

The City Council of the City of Bayard, County Morrill, State of Nebraska, met in a regular session in the Council Chambers October 14, 2025. City of Bayard, 445 Main Street, Bayard, Nebraska, 69334. Notice of the meeting having been published in the Bayard Transcript on October 8, 2025. An agenda for the meeting was made available to each of the Council Members prior to the meeting. Present were Council Members Chris Baird, Tanner Henkel, Jamie Hernandez, Diane Kraus, Marty Marquez, and. Garrett Schukei Absent: Mayor Scot Ouderkirk. 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 Baird made a motion to approve the agenda. Seconded by council member Kraus. ROLL CALL: AYES: Baird, Henkel, Hernandez, Kraus, Marquez, and Schukei. NAYS: None. Motion declared carried by Council President Marquez.

MORRILL COUNTY PREVENTION COALITION

Yvonne Lease with Morrill County Prevention Coalition came before council to talk about what the Morrill County and Monument Prevention Coalitions do. They are a group that educates youth and adults about the dangers of substance misuse. If anyone is interested in joining the quarterly meetings contact information has been provided.

GARBAGE BIDS

Bids were received for solid waste removal from Gorilla Waste, TDS, City of Gering, Waste Connections, and Don's Services. Council member Baird made a motion to go into closed session to eliminate needless injury to individuals' reputation at 7:25 P.M. Council came out of closed session at 7:45 P.M. Council member Henkel made a motion to enter a contract with Don's Service for five years for Solid Waste removal. Seconded by council member Hernandez. ROLL CALL: AYES: Henkel, Hernandez, Kraus, Marquez, Schukei, and Baird. NAYS: None. Motion declared carried by Council President Marquez.

LB840

Mike Harimon with Al's Market, Dave Fanning with Corner Café and LB840 committee member Heath were available to council for recap of decision made by LB840 committee at meeting held Saturday October 11, 2025. LB840 committee recommends a \$10,000 grant for each of the two businesses with the payments going directly to the contractors for projects stated in application. Council member Kraus made a motion to approve the recommendation from LB840 Committee. Seconded by council member Schukei. ROLL CALL: AYES: Hernandez, Kraus, Marquez, Schukei, Baird, and Henkel. NAYS: None. Motion declared carried by Council President Marquez.

SPECIAL DESIGNATED LICENSE

Council member Baird moved to approve an SDL for the Sip & Sample to be held November 15th at the Bayard Depot Museum. Seconded by council member Hernandez. ROLL CALL: AYES: Kraus, Marquez, Schukei, Baird, Henkel, and Hernandez. NAYS: None. Motion declared carried by Council President Marquez.

SKID STEER

Council member Henkel moved to approve the purchase of new skid steer from Titan Machinery in the amount of \$62,000.00. Seconded by council member Hernandez. ROLL CALL: AYES: Marquez, Schukei, Baird, Henkel, Hernandez, and Kraus. NAYS: None. Motion declared carried by Council President Marquez.

WELCOME TO BAYARD SIGN

KC Heath came before council to start talk about putting a sign on the county road out by Chimney Rock Visitor Center to advertise for people to come into Bayard. He will look into costs and talk to land owners for placement.

CITY BILLS & CLAIMS

Council member Hernandez moved to approve all city bills and claims in the amount of \$582,595.23. Seconded by council member Baird. ROLL CALL: AYES: Schukei, Baird,

