

The Mayor and City Council of the City of Bayard, Morrill County, State of Nebraska, met in a regular session in the Council Chambers February 9, 2021 at 7:00 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 February 3, 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, Janice Newhoff, Sheila Henson, Diane Kraus and Rick Valentine. Absent: Marty Marquez. There being a quorum of council members present, Mayor Schmall called the meeting to order and offered a prayer. The Pledge of Allegiance was recited. 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

Mayor Schmall asked council to consider moving Item #15 Keno Agreement up to be item #7. Council member Newhoff made a motion to approve the agenda with the change. Seconded by council member Kraus. ROLL CALL: AYES: Henson, Ouderkirk, Valentine, Newhoff, and Kraus. NAYS: None. Motion declared carried by Mayor Schmall.

PUBLIC HEARING

Mayor Schmall opened the public hearing for issuing liquor license for Bobbi Jo's Branding Iron at 7:02 pm. Sargent Tavenner spoke about the background and the owners and didn't see any issues in their background. Mayor Schmall closed the public hearing at 7:04 pm.

Council Member Newhoff moved to approve issuing a Type C liquor license to Tanya Williams-Gifford dba Bobbi Jo's Branding Iron. Seconded by council member Ouderkirk. ROLL CALL: AYES: Henson, Ouderkirk, Valentine, Newhoff, and Kraus. NAYS: None. Motion declared carried by Mayor Schmall.

ROAD & ALLEY CLOSURES

Council member Kraus moved to approve the closure of the alley behind the American Legion on March 7, 2021. Seconded by council member Henson. ROLL CALL: AYES: Henson, Ouderkirk, Valentine, Newhoff, 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 May 29th, 2021 for the spring Heirloom market. ROLL CALL: AYES: Henson, Ouderkirk, Valentine, Newhoff, and Kraus. NAYS: None. Motion declared carried by Mayor Schmall.

SDL LICENSE – BAYARD VFD

Council member Henson moved to approve the Bayard Volunteer Fire Department for an SDL license for Stag Feed April 17th, 2021. Seconded by council member Kraus. ROLL CALL: AYES: Henson, Ouderkirk, Valentine, Newhoff, and Kraus. NAYS: None. Motion declared carried by Mayor Schmall.

DEPARTMENT HEAD MONTHLY REPORTS

Utility Superintendent Coolidge and Police Chief Douglass were present available for questions.

- **UTILITY REPORT** – Snow removal, swept streets, Water Treatment plant issues, line locates, cleaned the shop, and fixed multiple water leaks.
- **PARK REPORT** –Jeff Smith still out. Office staff has been looking at some grant possibilities.
- **POLICE REPORT** – 24 assist the public; 17 assist other agencies; 0 accident investigations; 3 citation violation; 4 warning violation; 7 complaints; 0 investigations.
- **LIBRARY REPORT** – There were 609 books checked out, the computer was used 32 times, 102 books checked out through overdrive, attending summer reading workshop, book club starting in March.
- **OFFICE REPORT** – registration for virtual clerk school happening in March, LB840 Meeting, PADD Meeting, monthly and quarterly reports, bank

reconciliations, EAP Brownfield assessments, office training, and Game and Parks Grant.

- **BAYARD FIRE DEPT REPORT** – Chiefs Report: 1 vehicle fire and 1 mutual aid fire – 2 calls - 11 man hours; Rescue Report: 4 transports by Valley, 7 transports to RWMC, 2 No Transports, 1 Lift Assist, 1 Stand-by, 12 calls – 20.6 man hours, 348.3 miles; Training Report: Live Burn/Structure 11 people – 5 man hours.

CCTV SEWER SYSTEM

Council member Newhoff moved to approve Johnson Services CCTV sewer system for up to \$4,000. Seconded by council member Valentine. ROLL CALL: AYES: Henson, Ouderkirk, Valentine, Newhoff, and Kraus. NAYS: None. Motion declared carried by Mayor Schmall.

