

The Mayor and City Council of the City of Bayard, County Morrill, State of Nebraska, met in a regular session in the Council Chambers February 8, 2022 at 7:00 P.M. City of Bayard 445 Main St., Bayard, Nebraska, 69334. Notice of the meeting having been published in the Bayard Transcript, a newspaper of general circulation, on February 2, 2022. An agenda for the meeting was made available to the mayor and each of the council members prior to the meeting. Present were Mayor Schmall and council members; Scot Ouderkirk, Sheila Henson, Diane Kraus, Janice Newhoff and Jamie Hernandez. Absent: Marty Marquez. There being a quorum of council members present, Mayor Schmall called the meeting to order at 7:00 P.M. The Pledge of Allegiance was recited and Mayor Schmall offered a prayer. Mayor Schmall presided over the meeting and noted that a copy of the Open Meetings Act is located in City Council Chambers and available to the public. City Clerk/Treasurer Bowlin recorded the minutes.

APPROVAL OF AGENDA

Council member Henson made a motion to approve the agenda. Seconded by council member Kraus. ROLL CALL: AYES: Henson, Kraus, Hernandez, Ouderkirk, and Newhoff. NAYS: None. Motion declared carried by Mayor Schmall.

FYE 2021 AUDIT

Jessica Dailey with KSO CPAs was available by phone to present the financial statement for fiscal year end 2021. Council member Newhoff made a motion to approve the audit as presented. Seconded by council member Ouderkirk. ROLL CALL: AYES: Henson, Kraus, Hernandez, Ouderkirk, and Newhoff. NAYS: None. Motion declared carried by Mayor Schmall.

LB840

Council member Newhoff made a motion to accept the recommendation from LB840 for the grocery store granting \$30,000 grant contingent on securing other funds and the business stays open for five years. Seconded by council member Hernandez. AYES: Kraus, Hernandez, Henson, Ouderkirk, and Newhoff. NAYS: None. Motion declared carried by Mayor Schmall.

RESOLUTION 1004

Council member Ouderkirk made a motion to approve resolution #1004 Sale of Personal Property. Seconded by council member Newhoff. AYES: Kraus, Hernandez, Henson, Ouderkirk, and Newhoff. NAYS: None. Motion declared carried by Mayor Schmall.

APPROVAL OF BILLS

Council member Ouderkirk moved to approve all city bills and claims in the amount of \$151,824.11. Seconded by council member Henson. ROLL CALL: AYES: Hernandez, Kraus, Henson, Ouderkirk, and Newhoff. NAYS: None. Motion declared carried by Mayor Schmall.

Action Communication \$34.36, Advancing Technologies \$235.00, AFLAC \$1,093.92, AirGas \$55.67, AST \$49.90, Allied Benefits \$22,999.56, B & C Steel \$28.56, Bayard Automotive \$135.48, Benzel Pest Control \$210.00, Best Plumbing \$456.98, Big Mack HVAC \$1,132.46, Black Hills Energy \$3,173.60, Bluffs Sanitary \$1,236.89, Border States \$612.92, Bridgeport Library \$195.00, CenturyLink \$131.72, Charter \$1,323.64, Child Support of WY \$298.14, CRPPD 275.70, City of Gering \$11,592.93, Jayne Clemens \$66.87, Connecting Point \$73.68, Credit Management \$302.12, Crosby Guenzel \$1,186.50, Culligan \$121.00, Demco \$294.07, Douglas, Kelly, Ost diek \$1,943.50, Enviro Service \$50.00, General Consolidated 133.13, Ideal Linen \$222.74, Ingram \$728.95, Kuskie \$827.79, Law Enforcement Systems \$76.00, Lincoln Nat. Life \$114.22, Logoz \$31.66, MEAN \$35,304.24, Midwest Connect \$596.00, Morrill Co Attorney \$150.00, Morrill Co Sheriff \$1,000.00, NE Child support \$1,144.64, NPPD \$49.50, Nippon Life \$802.16, NMC \$730.74, NW Pipe Fittings \$1,794.44, John Hancock \$1,914.95, OPTK \$150.00, Panhandle Regional

Development \$295.17, Print Works \$142.94, Rocky Mountain Air \$147.40, Sandry Fire \$1,060.25, Shortline Irrigation \$1,560.00, Staples \$114.97, State Fire Marshall \$50.00, Transcript \$141.57, US Bank \$968.27, Viaero Wireless \$291.40, Western States Bank \$353.06, Payroll \$51,617.75, **Total =\$151,824.11.**

CHIMNEY ROCK VILLA

Council member Newhoff moved to approve the Chimney Rock Villa Bills & Claims in the amount of \$239,027.26. Seconded by council member Kraus. ROLL CALL: AYES: Kraus, Henson, Hernandez, Ouderkirk, and Newhoff. NAYS: None. Motion declared carried by Mayor Schmall.

DEPARTMENT HEAD MONTHLY REPORTS

All department heads gave their reports.