Henkel, Hernandez, Kraus, and Marquez. NAYS: None. Acc. Rec \$42.17, Action \$400.00, Aflac \$1,663.80, Airgas \$94.56, AST \$53.90, Amazon \$415.05, AT&T \$380.66, Bayard Auto \$622.26, Bayard H.S. \$820.00, Benchmark \$36.85, Benzel \$85.00, Cindy Biesanz \$75.08, Black Hills Energy \$511.77, Border States \$569.56. Bound Tree \$972.17, Capital Bus. Syst \$382.92, CenturyLink \$59.48, Charter \$2,264.24, Chimney Rock PPD \$158.55, CRV-UHC \$10,410.65, City of Gering \$12,455.62, Connecting Point \$96.85, Credit Mgmt \$447.64, Culligan \$173.00, Dollar General \$136.75, Douglas Kelly \$1,350.75, Enviro Service \$60.00, Farmers Irrigation \$299.66, Fire Station Software \$424.00, General Consolidated \$340.76, GreatAmericca \$149.99, Ideal Linen \$231.73, Infinity Const \$79,780.00 & 5,797.00, Ingram \$1,206.31, IAAI \$500.00, Intralinks \$629.00, Jacks Uniforms \$1,097.54, John Hancock \$1,661.36, Kinetic \$85,243.00, Kuskie \$1,244.78, LARM \$178,950.86, Lincoln Nat Life \$249.42, Macqueen \$2,305.31, Maquire \$44,832.00, MC Schaff \$6,117.00, Menards \$47.87, Morrill Co Attorney \$150.00, Morrill Co Sheriff \$1,500.00, Morrill Co Hospital \$1556.15, MEAN \$71,852.31, NE Public Health \$241.00, NLC \$500.00, NW Pipe \$264.23, One Call Concepts \$21.59, OPTK \$60.00, PADD \$1,003.20, Paradise Pumpers \$850.00, Aspen Pittman \$46.40, Quadient Leasing \$1,320.00, Rocky Mtn. Air \$200.28, Sandberg \$37.24, Mandi Sauer \$193.86, Simmons Olsen \$21.00, Robert Simmons \$43.90, Simplot \$75.20, State of Neb \$44.00, Stryker \$484.00, Stan Tavenner \$53.60, Transcript \$711.17, Transwest \$72.27, Brady Uhrich \$100.00, US Bank \$1,166.31, Viaero Wireless \$27.32, Payroll \$55,553.33. **Motion declared carried by Council President Marquez.**

CHIMNEY ROCK VILLA

Council member Baird moved to approve the Chimney Rock Villa Bills & Claims as presented in the amount of \$360,384.56. Seconded by council member Hernandez. ROLL CALL: AYES: Baird, Henkel, Hernandez, Kraus, Marquez, and Schukei. NAYS: None. Motion declared carried by Council President Marquez.

DEPARTMENT HEAD MONTHLY REPORTS

All department heads gave their reports.

- **UTILITY REPORT** – Replace Street Lights, recycled cans from recycle area, cut trees out of power lines, repair hydrant by RV dump, dug out ditch, cut trees along canal at edge of town.
- **POLICE REPORT** – 24 assist the public, 10 assist other agencies, 0 accident investigations, 3 citation violations, 17 warning violations, 11 complaints, 5 investigations.
- **LIBRARY REPORT** – There were 677 books checked out in the month of September, the computer was used 14 times, 169 books checked out through Overdrive; working on three NLC grants, Fall Adult Bingo end middle of Oct, started working on next summer reading.
- **OFFICE REPORT** – Monthly reports, payroll, Meetings, Budget work, garbage bids, utility billing.
- **PARKS** – edged Library sidewalks, mulched around trees, trimmed tree at Pool Park, mowing still twice a week, starting maintenance on equipment for end of season.

CONSENT AGENDA

Council member Baird moved to approve the consent agenda which included minutes from September 9th meetings; Treasurer's reports, Fire Department minutes, Salary Changes – C. Kildow \$18.10, R. Rummel \$19.55, S. Tavenner \$31.96, K. Fowlkes \$37.62, Z. Douglass \$35.05, M. Cerny \$29.50, B. Henkel \$23.80, J. Smith \$26.27, S. Bowlin \$32.17, M MacIntosh \$23.00, E. Henkel \$16.00, R. Preston \$29.50, J. Edwards \$21.50, R. Trevino \$29.50, and operational budget. Seconded by council member Kraus. ROLL CALL: AYES: Henkel, Hernandez, Kraus, Marquez, Schukei, and Baird. NAYS: None. Motion declared carried by Council President Marquez.

WATER & SEWER ORDINANCES

City Clerk Bowlin read the title for the Ordinance 888. Council member Baird moved for final passage of Ordinance 888. Seconded by council member Schukei. ROLL CALL: AYES: Hernandez, Kraus, Marquez, Schukei, Baird, and Henkel. NAYS: None.

ORDINANCE #888

AN ORDINANCE OF THE CITY OF BAYARD, NEBRASKA ESTABLISHING WATER RATES FOR CUSTOMERS OF THE CITY WATER SYSTEM; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR A REPEAL OF CONFLICTING ORDINANCES.