APPROVAL OF BILLS

Council member Newhoff moved to approve all city bills and claims as presented. Seconded by council member Henson. ROLL CALL: AYES: Henson, Newhoff, Kraus, Valentine, and Ouderkirk. NAYS: None. Motion declared carried by Mayor Schmall. Action Communications \$510.62, Advancing Technology \$150.00, AFLAC \$1,098.78, Airgas \$32.62, AST \$49.90, Allied Benefit Systems \$8,788.09, ASCAP \$367.00, Bayard Automotive \$414.88, Bayard Rural Fire \$26.75, Tiger Paws \$681.09, Benzel Pest Control \$85.00, Black Hills Energy \$2,888.17, Blue360 Media \$244.13, Capital Business Systems \$230.96, Charter \$518.65, Child Support of WY \$298.14, Chimney Rock PPD \$136.55, City of Gering \$11,798.60, City of Scottsbluff \$2,719.75, Community Pharmacy \$183.08, Connecting Point \$49.57, Credit Mgmt. \$35.71, Culligan \$116.50, DEMCO \$131.57, Dollar General \$93.65, Douglas Kelly Ostdiek \$980.75, Enviro Service \$40.00, Food Network Magazine \$27.97, General Consolidated \$200.00; Great America \$496.00, Ingram \$989.00, Kuskie Oil \$40.11, League of NE Mun. \$325.00, Mark Schwartzkopf \$1,005.00, Morrill Co Attorney \$150.00, Morrill Co Sheriff \$1,000.00, Morrill County Treasurer, \$22.00, MEAN \$34,641.60, Municipal Supply \$414.64, NE Child support \$1,650.96, NPPD \$49.50, NE Rural Water Assoc. \$150.00, Nippon Life Benefits \$819.58, Northwest Pipe \$348.00, One America \$1,961.40, Paradise Pumpers \$125.00, Platte River Glass \$310.00, PowerPlan \$733.57, Print Works \$436.64, Pro Overhead Door \$998.00, Rocky Mountain Air \$124.70, Schank Roofing \$5,852.70, Scottsbluff \$77.00, Shortline Irrigation \$1,560.00, Simon \$1,754.04, Star Herald \$353.60, Terry's Auto \$244.86, Transcript \$369.75, US Bank \$1,074.24, Valley Ambulance \$539.00, Viaero Wireless \$26.43, Watch Guard \$5,689.00, Western States Bank \$160.00, Payroll \$47,983.51. **Total** =\$161,617.28.

CHIMNEY ROCK VILLA

Director's Report

1. We received our 2nd dose of the vaccine on the 21st. It doesn't seem like there have been as many adverse reactions as there was with the 1st dose with staff. Residents seem to have tolerated it well.
2. On January 21st Dugan Kramer came to the facility and helped us with a very nice memorial service for the residents we lost last year.
3. Activities Director, Social Services and I are taking the Social Service Designee course through NHCA. It's a good refresher. I'm also taking the Administrator Preceptor course. It has good info on admin duties. Some management training also.
4. I'm hoping we can allow visitors in the building again starting the 16th. Residents are able to move about freely in the building, social distancing of course. We also are making plexiglass dividers for the dining room tables.
5. We were able to purchase 3 dining room tables for \$75/piece. We need more tables due to having to social distance at meals and activities and we would like to not have to have the residents eat in shifts. They enjoy being together.
6. We are almost agency free. But I'm in desperate need of a night charge nurse. I was told LPN's are wanting \$2500/week and one company charges \$95/hour for an RN.

Council member Henson moved to approve the Chimney Rock Villa Bills & Claims in the amount of \$265,052.24. Seconded by council member Newhoff. ROLL CALL: AYES: Henson, Newhoff, Ouderkirk, Kraus, and Valentine. NAYS: None. Motion declared carried by Mayor Schmall.

CONSENT AGENDA

Council member Newhoff moved to approve the consent agenda which included minutes from January 12th meeting; Treasurer's reports, operational budget and Fire Department Minutes & Roster. Seconded by council member Henson. ROLL CALL: AYES: Henson, Newhoff, Ouderkirk, Valentine, and Kraus. NAYS: None. Motion declared carried by Mayor Schmall.

