

The Mayor and City Council of the City of Bayard, County Morrill, State of Nebraska, met in a regular session in the Council Chambers September 9, 2025. City of Bayard, 445 Main Street, Bayard, Nebraska, 69334. Notice of the meeting having been published in the Bayard Transcript on September 3, 2025. An agenda for the meeting was made available to the Mayor and each of the Council Members prior to the meeting. Present were Mayor Scot Ouderkirk and Council Members Chris Baird, Tanner Henkel, Jamie Hernandez, Diane Kraus, Marty Marquez, and. Garrett Schukei Absent: None. There being a quorum of council members present, Mayor Ouderkirk called the meeting to order at 7:00 P.M. The Pledge of Allegiance was recited. Mayor Ouderkirk 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 Mayor Ouderkirk.

GARBAGE BIDS

Bids were received for solid waste removal from Gorilla Waste, TDS, City of Gering, Waste Connections, and Don's Services. Bids were reviewed and each company was present for discussion with council. Council member Baird made a motion to table this until October to further review bids. Seconded by council member Henkel. ROLL CALL: AYES: Henkel, Hernandez, Kraus, Marquez, Schukei, and Baird. NAYS: None. Motion declared tabled by Mayor Ouderkirk.

2025-2026 BUDGET

Mayor Ouderkirk highlighted the changes from the 2024-2025 budget to the 2025-2026 budget. He stated the overall operating budget increased about three (3) percent, valuation from the county increased by three (3) percent, property tax request increased by two (2) percent, while the tax rate decreased by one (1) percent. Council member Baird made a motion to approve the fiscal year budget for 2025-2026. Seconded by council member Henkel. ROLL CALL: AYES: Hernandez, Kraus, Marquez, Schukei, Baird, and Henkel. NAYS: None. Motion declared carried by Mayor Ouderkirk.

Council member Schukei made a motion to approve the additional one percent (1%) allowable increase for restricted funds authority for fiscal year 2026. Seconded by council member Hernandez. ROLL CALL: AYES: Kraus, Marquez, Schukei, Baird, Henkel, and Hernandez. NAYS: None. Motion declared carried by Mayor Ouderkirk.

Council member Baird made a motion to approve Resolution #1054 to set property taxes for the fiscal year 2025-2026. Seconded by council member Schukei. ROLL CALL: AYES: Marquez, Schukei, Baird, Henkel, Hernandez, and Kraus. NAYS: None. Motion declared carried by Mayor Ouderkirk.

RESOLUTION #1054

WHEREAS, Nebraska Revised Statute 77-1632 and 77-1633 provides that the Governing Body of the City of Bayard passes by a majority vote a resolution or ordinance setting the tax request; and
WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Governing Body of the City of Bayard resolves that:

1. The 2024-2025 property tax request be set at:
General Fund: \$197,960.00
Bond Fund: \$-
2. The total assessed value of property differs from last year's total assessed value by 3.47 percent.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property would be 0.358481 per \$100 of assessed value.
4. The City of Bayard proposes to adopt a property tax request that will cause its tax rate to be 0.365949 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of the City of Bayard will increase (or decrease) last year's budget by 2.63 percent.
6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 15, 2025.

Council member Hernandez made a motion to waive the three readings for Ordinance #890 to appropriate funds for 2025-2026 fiscal budget. Seconded by council member Baird. ROLL CALL: AYES: Schukei, Baird, Henkel, Hernandez, Kraus, and Marquez. NAYS: None. Motion declared waived by Mayor Ouderkirk.

Council member Schukei made a motion for final passage of Ordinance #890 to appropriate funds for 2025-2026 fiscal budget. Seconded by council member Baird. ROLL CALL: AYES: Baird, Henkel, Hernandez, Kraus, Marquez, Schukei. NAYS: None. Motion declared carried by Mayor Ouderkirk.

ORDINANCE 890

AN ORDINANCE APPROPRIATING FROM THE FUNDS AND REVENUES OF THE CITY OF BAYARD, NEBRASKA SUCH SUMS OF MONEY AS HAVE BEEN DEEMED NECESSARY TO DEFRAY ALL NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF BAYARD, NEBRASKA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2025 TO SEPTEMBER 30, 2026, AND LEVYING TAXES FOR SUCH CITY AND FOR SAID FISCAL YEAR FOR CERTAIN OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT APPROPRIATE FOR EACH OBJECT AND PURPOSE AND PROVIDING FOR THE CERTIFICATION OF THIS ORDINANCE TO THE COUNTY CLERK OF MORRILL COUNTY, NEBRASKA, AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BAYARD, NEBRASKA.

SECTION 1. That there be and there hereby is appropriated out of the funds and revenue of the City of Bayard, Nebraska, the following sums of money deemed necessary to defray all necessary expenses and liabilities of the City of Bayard, Nebraska, for the fiscal year commencing October 1, 2025 and ending September 30, 2026; and there is hereby levied on each one dollar of actual value of the taxable property within the corporate limits of the City of Bayard, Nebraska, for said fiscal year, as shown by the assessment roll for such fiscal year, the amounts set out; the objects or purposes for which such expenditures are to be made, the amount of appropriated, including the amounts due upon legal and valid outstanding bonds against said City and all special assessments and other tax authorized by law, are as follows:

City of Bayard	\$12,953,123.00
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SECTION 2. There is hereby appropriated to the respective funds of said City such sums as shall be paid to the County Treasurer of Morrill County, Nebraska, during the ensuing year for taxes and previous fiscal years for such respective funds and there is also appropriated all occupational taxes collected for and during the fiscal year; also unexpended funds in the hands of the City Treasurer at the beginning of the present fiscal year hereby appropriated to be used to defray the expenses or obligations of the City chargeable against said City funds.