- **UTILITY REPORT** – Took down Christmas lights, changed check valve, removed snow, swept streets.
- **PARK REPORT** – Repaired fence at Legion field, working on repairs to concession stand, maintenance on parks pickup, equipment and mowers, help utilities guys, Paul Reed to start on softball field in March.
- **POLICE REPORT** – 36 Assist the public, 26 assist other agencies, 2 accident investigations, 9 citation violations, 8 warning violations, 9 complaints, 3 investigations.
- **LIBRARY REPORT** – There were 494 books checked out in the month of January, the computer was used 19 times, 132 books checked out through overdrive, will be attending Overdrive Webinar, Feb 25th going to Big Talk from Small Libraries.
- **OFFICE REPORT** –Monthly, payroll, Meetings, started on Community Center Grant, collecting payments, paying bills.
- **FIRE DEPARTMENT** – Chief’s report- 2 Hay fires – 2 calls, 15 man-hours, 15 people per call. Rescue report- 7 Transports to RWMC, 2 tiered with Valley, 1 no transports, 2 transports by Valley – 10 calls, 10 points of contacts – Unit 991 153.6 miles w/ patient 329.1 total miles; Unit 992 0 miles with patient 0 miles total. 14 hours 26 minutes in service. Training Report- Extrication Videos 8 people 24-man hours.

CONSENT AGENDA

Council member Newhoff moved to approve the consent agenda which included minutes from January 11th regular meeting; Treasurer’s reports, operational budget, and fire department minutes & roster. Seconded by council member Ouderkirk. ROLL CALL: AYES: Kraus, Henson, Hernandez, Ouderkirk, and Newhoff. NAYS: None. Motion declared carried by Mayor Schmall.

LANDBANK

Council Member Newhoff made a motion to approve signing the interlocal agreement establishing the Western Nebraska Regional Land Bank. Seconded by council member Henson. ROLL CALL: AYES, Henson, Kraus, Hernandez, Ouderkirk, and Newhoff. NAYS: None. Motion declared carried by Mayor Schmall.

ORDINANCE #860

Council Member Hernandez made a motion to waive the three readings of Ordinance #860. Seconded by council member Newhoff. ROLL CALL: AYES: Henson, Newhoff, Hernandez, Ouderkirk, and Kraus. NAYS: None. Motion declared suspended by Mayor Schmall.

Council Member Newhoff made a motion for final passage of Ordinance #860. Seconded by council member Henson. ROLL CALL: AYES: Henson, Newhoff, Hernandez, Ouderkirk, and Kraus. NAYS: None. Mayor Schmall declared it passed, adopted, and ordered it published.

ORDINANCE #860

AN ORDINANCE OF THE CITY OF BAYARD, NEBRASKA AMENDING SCHEDULE II OF SECTION 73 PARKING SCHEDULES, UPDATING DIAGONALL PARKING. PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

No person shall park a motor vehicle diagonally to the curb of any street within city limits except as follows:

- A. Diagonal parking shall be allowed at the pre-designated street locations: North side of 4th Street between Main Street & 1st Avenue; and South side of East 3rd Street between Main Street & 1st Avenue.
- B. Diagonal parking shall be allowed at those open churches where the curb is cut away to allow for such street parking, and only during church services, functions & meetings.

MAIL MACHINE

Council Member Henson made a motion to sign new lease for mail machine. Seconded by council member Newhoff. ROLL CALL: AYES, Henson, Kraus, Hernandez, Ouderkirk, and Newhoff. NAYS: None. Motion declared carried by Mayor Schmall.

PERSONNEL MANUAL

Council member Kraus made a motion to approve changes to personnel manual benefits section. Seconded by council member Henson. ROLL CALL: AYES: Kraus, Henson, Newhoff, Ouderkirk, and Hernandez. NAYS: None. Motion declared carried by Mayor Schmall.

COMMUNITY CENTER GRANT

Council member Henson made a motion to approve the application for the CCCFF grant for a community center in conjunction with Bayard Public Schools. Seconded by council member Kraus. ROLL CALL: AYES: Kraus, Henson, Newhoff, Ouderkirk, and Hernandez. NAYS: None. Motion declared carried by Mayor Schmall.

WAGES

Council Member Newhoff made a motion to increase the on-call pay from \$75.00 to \$150.00 effective January 1, 2022. Seconded by council member Kraus. ROLL CALL: AYES, Henson, Kraus, Hernandez, Ouderkirk, and Newhoff. NAYS: None. Motion declared carried by Mayor Schmall.

Council Member Henson made a motion to increase Kevin's pay from \$23.46 to \$25.00 effective January 1, 2022. Seconded by council member Ouderkirk. ROLL CALL: AYES, Henson, Kraus, Hernandez, Ouderkirk, and Newhoff. NAYS: None. Motion declared carried by Mayor Schmall.

Council Member Newhoff made a motion to increase James's pay from \$14.28 to \$15.00 effective January 1, 2022. Seconded by council member Ouderkirk. ROLL CALL: AYES, Henson, Kraus, Hernandez, Ouderkirk, and Newhoff. NAYS: None. Motion declared carried by Mayor Schmall.

PUBLIC COMMENT

Council member Kraus asked when city bills were due and when late fees were assessed. City Clerk Bowlin explained that late fees are assessed around 10 AM on next business day after the 10th. Then residents are given 7 business days to pay before they face shut off. Mayor Schmall told the council he went to county court and a county commissioner's meeting; both were very interesting. He also went to meeting with Nine-Mile Irrigation District, found there is an agreement from 2010 between them and the city.

ADJOURNMENT

Council member Kraus moved to adjourn at 8:32 P.M. Seconded by council member Henson. ROLL CALL: AYES: Newhoff, Henson, Kraus, Ouderkirk, and Hernandez. NAYS: None. Motion declared carried by Mayor Schmall.

G Schmall
Mayor

S Bowlin
City Clerk/Treasurer