

The Mayor and City Council of the City of Bayard, County Morrill, State of Nebraska, met in a regular session in the Council Chambers December 14, 2021 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 December 8, 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; Marty Marquez, Scot Ouderkirk, Sheila Henson, and Jamie Hernandez. Absent: Janice Newhoff and Diane Kraus showed up at 7:29 P.M. 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 Hernandez. ROLL CALL: AYES: Henson, Ouderkirk, Hernandez, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall.

COUNCIL PRESIDENT

Council member Marquez made a motion to nominate Scot Ouderkirk as council president. Seconded by council member Hernandez. ROLL CALL: AYES: Henson, Ouderkirk, Hernandez, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall.

ATTORNEY AGREEMENT

Council member Henson made a motion to approve signing of agreement with Travis Rodak for Ordinance prosecution. Seconded by council member Ouderkirk. AYES: Ouderkirk, Hernandez, Henson, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall.

MAYOR APPOINTMENTS

Council member Marquez made a motion to approve Mayor's appointments of MC Schaff as City Engineer, Exponential Engineering as City Electrical Engineer, Stand Tavenner, Jason Perkins and Mike Youngquist as City Police Officers. Seconded by council member Henson. AYES: Ouderkirk, Hernandez, Henson, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall.

APPROVAL OF BILLS

Council member Henson moved to approve all city bills and claims in the amount of \$144,751.23. Seconded by council member Ouderkirk. ROLL CALL: AYES: Hernandez, Ouderkirk, Henson, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall. Action Communication \$35.38, Advancing Technologies \$396.10, AFLAC \$2,197.56, AirGas \$19.72, AST \$49.90, Allied Benefit Systems \$8,833.61, Bayard Automotive \$91.11, Tiger Paws \$401.37, Black Hills Energy \$1,432.85, Bluffs Facility Solutions \$168.92, Border States \$4,476.63, Bound Tree \$20.78, Capital Business System \$136.30, CenturyLink \$135.18, Charter \$1005.48, Child Support of WY \$298.14, CRPPD \$134.65, City of Gering \$11,658.05, City of Scottsbluff \$993.60, Connecting Point \$82.51, Contractors Materials \$2,775.00, Credit Management \$295.27, Culligan \$95.00, Darley \$82.90, Dollar General \$16.05, Douglas Kelly Ostdiek \$897.50, Zak Douglass, 77.29, Enviro Service \$40.00, Ford Credit \$9,525.23, Fremont \$1,016.31 Fyr-Tek \$342.63, GreatAmerica \$235.00, Gworks \$9,081.35, Hawkins \$1,454.13, Ideal Linen \$174.57, Imperial Pump Solutions \$7,374.50. Ingram \$823.38, JP Cooke

\$71.80, JDS \$8,250.00, Kuskie \$69.44, Leland Michael Construction \$14,975.00, Menards \$213.97, Midtown Animal Hospital \$413.20, Morrill Co Attorney \$150.00, Morrill Co Sheriff \$1,000.00, Morrill Co Hospital \$370.00. MEAN \$27,005.88, NE Child support \$1,144.64, NE Dept of Ag \$245.00, NDEE \$10,256.92, NE Public Health \$501.00, NPPD \$49.50, NE Rural Water Assoc \$175.00, NE Fire & Safety \$358.00, NE Total Office \$42.04, NW Pipe Fittings \$140.97, John Hancock \$2,126.68, OPTK \$150.00, Panhandle Coop \$168.00, Panhandle Geo \$819.00, Rocky Mountain Air \$147.40, Sandry \$295.95, Scb Co \$182.00, Simmons Olsen \$217.00, Slate Rock \$1,761.73, Transcript \$111.52, TCD \$750.00, US Bank \$2,751.49, Viaero Wireless \$291.77, Western States Bank \$353.06, Willco \$1,728.78, **Total = \$144,751.23.**

CHIMNEY ROCK VILLA

Council member Henson moved to approve the Chimney Rock Villa Bills & Claims in the amount of \$250,799.34. Seconded by council member Marquez. **ROLL CALL: AYES:** Ouderkirk, Henson, Hernandez, and Marquez. **NAYS:** None. Motion declared carried by Mayor Schmall.

Council member Henson moved to approve Jessika Mitchell as Interim Administrator at Chimney Rock Villa as of December 1, 2021. Seconded by council member Marquez. **ROLL CALL: AYES:** Ouderkirk, Henson, Hernandez, and Marquez. **NAYS:** None. Motion declared carried by Mayor Schmall.

