7. Motion by Vacha, seconded by Carr to approve DD#4 of CDBG funds 23PWF003 in the amount of \$4,176.00. On roll call, AYE: Vavra, Phillips, Carr, Vacha. NAY: None. **MOTION CARRIED.**
8. A discussion was held regarding Island Park Campground. The plan is to remove 6 camping spots, rock the remaining spots, add sewer hookups and a Camp Host. The utility department will install the sewer with approximately \$3,000 in material cost.  
Motion by Phillips, seconded by Vacha to approve the installation of 10 sewer hookups and rock pads at Island Park Campground. On roll call, AYE: Vavra, Carr, Vacha, Phillips. NAY: None. **MOTION CARRIED.**  
Motion by Carr, seconded by Phillips to approve a concrete pad to be installed at the Campground to be donated by Brodie Brodersen. On roll call, AYE: Vacha, Vavra, Phillips, Carr. NAY: None. **MOTION CARRIED.**  
Motion by Vacha, seconded by Vavra to approve Campground Host Volunteer Agreement with Brodie Brodersen. On roll call, AYE: Phillips, Carr, Vavra, Vacha. NAY: None. **MOTION CARRIED.**
9. Motion by Phillips, seconded by Carr to approve an application for Quick-Current-Nebraska, LLC to expand Fiber Optic Cables, Conduit, and Vaults to Occupy City Right-of-Way. On roll call, AYE: Vacha, Vavra, Carr, Phillips. NAY: None. **MOTION CARRIED.**
10. Police Report – Chief Svendsen



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Chief Svendsen presented the police report for January, which included 15 calls for service, 2 assaults, and 5 traffic citations/warnings. Sexual Assault Survivor training and HAZMAT Awareness training are scheduled. CEO passed a psychological evaluation. DataMaster is up and running for all Burt County Officers.

11. Motion by Phillips, seconded by Carr to adopt **RESOLUTION NO. 2025-03 – Revised Police Personnel Manual**. On roll call, AYE: Vacha, Vavra, Carr, Phillips. NAY: None. **MOTION CARRIED.**
12. Library Director Mike Heavrin Library and Grant Report: Income in December was \$165 and this is \$32.92 below the monthly budgetary goal. Income for the fiscal year totals is \$430 which is \$163.75 below our FY 2024-2025 goal. Expenses for December came to \$4,070.53, which was \$2,765.13 below the monthly budget. Fiscal year expenses total \$22,819.77, and that is \$2,312.77 above the approved budget for FY 2024-2025. As of January 1<sup>st</sup>, the Library weeded 2,485 items from their collection. Heavrin has informed the council that he plans to step down as Library Director once a new Director has been fully trained. He will also be relinquishing his grant writing position soon but hopes to remain long enough to secure grant funding for the surveillance camera project. Although no retirement date has been set, he will provide the city with advance notice once a date is chosen. Temporary hours will remain in effect until new staff members are hired and trained.
13. Utilities Report – Terry Ueding
  - a. Ueding provided Council with a list from the Tree Board of trees that will need to be removed over the next couple of years.
  - b. The Utility Department is almost done getting gas certified.
  - c. Ueding will be at the water conference during the March City Council Meeting.
  - d. Flail Mower will be ordered at the end of March to have for Spring.
  - e. The east sewer lagoon will be mapped to see how deep the sludge is and how effective the aerators are. The cost is approximately \$1,000.
  - f. Still working on Large Gas Meters, ordered our own software to troubleshoot.
  - g. No update from Warner Construction on a quote for Hwy Spur.
  - h. Working on rebuilding the planks for the bridge at Brink Memorial Park.
14. Clerk's Report – Whitney Anderson
  - a. Clerk Anderson presented the January Treasurer Report. Motion by Phillips, seconded by Vacha to accept Clerk Anderson's Treasurer Report. On roll call, AYE: Vavra, Carr, Vacha, Phillips. NAY: None. **MOTION CARRIED.**
  - b. Motion by Vavra, seconded by Carr to approve the transfer of \$250,000 from the NPGA Savings to a 31-Month Bump Up CD with First Northeast Bank of Nebraska. On roll call, AYE: Phillips, Vacha, Carr, Vavra. NAY: None. **MOTION CARRIED.**
  - c. General, Utility, and Debt Service Income Statements for the month ending January 31, 2025. The General Fund had a month-to-date net gain of \$1,543.17 and a year-to-date net loss of \$71,780.32. The Utility Fund had a month-to-date net gain of \$19,847.81 and a year-to-date net



