

The Mayor and City Council of the City of Bayard, County Morrill, State of Nebraska, met in a regular session in the Council Chambers October 10, 2023. City of Bayard, 445 Main Street, Bayard, Nebraska, 69334. Notice of the meeting having been posted in three places: 302 Main Street, 445 Main Street, and 517 Main Street. An agenda for the meeting was made available to the Mayor and each of the Council Members prior to the meeting. Present were Council Members: Chris Baird, Sheila Dudden, Tanner Henkel, Diane Kraus, and, Council President Marty Marquez. Absent: Mayor Scot Ouderkirk and Council member Jamie Hernandez. There being a quorum of council members present, Council President Marquez called the meeting to order at 7:00 P.M. The Pledge of Allegiance was recited. Council President Marquez 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 Dudden made a motion to approve the agenda. Seconded by council member Kraus. ROLL CALL: AYES: Baird, Dudden, Henkel, and Kraus. NAYS: None. Motion declared carried by Council President Marquez.

PUBLIC HEARING

Council President opened the Public Hearing for the Community Development Block Grant (CDBG) Program at 7:02 P.M. Bryan Venable with Panhandle Area Development District (PADD) was available to answer any questions.

The project was funded by the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The first Public Hearing was held on Thursday, December 22, 2022. The City of Bayard, Morrill County, Nebraska provided a \$340,000 Community Development Block Grant (CDBG) performance-based loan for direct assistance to Al's Market, LLC to assist with direct financial start-up costs associated with working capital and equipment for the grocery store business located at 305 Main St, Bayard, Morrill County, Nebraska 69334 (the "Project"). The Project involved a CDBG award of \$350,000 from the Nebraska Department of Economic Development to the City, \$10,000 of which was paid to the city to be used to pay for grant administrative expenses to Panhandle Area Development District (PADD). The Project provided essential goods and services to prevent, prepare for, and respond to the coronavirus pandemic. Initially, the Project was required to meet the National Objective of Low-to-moderate income Jobs (LMJ) and create four (4) new full-time equivalent (FTE) positions. However, due to providing essential goods and services in response to the coronavirus pandemic, the Project was able to transition to meeting the National Objective of Low-to-Moderate Income (LMI). This project benefited 54.73% or 550 LMI persons. Due to the business meeting the National Objective of benefitting LMI persons, they are eligible to have 100% of the \$340,000 performance-based loan forgiven. No residents, farms, or businesses were displaced as a result of these CDBG activities.

After no other public comment, the hearing was closed at 7:05 P.M.

LB 840 RECOMMENDATIONS

City Clerk Bowlin presented minutes from LB840 meeting to council with the recommendations for Jeremy Serda (Kenworth of the Rock) truck parts and repair. LB 840 committee recommendation was for \$30,000 half loan/ half grant for 36 months. Also, for Josh Schwartzkopf (Big Red Garage, Car Wash & Laundromat) to be able to provide lube and tire repair along with the other services already offered. Committee recommendation of \$15,000 half loan/ half grant for 36 months. Council member Baird moved to approve the recommendations from the LB840 Committee for both recipients. Seconded by council member Dudden. ROLL CALL: AYES: Dudden, Henkel, Kraus, and Baird. NAYS: None. Motion declared carried by Council President Marquez.

CITY BILLS & CLAIMS

Council member Kraus moved to approve all city bills and claims in the amount of \$401,948.43. Seconded by council member Dudden. ROLL CALL: AYES: Henkel, Kraus, Baird, and Dudden. NAYS: None Accelerated Receivables \$49.12, Action communications \$35.40, Advancing Tech \$150.00, Aflac \$1,278.08, Airgas \$32.02, AST \$53.90, Allied Benefits \$8,245.00, Amazon \$631.83, ASCAP \$420.00, AT&T \$339.22, Bayard Automotive \$1,470.63, Bayard H.S \$820.00, Benzel Pest \$89.68, Black Hills Energy \$430.15, Bluffs Sanitary \$150.32, Border States \$2,827.85, Bound Tree \$342.76, Shelly Bowlin \$101.98, Capital Business System \$142.29, CenturyLink \$58.80, Charter \$804.81, City of Gering \$11,820.49, Gene Claver \$2,158.63, Connecting Point \$124.01, Contractor's \$74.00, Cozad Signs \$33.75, Croell \$639.00, Culligan \$156.00, Deere Credit \$643.40, Dollar General \$35.75, Zak Douglass \$13.85, Enviro Service \$50.00, FNBO \$353.06, Fox Insurance \$1,288.00, Frant Parts \$170.29, General Consolidated \$551.14, GreatAmerica \$149.99, Ideal Linen \$217.19, Independent Plumbing \$68.40, Infinity Construction \$5,792.00, Ingram \$1,031.11, Jack's Uniforms \$115.79, John Hancock \$2,071.04, Jon's Body \$284.00, Kinetic Leasing \$32,040.99, Kuskie \$1,399.58, LARM \$149,988.39, Lincoln

Life \$129.76, LL Johnson \$700.43, L-Tron \$4,174.78, MacQueen \$289.78, Maguire \$44,832.00, Mark Chrisman \$14,310.00, Mark Lang \$369.66, Menards \$1,015.32, Midwest Salt \$8,278.84, Keith Miller \$148.86, Morrill Co Attorney \$150.00, Morrill Co Sheriff \$1,000.00, MEAN 30,742.51, NE Child Support \$472.62, NE Law \$80.00, NE Rural Water \$325.00, NE Library \$500.00, NW Pipe \$866.50, POAN \$130.00, One Call \$26.08, OPTK \$30.00, PADD \$6,990.00, Print Works \$624.88, Quadient \$720.00, Reganis \$1,155.20, Rocky Mtn. Air \$183.40, Scottsbluff Building \$239.00, Simmons Law \$90.00, Transcript \$379.58, US Bank \$2,190.62, Viaero Wireless \$27.65, WY First Aid \$47.69, Payroll \$50,886.58. Motion declared carried by Council President Marquez.