Council member Henson moved to approve the NADC C-4 (immediate Family Member Disclosure Statement) form signed by Jessika Mitchell and Branden Mitchell. Seconded by council member Ouderkirk. **ROLL CALL: AYES:** Ouderkirk, Henson, Hernandez, and Marquez. **NAYS:** None. Motion declared carried by Mayor Schmall.

POLICE POLICIES

Council Member Henson made a motion to approve the updated police policies (Biased Based Policing and Duty to Intervene). Seconded by council member Marquez. **ROLL CALL: AYES:** Ouderkirk, Henson, Hernandez, and Marquez. **NAYS:** None. Motion declared carried by Mayor Schmall.

DEPARTMENT HEAD MONTHLY REPORTS

All department heads gave their reports.

- **UTILITY REPORT** – Put up Christmas Lights, Fixed Street Lights, put in water meter pit, Bladed streets & alleys, fixed water leak, hooked up electric, maintenance.
- **PARK REPORT** – Replaced door on pump house at Library, Called Paul Reed about ballfield work, new mower is in, there has been vandalism of dugouts and concession stand at ballfields, working in shop when too cold out.
- **POLICE REPORT** – 31 Assist the public, 9 assist other agencies, 0 accident investigations, 2 citation violations, 11 warning violations, 5 complaints, 10 investigations.
- **LIBRARY REPORT** – There were 604 books checked out in the month of November, the computer was used 24 times, 114 books checked out through overdrive, awarded \$4,000 for Library improvement grant, awarded \$1,000 internship grant, did not receive

Youth for Excellence grant, working on a \$2,500 grant due in December.

- **OFFICE REPORT** –Auditors where onsite November 2nd & 3rd working with auditors on adjusting entries, AFLAC renewal meeting, Met with Medical insurance reps, Community Center meeting with interested school officials.
- **FIRE DEPARTMENT** – Chief’s report- 3 MVA’s, 1 Vehicle Fire, 4 Wildland Fires, 1 Structure Fire – 9 calls, 232 main-hours, 6 people per call. Rescue report- 6 Transports to RWMC, 2 tiered with Valley, 5 no transports, 5 transports by Valley – 16 calls, 18 points of contacts – Unit 991 107.2 miles w/ patient 412.1 total miles; Unit 992 0 miles with patient 0 miles total. 14 hours in service. Training Report- New laptop setup and Videos 2 people 2-man hours.

CONSENT AGENDA

Council member Henson moved to approve the consent agenda which included minutes from November 9th regular meeting; Treasurer’s reports, operational budget salary changes, and fire department minutes & roster. Seconded by council member Hernandez. ROLL CALL: AYES: Ouderkirk, Kraus, Hernandez, Henson, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall.

RESOLUTION #1002

Council Member Ouderkirk made a motion to approve Resolution #1002 Year End Certification of City Street Superintendent. Seconded by council member Henson. ROLL CALL: AYES: Ouderkirk, Henson, Kraus, Hernandez, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall.

RESOLUTION #1003

Council Member Ouderkirk made a motion to approve Resolution #1003 Salaries for Appointed Officials. Seconded by council member Marquez. ROLL CALL: AYES: Ouderkirk, Henson, Kraus, Hernandez, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall.

NDOT MAINTENANCE AGREEMENT

Council Member Ouderkirk made a motion to approve the yearly maintenance agreement with NDOT. Seconded by council member Henson. ROLL CALL: AYES: Henson, Ouderkirk, Kraus, Hernandez, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall.

ORDINANCE #856

Ordinance #856 Changing Mayor Salary failed to be introduced.

ORDINANCE #860

Council Member Henson made a motion to table Ordinance 860 Diagonal Parking Schedules to have it updated with corrections. Will be on next council meeting in January.

PERSONNEL MANUAL

Council member Henson made a motion to apply for planning grant for planning stage of Community Center in cooperation with school. Seconded by council member Kraus. ROLL

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

PUBLIC COMMENT

Mobius Communications was present and stated they are still trying everything they can to get fiber into town. Mayor Schmall announced there has been an acceptance of a new administrator for Villa pending background check. Also, elections coming up for next year, filings due starting in February.

ADJOURNMENT

Council member Henson moved to adjourn at 7:57 P.M. Seconded by council member Kraus. ROLL CALL: AYES: Ouderkirk, Henson, Kraus, Hernandez, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall.

G Schmall
Mayor

S Bowlin
City Clerk/Treasurer