SECTION 3. That this ordinance shall be known as the Annual Appropriation Bill and shall be in full force and effect from and after the passage, approval and publication according to law.

Passed and adopted this 9th day of September 2025.

CITY BILLS & CLAIMS

Council member Baird moved to approve all city bills and claims in the amount of \$170,082.20.

Seconded by council member Kraus. ROLL CALL: AYES: Henkel, Hernandez, Kraus,

Marquez, Schukei, and Baird. NAYS: None. A&A Porta-Potty \$1,100.00, Aflac \$1,663.80, AST \$53.90, Amazon \$1,715.55, AT&T \$380.66, Axon \$648.00, Bayard Automotive \$237.07, Black Hills Energy \$435.27, Border States \$1,561.00, CenturyLink \$59.41, Charter \$814.99, Chimney Rock PPD \$485.74, CRV-UHC \$10,410.65, City of Gering \$12,498.83, City of Scottsbluff \$1,428.30, Connecting Point \$111.92, Contractors \$317.00, Credit Mgmt \$198.18, Croell \$866.25, Culligan \$194.50, Defense Tech \$11.53, Demco \$269.40, Dutton-Lainson \$711.67, Terri Dyer \$16.58, Enviro Service \$154.00, Equitable \$572.46, Finals site \$2,372.00, Follett \$995.40, Fyr-Tek \$603.95, Galls \$383.75, General Consolidated \$655.51, GreatAmericca \$149.99, Hawkins \$994.66, Ideal Linen \$231.73, Ingram \$1,295.61, Intralinks \$676.50, John Hancock \$1,635.90, Kuskie \$3,294.44, Matt Parrott \$930.43, Menards \$116.42, Midwest Salt \$6,538.56, Morrill Co Attorney \$150.00, Morrill Co Sheriff \$1,500.00, Mortorola \$60.00, MEAN \$39,212.09, Municipal Supply \$5,116.31, NE Public Health \$239.00, Nemnich Auto \$1,545.62, NW Pipe \$278.24, OPTK \$30.00, POAN \$200.00, PT Hose \$81.01, Rocky Mtn. Air \$200.28, Sandberg \$174.04, Scb Co Building \$540.00, Simplot \$1,075.33, US Bank \$3,298.82, Viaero Wireless \$27.32, David Warfield \$207.91, Westco \$445.75, Payroll \$58,208.97. Motion declared carried by Mayor Ouderkirk

CHIMNEY ROCK VILLA

Council member Schukei moved to approve the Chimney Rock Villa Bills & Claims as presented in the amount of \$280,597.49. Seconded by council member Hernandez. ROLL CALL: AYES: Hernandez, Kraus, Marquez, Schukei, Baird, and Henkel. NAYS: None. Motion declared carried by Mayor Ouderkirk.

DEPARTMENT HEAD MONTHLY REPORTS

All department heads gave their reports.

- **UTILITY REPORT** – replaced old OCRs, replace signs, cut tress out of power lines, repair broken sewer line at Lagoons, paint curbs, updated electric in Library Park, pothole repairs.
- **POLICE REPORT** – 28 assist the public, 8 assist other agencies, 0 accident investigations, 3 citation violations, 30 warning violations, 9 complaints, 3 investigations.
- **LIBRARY REPORT** – There were 698 books checked out in the month of August, the

computer was used 19 times, 144 books checked out through Overdrive; submitted reports for NLD grants to close them out, will be closed September 13th for Pioneer Days, fall adult book bingo started.

- **OFFICE REPORT** – Monthly reports, payroll, Meetings, Budget work, LEPC meeting, garbage bids, utility billing.
- **PARKS** – replaced sprinkler heads, fixed leaks at pool park, fertilized and sprayed weeds at all parks, villa and Genoways Hall, edged grass at Library Park, prepped for Pioneer Days.

CONSENT AGENDA

Council member Baird moved to approve the consent agenda which included minutes from August 12th & August 27th meetings; Treasurer's reports, Fire Department minutes, and operational budget. Seconded by council member Kraus. ROLL CALL: AYES: Kraus, Marquez, Schukei, Baird, Henkel, and Hernandez. NAYS: None. Motion declared carried by Mayor Ouderkirk.

WATER & SEWER ORDINANCES

City Clerk Bowlin read the title for the ordinances 888 and 889. These will be put on October meeting for final passage.

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.

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.

SEWER CLEANOUTS

Council member Kraus moved to approve up to \$25,000 for sewer cleanout with Johnson Services. Seconded by council member Baird. ROLL CALL: AYES: Marquez, Schukei, Baird, Henkel, Hernandez, and Kraus. NAYS: None. Motion declared carried by Mayor Ouderkirk.

COST OF LIVING

Council member Schukei moved to approve a \$1.50 Cost of Living Raise per person. Seconded by council member Baird. ROLL CALL: AYES: Schukei, Baird, Henkel, Hernandez, Kraus, and Marquez. NAYS: None. Motion declared carried by Mayor Ouderkirk.

PUBLIC COMMENT

Bill Falk pest control business talked about a potential for council to hire him to trap feral cats around town.

ADJOURNMENT

Council member Kraus moved to adjourn at 8:30 P.M. Seconded by council member Baird. ROLL CALL: AYES: Baird, Henkel, Hernandez, Kraus, Marquez, and Schukei. NAYS: None. Meeting declared adjourned by Mayor Ouderkirk.

S Ouderkirk.

Mayor

S Bowlin

City Clerk/Treasurer