

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 9th day of August, 2011 at 7:00 P.M. Notice of the meeting having been published in the Bayard Transcript, a newspaper of general circulation, on August 3, 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, 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/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, and 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, Kevin Wurm, and Jason Wilcox presented a monthly report for their departments.

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

Mayor Araujo stated the board appointments to replace Chris & Michelle Fries on various boards needed to be on September's council meeting agenda.

Presentation was given by Jerrod Haberman regarding Panhandle Area Development District (PADD). After the presentation by Mr. Haberman, Council Member Coolidge moved to pay the 2011-2012 membership dues in the amount of \$937.09. Seconded by Council Member Ouderkirk. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele, and Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

Presentation was given by Panhandle Resource Conservation & Development (RC & D). After the presentation by Panhandle RC & D, Council Member Ostdiek moved to pay the 2011-2012 voting membership dues in the amount of \$300.00. Seconded by Council Member Steele. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele, and Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

Discussion was held regarding the selling of old golf & parks equipment. Phil Kelly, City Attorney, will put together a resolution for the September 13, 2011, council meeting for the sale of these items.

Nancy Ronto presented Burbach Aquatics, Inc.'s phase I for pool improvements. No action was taken at this time.

Citizen agenda item was not discussed as the citizen did not attend the council meeting.

Council Member Ostdiek moved to approve the new City of Bayard's pay scale with new position titles added. Seconded by Council Member Steele. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele, and Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

The discussion of employee evaluation forms will be on the September 13, 2011, council agenda.

Council Member Ostdiek moved to approve The Small Customer Cost of Service Study agreement between the City of Bayard and NMPP. Seconded by Council Member Coolidge. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouder Kirk, Steele, and Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Coolidge moved to approve The Power Factor Improvement Agreement, bronze package, between the City of Bayard and NMPP. Seconded by Council Member Edmunds. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouder Kirk, Steele, and Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Coolidge moved to approve resolution #791 for the adoption of the Pioneer Days parade to be held on Main Street (Highway 26) on September 3, 2011, from 9:00 a.m. to 1:00 p.m. Seconded by Council Member Ouder Kirk. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouder Kirk, Steele, and Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Ostdiek moved to approve the purchase of a bucket for the new digger/derrick truck for \$2,500.00. Seconded by Council Member Ouder Kirk. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouder Kirk, Steele, and Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Steele moved to approve the purchase of a plate packer from Northern Tools in the amount of \$1,199.99 with the addition of a wheel kit in the amount of \$59.99. Seconded by Council Member Ouder Kirk. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouder Kirk, Steele, and Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Coolidge moved to approve the purchase of a pipe saw from Municipal Supply, Inc. in the amount of \$2,200.00. Seconded by Council Member Edmunds. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouder Kirk, Steele, and Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Steele approved the purchase of thirty-five (35) 40', red cedar electrical poles for \$15,750.00. Seconded by Council Member Ouder Kirk. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouder Kirk, Steele, and Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Ostdiek moved to approve the purchase of a new slide for the broken slide in the Library Park with a limit of up to \$1,500.00. Seconded by Council Member Coolidge. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouder Kirk, Steele, and Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

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

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

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

Council Member Ostdiek asked to go back to item #12 (discussion & action on Burbach Aquatics, Inc.) on the agenda. More discussion was held on the presentation by Nancy Ronto with Burbach Aquatics, Inc. Council Member Ostdiek moved to approve Burbach Aquatics for professional services for the Bayard swimming pool, and to have Burbach Aquatics, Inc. perform their Phase I, Step I for \$1,900.00 plus reimbursables with the City Attorney's approval of the contract between Burbach Aquatics, Inc. and the City of Bayard. Seconded by Council Member Coolidge. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouder Kirk, Steele, and Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

Council Member Ouderkirk moved to adjourn at 9:13 P.M. Seconded by Council Member Coolidge. ROLL CALL: AYES: Coolidge, Edmunds, Ostdiek, Ouderkirk, Steele, and Verbeck. NAYS: None. Motion declared carried by Mayor Araujo.

John Araujo
Mayor

ATTEST:

Jennifer Kriha
City Clerk/Treasurer