LARM BILL

Council member Baird moved to approve LARM yearly insurance bill in the amount of \$150,318.00 (43,024.55 Villa's portion). Seconded by council member Kraus. ROLL CALL: AYES: Kraus, Baird, Dudden, and Henkel. NAYS: None. Motion declared carried by Council President Marquez.

CHIMNEY ROCK VILLA

Council member Dudden moved to approve the Chimney Rock Villa Bills & Claims as presented in the amount of \$308,260.87. Seconded by council member Baird. ROLL CALL: AYES: Baird, Dudden, Henkel, and Kraus. NAYS: None. Motion declared carried by Council President Marquez.

DEPARTMENT HEAD MONTHLY REPORTS

All department heads gave their reports.

- **UTILITY REPORT** – Trimmed Trees, Replaced Water Riser, Fixed Water Leak, Installed new Snow Route Signs, Mowed Lots, Fixed Street Lights, and Filled Pot Holes. Will be prepping for winter.
- **POLICE REPORT** – 23 Assist the public, 12 assist other agencies, 0 accident investigations, 2 citation violations, 8 warning violations, 17 complaints, 8 investigations.
- **LIBRARY REPORT** – There were 636 books checked out in the month of September, the computer was used 14 times, 126 books checked out through Overdrive, attended training for accreditation; have applied for three grants for the year.
- **OFFICE REPORT** – Monthly reports, payroll, Meetings, Budget work, Fiscal year end auditor prep, interviews, LB840 meeting.
- **PARKS** – Rebuilt 2" six valve sprinkler system on Legion Field, 9 out of 10 zones come on automatically, fixed 3 main line breaks also, winterizing by the end of this month, shutting down all watering by the end of this month, have 7 to 10 trees to plant before the end of October, and cleaning & maintenance for end of season.
- **FIRE DEPARTMENT – Chief's Report** 3 Calls – 31 man-hours; 1 Hay fire, 1 Dollar General Call, 1 Mutual Aid Fire. **Rescue Report** 13 Calls - 4 Transported by Bayard, 1 Tiered with Valley, 3 transported by Valley, 1 refusal, 1 lift assist, 3 standbys; 97.9 miles w/ patient, 206.4 total miles – 14 hours 45 minutes in service. **Training Report** Self Rescue – 10 people, 4 man-hours.

CONSENT AGENDA

Council member Dudden moved to approve the consent agenda which included minutes from September 12th Meeting; Treasurer's reports, operational budget, salary changes – Cost of Living- Connie K \$15.10/hr, Roberta R \$16.55/hr, Shelly B 60,672.15/yr, Stan T \$28.96/hr, Jason P \$25.73/hr, Zak D \$32.05/hr, Jeff S \$48,405/yr, Wendy B \$12.00/hr, Becky H \$43,267.91/yr, Kevin F \$29.29/hr, Norman M \$17.33/hr, Dan C \$63,981.54/yr and fire department minutes and roster. Seconded by council member Baird. ROLL CALL: AYES: Dudden, Henkel, Kraus, and Baird. NAYS: None. Motion declared carried by Council President Marquez.

RESOLUTION #1026

Council member Dudden moved to approve Resolution 1026 and Annual Certification of Program Compliance for Street Superintendent. Seconded by council member Baird. ROLL CALL: AYES: Henkel, Kraus, Baird, and Dudden. NAYS: None. Motion declared carried by Council President Marquez.

VACATION POLICY

Council member Kraus moved to approve the change in the vacation policy to carry over two weeks of vacation. Seconded by council member Dudden. ROLL CALL: AYES: Kraus, Baird, Dudden, and Henkel. NAYS: None. Motion declared carried by Council President Marquez.

FREE DUMP DATE

Council member Dudde moved to approve having Free Dump Day Saturday October 14th from 8 am to 12 noon. Seconded by council member Baird. ROLL CALL: AYES: Baird, Dudden, Henkel, and Kraus. NAYS: None. Motion declared carried by Council President Marquez.

PUBLIC COMMENT

City Clerk Bowlin mentioned the Fire Department is having an open house Tuesday October 17th, they will be having root beer floats and doing a demonstration with the extrication tools. Villa Administrator Samantha Clause stated the Villa will be open on October 31st for trick or treaters.

ADJOURNMENT

Council member Baird moved to adjourn at 7:45 P.M. Seconded by council member Kraus. ROLL CALL: AYES: Dudden, Henkel, Kraus, and Baird. NAYS: None. Meeting declared adjourned by Council President Marquez.

S Ouderkirk.

Mayor

S Bowlin

City Clerk/Treasurer