

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 12th day of April, 2011 at 7:00 P.M. Notice of the meeting having been published in the Bayard Transcript, a newspaper of general circulation, on April 6, 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, Lloyd Steele, and Chad Verbeck. Also present were Jennifer Kriha, City Clerk/Treasurer; Phil Kelly, City Attorney; Kevin Wurm, Interim Utilities Superintendent; Zak Douglass, Chief of Police; Jason Wilcox, Grounds Superintendent; Sharon Ulbrich, Librarian; and concerned citizens. There being a quorum of Council Members present, Mayor Araujo called the meeting to order at 7:02 P.M. with the Clerk/Treasurer recording the minutes.

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

Council Member Ostdiek moved to approve the agenda. Seconded by Council Member Edmunds. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele, Verbeck. 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: Jennifer Kriha, Zak Douglass, Jason Wilcox and Kevin Wurm presented a monthly report for their departments.

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

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

Council Member Steele moved to approve Mayor Araujo's appointment of Jennifer Kriha for City Clerk/City Treasurer. Seconded by Council Member Ouderkirk. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele, Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Coolidge moved to approve Mayor Araujo's appointment of Mandi Sauer for Deputy Clerk/Deputy Treasurer. Seconded by Council Member Verbeck. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele, Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Ostdiek moved to approve Mayor Araujo's appointment of Jennifer Kriha to the Tree Board and to hold other board appointments left vacant for May's council meeting. Seconded by Council Member Ouderkirk. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele, Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Coolidge moved to approve the Child Safety Seat Inspection for June 1, 2011, at the Bayard Fire Hall. Seconded by Council Member Edmunds. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele, Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Coolidge moved to approve the 2009-2010 audit performed by Dana Cole & Co. Seconded by Council Member Ouderkirk. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele, Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Ostdiek moved to approve emergency repairs to the water tower with the replacement of the expansion gland, replacement of the riser pipe, replacement of the insulation, and to install a VFD not to exceed \$55,000.00 plus sales tax. Seconded by Council Member Coolidge. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele, Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Coolidge moved to approve the mayor to sign the USDA Letter of Intent with the understanding that council may withdraw from the agreement if need be. Seconded by Council Member Edmunds. ROLL CALL: AYES: Coolidge, Edmunds, Ouderkirk, Steele, Verbeck. NAYS: Ostdiek. Motion declared carried by Mayor Araujo.

Jim Ostdiek presented the City Council with the 2011 NMPP Energy Project of the Year plaque and the \$200 check to be used to assist in the upgrade of the lighting at Chimney Rock.

Council Member Edmunds moved to approve an agreement for prosecution of city ordinances by Travis Rodak at \$100 per month. Seconded by Council Member Steele. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele, Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

Discussion was held on the water quality on the City of Bayard well field. Further information is needed and will be revisited during a special meeting with the Nebraska Department of Environmental Quality. The City Clerk/Treasurer is to contact Ryan Chapman, Wellhead Protection Coordinator for DEQ, and set up the meeting in accordance with his schedule.

Council Member Ostdiek moved to approve the tort claim presented by Angie Estrada in the amount of \$482.14. Seconded by Council Member Steele. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele, Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Coolidge moved to approve Phil Kelly to begin drafting a two (2) year contract for the School Resource Officer (SRO) between the City of Bayard and the Bayard Public Schools. Seconded by Council Member Ouderkirk. ROLL CALL: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele, Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Ostdiek moved to approve changing the May 10, 2011, council meeting to May 12 due to a conflict with the Elementary Spring Concert on May 10, 2011. The May 12, 2011, meeting will still begin at 7:00 p.m. Seconded by Council Member Ouderkirk. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele, Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Coolidge moved to approve the yearly agreement between the Aging Office of Western Nebraska Nutrition and the City of Bayard. Seconded by Council Member Ouderkirk. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele, Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

Discussion was held on a proposal presented by Baker & Assoc. No action was taken.

Discussion was held on parking along Ave B. It was referred to the street committee and will be discussed at the May 12, 2011, council meeting.

Council Member Ostdiek moved to approve to have the digger truck looked at further and get an estimate on what the total cost would be to have it repaired, not to exceed \$8,000.00. The estimate is

to be presented to the utility committee as they will make the final decision on the repairs. Seconded by Council Member Ouderkirk. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele, Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

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

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

Council Member Ostdiek moved to adjourn at 9:11 P.M. Seconded by Council Member Steele. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele, Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

John Araujo
Mayor

ATTEST:

Jennifer Kriha
City Clerk/Treasurer