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- loss of \$96,162.79. Debt Service had a month-to-date net gain of \$8,789.91 and a year-to-date net loss of \$108,934.51.
- d. Budget reports for the fourth month (33.3%) on the General, Utility, and Debt Service Funds were as follows: General Receipts were 12.41%. General Expenses were 15.31%. Utility Receipts were 30.17%. Utility Expenses were 32.14%. Debt Service Receipts were 12.38% and Debt Service Expenses were 89.21%.
  - e. Motion by Carr, seconded by Vacha to approve Agreement with JEO for a Blight Study and General Redevelopment Plan in the amount of \$9,500. On roll call, AYE: Vavra, Phillips, Vacha, Carr. NAY: None. **MOTION CARRIED.**
  - f. Lower Elkhorn NRD Grant is due March 15, 2025, for the Urban Conservation Assistance Program and Recreation Area Development Program. Anderson provided the council with photos of the erosion of the island at Brink Memorial Park and asked council if they would like her to apply for the erosion grant to rock the island. The cost share is 50%, not to exceed \$25,000 in NRD Funds. Council gave Anderson the go-ahead to apply for the Urban Conservation Assistance Program to rock the island.
  - g. Last year we were awarded \$25,000 from the Lower Elkhorn NRD for a new playground at Brink Memorial Park to replace the current wooded playground. Council gave Anderson the go-ahead to get that ordered.
  - h. Discussion was held regarding updates at the Pool for the 2025 season. Further discussion will be had at the next council meeting.
15. Motion by Carr, seconded by Vacha to hire Lauren Miller as Pool Manager for the 2025 Pool Season. On roll call, AYE: Vavra, Phillips, Vacha, Carr. NAY: None. **MOTION CARRIED.**  
The council will move the hiring of Assistant Managers to the March council meeting after a discussion with the new Manager.
16. Motion by Vacha, seconded by Carr to approve the wages for 2025 Pool Season -- \$15.25 for Manager, \$14.50 for Assistant Managers, \$14.00 for returning Lifeguards, and \$13.50 for first time guards. On roll call, AYE: Vavra, Phillips, Carr, Vacha. NAY: None. **MOTION CARRIED.**
17. Motion by Carr, seconded by Phillips to approve renewing the Janitorial Contract for the Community Center with Megan Vavra. On roll call, AYE: Vacha, Phillips, Carr. NAY: None. ABSTAIN: Vavra. **MOTION CARRIED.**
18. Motion by Vacha, seconded by Phillips to approve the Class D Liquor License renewal to KenEm LLC dba KB's Mini Mart. On roll call, AYE: Vavra, Carr, Phillips, Vacha. NAY: None. **MOTION CARRIED.**
19. Motion by Vacha, seconded by Vavra to approve the Class D Liquor License renewal to Herbolzheimer Stores Inc dba Savemore Market (Lyons). On roll call, AYE: Phillips, Carr, Vavra, Vacha. NAY: None. **MOTION CARRIED.**



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20. Motion by Vacha, seconded by Carr enter into executive session at 7:47 PM to discuss annual review for Joshua Svendsen. On roll call, AYE: Vavra, Phillips, Carr, Vacha. NAY: None. **MOTION CARRIED.**

Motion by Phillips, seconded by Carr to return to regular session at 7:49 PM. On roll call, AYE: Vavra, Vacha, Carr, Phillips. NAY: None. **MOTION CARRIED.**

21. Motion by Vacha, seconded by Carr to approve a salary of \$72,500 for Chief of Police Joshua Svendsen. On roll call, AYE: Vavra, Phillips, Carr, Vacha. NAY: None. **MOTION CARRIED.**

22. Motion by Carr, seconded by Vavra to approve payment of \$1,290.65 to KB's Mini Mart. On roll call, AYE: Vacha, Phillips, Vavra, Carr. NAY: None. **MOTION CARRIED.**

23. Motion by Vacha, seconded by Carr to approve payment of \$375.00 to Megan Vavra for Janitor Services. On roll call, AYE: Phillips, Carr, Vacha. NAY: None. ABSTAIN: Vavra. **MOTION CARRIED.**

24. Mayor Brink adjourned the meeting at 7:52 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)