

The Mayor and City Council of the City of Bayard, County Morrill, State of Nebraska met in regular session in the Council Chambers located at 445 Main Street, in the City on the 8th day of February, 2011 at 7:00 P.M. Notice of the meeting having been published in the Bayard Transcript, a newspaper of general circulation, on February 2, 2011. An agenda for the meeting was made available to the Mayor and each of the Council prior to the meeting. Present were Mayor John Araujo, Council Member Michelle Coolidge, Nate Edmunds, Jim Ostdiek, Scot Ouderkirk, and Lloyd Steele. Council Member Chad Verbeck was absent from the meeting. Also present were Michelle Fries, City Clerk/Deputy Treasurer; Jennifer Kriha, City Treasurer/Deputy Clerk; Phil Kelly, City Attorney; Kevin Wurm, Interim Utilities Superintendent; Zak Douglass, Chief of Police; Jason Wilcox, Grounds Superintendent; David Williamson, Nursing Home Administrator; and concerned citizens. There being a quorum of Council Members present, Mayor Araujo called the meeting to order at 7:00 P.M. with the Clerk recording the minutes.

Mayor Araujo called the meeting to order and all present voluntarily recited the Pledge of Allegiance.

Council Member Coolidge moved to approve the agenda. Seconded by Council Member Steele. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele. NAYS: None. Motion declared carried by Mayor Araujo.

Mayor Araujo stated that every meeting of the Bayard City Council shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes and the Open Meetings Act, and that the City of Bayard is required to inform the public that a copy of the Open Meetings Act is posted on the door.

Discussion was held on the daily business at Chimney Rock Villa Nursing Home.

All department heads: Michelle Fries, Zak Douglass, Jason Wilcox and Kevin Wurm presented monthly reports for their departments.

Discussion was held on the monthly review for Chimney Rock Golf Course.

The Public Hearing for the City of Bayard One (1) & Six (6) Year Street Improvement Program opened at 7:20 P.M. and closed at 7:24 P.M.

Council Member Ostdiek moved to approve the following resolution:

RESOLUTION 788

TO WHOM IT MAY CONCERN:

At the regular meeting of the City Council of the City of Bayard, Nebraska, held in the City Hall on February 8th, 2011, a hearing was held on the One (1) and Six (6) Year Street Improvement Program at 7:00 P.M., as advertised. Following a discussion by the City Council and citizens present, a motion was made to adopt the One (1) and Six (6) Year Street Improvement Program for the calendar year 2011. Roll call vote brought: "Yeas", 5; "Nays", 0. Motion carried.

CERTIFICATION

I, the undersigned, duly qualified and acting Clerk of the City of Bayard, Nebraska, do hereby certify that the above is a true and certified copy of the action passed on February 8th, 2011, and I officially affix my signature and the seal of said City on this 8th day of February, 2011.

Michelle Fries, City Clerk

Seconded by Council Member Steele. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele. NAYS: None. Motion declared carried by Mayor Araujo.

Discussion on the pasture lease was held and the bidding process was conducted by city attorney, Phil Kelly. Vince Rafferty bid and the City of Bayard accepted his bid for a two (2) year lease at \$7,300.00 per year.

Council Member Coolidge moved to approve Jeff Wolfe with M.C. Schaff & Associates as the designated street superintendent for the City of Bayard. Seconded by Council Member Steele. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Coolidge moved to approve the Bayard police department pursuing a partnership with the Bayard Schools for a resource officer. Seconded by Council Member Ostdiek. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Ostdiek moved to approve the inter-local agreement with the Morrill County Sheriff's office for dispatching services in the amount of \$1,000.00 per month. Seconded by Council Member Ouderkirk. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Ouderkirk moved to approve the purchase of 25 street light banners with the Keno fund paying for 50% and the remaining 50% to be paid from the general fund. Seconded by Council Member Edmunds. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Coolidge moved to approve the inter-local agreement with Chimney Rock Public Power District. Seconded by Council Member Ostdiek. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Steele. NAYS: None. Abstained: Ouderkirk. Motion declared carried by Mayor Araujo.

Council Member Ostdiek moved to approve the purchase of golf course chemicals in the amount of \$2,797.62. Seconded by Council Member Ouderkirk. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele. NAYS: None. Motion declared carried by Mayor Araujo.

Discussion was held on the purchase of direct deposit payroll software. It was determined that more discussion was needed at the committee level and the item would be placed on the March council meeting.

Council Member Steele moved to approve the economic development assistance agreement between the City of Bayard and Bayard Grocery, Inc. Seconded by Council Member Ouderkirk. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Coolidge moved to approve the economic development assistance agreement between the City of Bayard and Brenda Krantz dba Brendal's. Seconded by Council Member Edmunds. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member moved to approve the following resolution:

RESOLUTION NO. 789

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BAYARD, NEBRASKA, AS FOLLOWS:

Section 1: The following streets are hereby designated as emergency snow routes:

- a. All of Main Street, from the 100 block to the 1600 block;
- b. East 13th Street, from Main Street to Second Avenue;
- c. Fifth Street, from Avenue A to First Avenue;
- d. 8th Street from Avenue D to 4th Avenue;
- e. East 7th Street from Main Street to 4th Avenue.
- f. East 6th Street from Main Street to 1st Avenue.
- g. Main Street sidewalks from the 200 Block to the 600 Block.

Section 2: Upon designation of a snow emergency by the Mayor or his designated representative, no parking shall be allowed on the emergency snow routes until snow has been plowed or removed from the snow routes.

Section 3: In connection with the snow emergency, side streets within the city shall be plowed after an accumulation of 6" or more of snow or if there are large drifts blocking vehicle movement along streets. If snow accumulates 6" or more on Sunday, plowing will be done on the streets around area churches. Snow will be bladed to the sides of streets.

This Resolution is adopted this 8th day of February, 2011.

Mayor

Attested by:

City Clerk

Seconded by Council Member Steele. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele. NAYS: None. Motion declared by Mayor Araujo.

Council Member Ostdiek moved to approve the annual volunteer fire department fundraiser to be held on April 8, 2011 at 502 Main Street. Seconded by Council Member Edmunds. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Steele moved to approve the City of Bayard Bills & Claims. Seconded by Council Member Ouderkirk. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Ouderkirk moved to approve the Chimney Rock Villa Bills & Claims. Seconded by Council Member Coolidge. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Coolidge moved to approve the Consent Agenda. Seconded by Council Member Ouderkirk. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Ostdiek moved to adjourn at 9:18 P.M. Seconded by Council Member Coolidge. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele. NAYS: None. Motion declared carried by Mayor Araujo.

Mayor

ATTEST:

City Clerk