

The Mayor and City Council of the City of Bayard, Morrill County, State of Nebraska, met in a regular session in the Council Chambers August 17, 2021 at 6:30 P.M. at the 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 August 11, 2021. 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 (late at 6:42), Sheila Henson, Janice Newhoff, Jamie Hernandez, Marty Marquez, and Diane Kraus. Absent: None. There being a quorum of council members present, Mayor Schmall called the meeting to order. All council members and Mayor went to Bayard Police Department to tour the facility. Upon return to the office all present recited The Pledge of Allegiance 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 Newhoff made a motion to approve the agenda. Seconded by council member Henson. ROLL CALL: AYES: Henson, Hernandez, Kraus, Newhoff, Marquez, and Ouderkirk. NAYS: None. Motion declared carried by Mayor Schmall.

CONDITIONAL USE

Gene Claver represented the Planning Commission and Robert Morris was available for questions; Robert Morris owns several parcels located at 8th Street and Avenue D; he came to Planning commission asking to put up a Cleary Building in a R-2 Zoning section without first building a house; Planning Commission's recommendation to council is to approve the conditional use. Council member Henson made a motion to approve the conditional use permit. Seconded by council member Marquez. ROLL CALL: AYES: Henson, Newhoff, Kraus, Ouderkirk, Marquez, and Hernandez. NAYS: None. Motion declared carried by Mayor Schmall.

TREE DISCUSSION

Chrissy Land with UNL presented council with The City of Bayard's Tree Inventory Analysis Report and explained the information contained within; she also presented the Emerald Ash Borer Readiness & Response Plan stating that both of these items need to be in place to apply for a tree grant that the city has been working on. These items were presented to the Tree Board who recommend accepting the EAB Readiness Plan. Council member Newhoff made a motion to approve the EAB Readiness & Response Plan. Seconded by council member Marquez. ROLL CALL: AYES: Henson, Newhoff, Kraus, Ouderkirk, Marquez, and Hernandez. NAYS: None. Motion declared carried by Mayor Schmall.

RESOLUTION #998

PADD representatives Bryan Venable & Derrick Conard were present to talk quickly about the CDBG downtown revitalization plan and ask council to have Resolution #998 approved making the mayor the signor of the Grant documents. Council Member Henson made a motion allow Mayor Schmall to be signer for the application. Seconded by council member Newhoff. ROLL CALL: AYES: Henson, Ouderkirk, Newhoff, Kraus, Marquez, and Hernandez. NAYS: None. Motion declared carried by Mayor Schmall.

HEIRLOOM MARKET

Council member Newhoff moved to approve Flyover Brewing for a SDL for Heirloom Market Fall Vendor Fair September 18, 2021. Seconded by council member Henson. ROLL CALL: AYES: Henson, Ouderkirk, Hernandez, Newhoff, Marquez, and Kraus. NAYS: None. Motion declared carried by Mayor Schmall.

Council member Kraus moved to approve the closure of 4th Street from Main to Ave A and adjacent alleys on September 18th, 2021 for the fall Heirloom market. ROLL CALL: AYES: Henson, Ouderkirk, Hernandez, Newhoff, Marquez, and Kraus. NAYS: None. Motion declared carried by Mayor Schmall.

EMT CLASSES

Rescue Chief Stephanie Perkins was present to ask council if Fire & Rescue could send two people to EMT classes. The classes would be through the college at a cost of \$1,275.00 each. There is also an opportunity for partial reimbursement of \$615.00 each, once they pass the class. Council member Henson moved to approve sending Jason Perkins and Matt. Seconded by

council member Ouderkirk. ROLL CALL: AYES: Henson, Ouderkirk, Hernandez, Newhoff, Marquez, and Kraus. NAYS: None. Motion declared carried by Mayor Schmall.