AGING OFFICE AGREEMENT

Council Member Ouderkirk made a motion to approve the agreement with the Aging Office of Western Nebraska effective July 1, 2021 through June 20, 2022. Seconded by council member

Valentine. ROLL CALL: AYES: Henson, Newhoff, Valentine, Ouderkirk, and Kraus. NAYS: None. Motion declared carried by Mayor Schmall.

RESOLUTION 989

Council member Newhoff moved to approve Resolution #989 Authorizing the Mayor and Clerk to sign USDA Grant Application. Seconded by council member Ouderkirk. ROLL CALL: AYES: Henson, Kraus, Newhoff, Valentine, and Ouderkirk. NAYS: None. Motion declared carried by Mayor Schmall.

RESOLUTION 989

RESOLUTION AUTHORIZING AND DIRECTING THE CHIEF ELECTED OFFICIAL AND THE SECRETARY/CLERK TO SIGN ALL DOCUMENTS AS MAY BE REQUIRED IN PROCESSING OR COMPLETING THE USDA, RURAL DEVELOPMENT COMMUNITY FACILITIES LOAN/GRANT.

WHEREAS: the City of Bayard is in the process of applying for a USDA Rural Development Loan/Grant to fund a portion of the costs for the 13 AEDs.

WHEREAS: there are certain and various documents which require signatures of the Chief Elected Official and/or the Secretary/Clerk.

THEREFORE BE IT RESOLVED by the Board of Directors/Trustees of the City of Bayard that the Chief Elected Official and Secretary/Clerk are hereby authorized to sign all documents as may be required in the processing or completing of the USDA, Rural Development Loan/Grant.

If the Chief Elected Official and/or Secretary/Clerk should change because of an election or other reasons during the processing of the USDA Rural Development application, the Board of Directors/Trustees will not need to amend this resolution so the Chief Elected Official and Secretary/Clerk can sign any form(s) and security instrument(s) to finalize the USDA Rural Development financial assistance.

This motion was introduced and adopted this 9th day of February, 2021, by the Board of Directors/Trustees of the City of Bayard

ORDINANCE 847

Council Member Newhoff introduced Ordinance 847. Mayor Schmall called for the Clerk to read the title.

ORDINANCE #847

AN ORDINANCE OF THE CITY OF BAYARD, NEBRASKA AMENDING SECTIONS 71.01, 71.02, 71.03, 71.04, 71.05, AND 71.20 OF THE CITY CODE OF ORDINANCES CONCERNING TRAFFIC CODE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR EFFECTIVE DATE OF THIS ORDINANCE.

This Ordinance will be placed on the March council meeting for Second Reading.

KENO LOTTERY AGREEMENT

Council member Henson moved to approve transferring current contract with Lucky Keno which expires in 2022 to Small Computer Solutions LLC pending approvals from state and have Mayor sign Nebraska Form 50G. Seconded by council member Valentine. ROLL CALL: AYES: Henson, Kraus, Newhoff, Valentine, and Ouderkirk. NAYS: None. Motion declared carried by Mayor Schmall.

REFINANCING USDA LOAN

Council Member Newhoff moved to approve possible refinance of USDA loan with Piper Sandler for a savings of \$131,000. Seconded by council member Ouderkirk. ROLL CALL: AYES: Henson, Kraus, Newhoff, Valentine, and Ouderkirk. NAYS: None. Motion declared carried by Mayor Schmall.

PUBLIC COMMENT

City Clerk Bowlin mentioned that the Choice Gas Selection is earlier this year and will be March 18 to April 22; and that we had received our yearly distributions from ACE (\$6,303.00) and Black Hills Energy (\$3,478.84).

ADJOURNMENT

Council member Kraus moved to adjourn at 8:21 P.M. Seconded by council member Henson. ROLL CALL: AYES: Newhoff, Kraus, Ouderkirk, Valentine, and Henson. NAYS: None. Motion declared carried by Mayor Schmall.

S\G Schmall
Mayor

S\S Bowlin
City Clerk/Treasurer