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

Section 1: 52.07 of the City Code of the City of Bayard is hereby amended as follows:
The following rates and charges are hereby established for Customers of the City waterworks system:
Rate \$1.850 per Thousand gallon
* Minimum monthly bill shall be at least the following amount depending upon meter size:
Meter Size
5/8" or 3/4" \$35.00 per mo.
1" or 1 1/2"..... \$40.00 per mo.
2" \$63.00 per mo.
3" or 4" \$101.00 per mo.
Section 2: These rates shall become effective with the October 1, 2025 billing.
Section 3: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.
Section 4: This Ordinance shall be effective after its passage, approval and publication according to law.

City Clerk Bowlin read the title for the Ordinance 889. Council member Schukei moved for final passage of Ordinance 889. Seconded by council member Baird. ROLL CALL: AYES: Kraus, Marquez, Schukei, Baird, Henkel, and Hernandez. NAYS: None.

ORDINANCE #889

AN ORDINANCE OF THE CITY OF BAYARD AMENDING SECTION 53.13 (B) OF THE CITY CODE; SETTING SEWER FEES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.
BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BAYARD, NEBRASKA, AS FOLLOWS:

Section 1: Section 53.13 (B) of the City Code is hereby amended to provide as follows:

- (B) Rates and Charges Established:
1. For the purpose of paying the costs of maintenance, operation, and retiring the debt of the sanitary sewer system, including the wastewater treatment plant of the City, there shall be established, fixed and imposed upon the users of said system, rates and charges for sewer service in the City. Furthermore, there shall be established a user classification system of four (4) classes of users. The four (4) classes of users shall be: 1) residential, including single- and multi-family dwellings, 2) light commercial/institutional, including non-residential users, which contribute between zero and three hundred (0-300) gallons per day of wastewater, 3) heavy commercial users, which contribute more than three hundred (300) gallons per day of wastewater, and 4) heavy institutional users, including schools. The rates for individual classes will be as follows:
- Class 1-Residential Users, Single- and Multi-Family:
- \$20.00 /month for operation and maintenance, including replacement;
- Class 2- Light Commercial/Institutional:
- \$20.00/month for operation and maintenance, including replacement;
- Class 3- Heavy Commercial Users:
- \$40.00/month for operation and maintenance, including replacement;
- Class 4- Heavy Institutional Users:
- \$70.00/month for operation and maintenance, including replacement.
2. The charge shall be levied to each property served by the sanitary sewer system, regardless of location, and shall be included with the statement for water service.
3. Any user which discharges any substance, which singly or by interaction with other substances, causes identifiable increases in the cost of operation, maintenance, or replacement of the treatment works, shall pay for such increased costs. The charge to each such user will be as determined by the responsible plant operation personnel and approved by the City Council.

Section 2: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 3: This Ordinance shall become effective October 1, 2025 after its passage, approval, and publication according to law.

Motion declared passed, adopted, and ordered to be published by Council President Marquez.

MOWER

Council member Schukei moved to approve purchase John Deere mower for parks and selling 2018 mower to the Cemetery District for \$5,000.00. Seconded by council member Henkel. ROLL CALL: AYES: Marquez, Schukei, Baird, Henkel, Hernandez, and Kraus. NAYS: None. Motion declared carried by Council President Marquez.

STREET SWEEPER

Council member Baird moved to table lease of new street sweeper for an option of a five-year lease. Seconded by council member Hernandez. ROLL CALL: AYES: Schukei, Baird, Henkel, Hernandez, Kraus, and Marquez. NAYS: None. Motion declared tabled by Council President Marquez.

RESOLUTION 1055

Council member Baird moved to approve Resolution 1055 and Annual Certification of Program Compliance for Street Superintendent. Seconded by council member Schukei. ROLL CALL: AYES: Baird, Henkel, Hernandez, Kraus, Marquez, and Schukei. NAYS: None. Motion declared carried by Council President Marquez.

PUBLIC COMMENT

Library Henkel talked to council about different options for employees to get flu shots for free. City Clerk Bowlin reminded council Free Dump Day is Saturday October 18 from 8 to Noon. KC Heath talked to council about options for dealing with dilapidated buildings.

ADJOURNMENT

Council member Kraus moved to adjourn at 9:25 P.M. Seconded by council member Baird. ROLL CALL: AYES: Baird, Henkel, Hernandez, Kraus, Marquez, and Schukei. NAYS: None. Meeting declared adjourned by Council President Marquez.

M. Marquez.
Council President

S Bowlin
City Clerk/Treasurer