APPROVAL OF BILLS

Council member Newhoff moved to approve all city bills and claims in the amount of \$189,210.38. Seconded by council member Ouderkirk. ROLL CALL: AYES: Henson, Newhoff, Kraus, Ouderkirk, Marquez, and Hernandez. NAYS: None. Motion declared carried by Mayor Schmall. A & A Porta Potties \$135.00, AC Electric \$174.85, Action Communication \$36.08, Advancing Technology \$150.00, AFLAC \$1,098.78, Airgas \$18.17, AST \$49.90, Allied Benefit Systems \$8,833.61, Assoc. for Rural & Small Libraries \$29.00, Bayard Automotive \$211.86, Tiger Paws \$1,164.53, Bayard Rural Fire \$55.13, Benzel Pest Control \$89.68, Best Plumbing \$718.93, Black Hills Energy \$715.66, Bluffs Facility Solutions \$497.83, Bound Tree \$385.83, Capital Business Systems \$132.77, CenturyLink \$136.40, Charter \$1,643.46, Child Support of WY \$298.14, CRPPD \$273.20, City of Gering \$11,522.67, Clark \$184.89, Contractors Materials \$630.25, Ember Coomes \$175.00, Cozad \$64.80, Credit Management \$141.46, Culligan \$214.00, Dollar General \$53.60, Douglas Kelly Ostdiek \$1,868.75, Enviro Service \$40.00, Ferno \$3,808.21, Fox Insurance \$322.00, Fyr-Tek \$1,978.80, General Consolidated \$325.89, GreatAmerica \$235.00, Hawkins \$1,043.57, Hullinger Glass & Locks \$790.00, Ideal Linen \$205.78, Independent Heating \$412.70, Ingram \$1,140.91, Jirdon \$260.90, John Deere \$5.70, Johnson Service Co. \$7,332.30, Janice Kienzle \$24.11, LARM \$1,333.07, LNM \$832.00, Lincoln Life \$205.52, MC Schaff \$1,064.00, Menards \$469.35, Midwest Salt \$5,127.55, Morrill Co Attorney \$150.00, Morrill Co Sheriff \$1,000.00, MEAN \$34,070.89, NE Child support \$1,144.64, NPPD \$49.50, NIPPON Life \$721.58, Northwest Pipe \$82.90, John Hancock \$1,949.14, Prevention Mag. \$39.97, Regional West \$41.64, Rocky Mountain Air \$142.00, Sandberg \$58.75, Scott Dechant \$112.50, SBC Bldg & Zoning \$38.00, Simplot Growers \$1,636.25, Staples \$227.95, State Fire Marshal \$50.00, Stryker \$1,463.72, Temple Display \$15,217.84, Transcript \$287.35, US Bank \$2,619.39, Viaero Wireless \$639.45, Western States Bank \$353.06, Payroll \$68,452.27. **Total = \$189,210.38.**

CHIMNEY ROCK VILLA

Council member Newhoff moved to approve the Chimney Rock Villa Bills & Claims in the amount of \$229,732.53. Seconded by council member Henson. ROLL CALL: AYES: Henson, Ouderkirk, Newhoff, Kraus, Marquez, and Hernandez. NAYS: None. Motion declared carried by Mayor Schmall.

Director Kim Burry sent her updates, she was not present.

1. Budget is done. There really aren't many variances from previous years, except agency. We put quite a bit in capital improvements to prepare for the 50th anniversary and to also make us more "competitive" with creating a more home-like environment.
2. We had Jax come to the Villa. Residents and staff all enjoyed it and there were quite a few from the community that came up also.
3. We are combining two part time positions into a full-time position. Human resources and medical records will be combined into an administrative assistant position. I've received some good applicants and have started interviewing. Please let me know if you have any questions.
4. I'm waiting for my RFP's to come in for the paint job in the Villa. I'll go out for bids for the flooring in October. I'm going to try to find some time the next months to go visit some other facilities to see what they have done for flooring.

DEPARTMENT HEAD MONTHLY REPORTS

Utility Superintendent Coolidge, City Clerk/Treasurer Bowlin and Police Chief Douglass were present and available for questions.

- **UTILITY REPORT** –Bladed Streets & alleys, Swept Streets, Trimmed trees, Fixed motor and add-a-phase at pool, and Mowed City lots.
- **PARK REPORT** – Mowing Grass; Fertilized the parks & sprayed for weeds; painted curbs, sprinkler repairs.
- **POLICE REPORT** – 40 assist the public; 23 assist other agencies; 4 accident investigations; 1 citation violation; 18 warning violations; 31 complaints and 11 Investigations.
- **LIBRARY REPORT** – There were 551 books checked out, the computer was used 21 times, 92 books checked out through overdrive, Teen reading & activity group started; and received ARPA Library Funds.
- **OFFICE REPORT** – Monthly Reports; Bank Recons; Payroll; Updating Code book, Budget meeting & updates; EPA Brownfield assessments continued; Parks & Pool Grants and Tree Grants.

CONSENT AGENDA

Council member Henson moved to approve the consent agenda which included minutes from July 13th regular meeting and July 27th special budget meeting; Treasurer’s reports, and operational budget. Seconded by council member Ouderkirk. ROLL CALL: AYES: Henson, Newhoff, Kraus, Ouderkirk, Marquez, and Hernandez. NAYS: None. Motion declared carried by Mayor Schmall.

TREE BOARD MEMBER

Mayor Schmall asked council to approve the acceptance of resignation letter from Marilyn Wimmer from the Tree Board and his recommendation appointing Vickie Schmall in her place. Council member Henson moved to approve the recommendation. Seconded by council member Newhoff. ROLL CALL: AYES: Henson, Newhoff, Hernandez, Ouderkirk, Marquez, and Kraus. NAYS: None. Motion declared carried by Mayor Schmall.

PUBLIC COMMENT

None

ADJOURNMENT

Council member Marquez moved to adjourn at 8:22 P.M. Seconded by council member Ouderkirk. ROLL CALL: AYES: Henson, Ouderkirk, Newhoff, Kraus, Marquez, and Hernandez. NAYS: None. Motion declared carried by Mayor Schmall.

G Schmall
Mayor

S Bowlin
City Clerk/Treasurer