

The Mayor and City Council of the City of Bayard, County Morrill, State of Nebraska, met in a regular session in the Council Chambers November 9, 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 November 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; Marty Marquez, Janice Newhoff, Diane Kraus, and Jamie Hernandez. Absent: Scot Ouderkirk and Sheila Henson. There being a quorum of council members present, Council Mayor Schmall called the meeting to order at 7:09 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, 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 Marquez. ROLL CALL: AYES: Kraus, Newhoff, Hernandez, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall.

TURKEYS

Council member Newhoff made a motion to approve purchasing 10 turkeys for Bayard Public School Thanksgiving food drive. Seconded by council member Hernandez. ROLL CALL: AYES: Kraus, Newhoff, Hernandez, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall.

SPECIAL DESIGNATED LICENSE

Council member Marquez made a motion to approve three SDLs for Tonia Verbeck and the Heirloom Market for December holiday popup events December 3rd, 10th, and 17th. Seconded by council member Newhoff. AYES: Newhoff, Hernandez, Kraus, and Marquez. 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 \$158,634.09. Seconded by council member Kraus. ROLL CALL: AYES: Hernandez, Newhoff, Kraus, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall. A & A Porta Potties \$270.00, ARS \$34.85, Action Communication \$35.38, Advancing Technologies \$150.00, AFLAC \$1,098.78, AirMed Care \$780.00, AST \$49.90, Allied Benefit Systems \$8,833.61, ASCAP \$367.00, Bayard Automotive \$61.54, Tiger Paws \$1,031.22, Benzel Pest Control \$89.68, Big Mack HVAC \$216.28, Blackboard \$2,016.44, Black Hills Energy \$524.39, Border States \$641.03, Bound Tree \$283.30, CenturyLink \$135.18, Charter \$610.58, Child Support of WY \$298.14, City of Gering \$11,530.16, Connecting Point \$182.02, Contractors Materials \$304.00, Credit Management \$301.77, Croell Inc. \$1,889.25, Culligan \$177.00, Darley \$175.50, Dollar General \$77.90, Douglas Kelly Ostdiek \$1,054.75, Enviro Service \$60.00, Exponential Engineering \$3,997.50, Kevin Fowlkes \$156.08, Fox Insurance \$351.00, Fyr-Tek \$422.00, General Consolidated \$255.00, GreatAmerica \$235.00, Ideal Linen \$207.22, Ingram \$1,329.51, IIMC \$200.00, Jacks Uniforms \$536.43, Jon's Body \$183.45, Kuskie \$28.41, LARM \$146.09, LCL Truck Equipment \$9,700.00, Leland Michael Construction \$11,887.50, Lincoln Nat'l Life \$205.52, Matheson Trigas \$100.00, Midtown Animal Hospital \$1,440.20, Morrill Co Clerk \$12.00, Morrill Co Attorney \$150.00, Morrill Co Sheriff \$1,000.00, MEAN \$25,327.04, Municode \$1,200.00, Murphey Tractor \$336.08, NE Child support \$1,144.64, NE Clerks' Assoc. \$70.00, NE Public Health \$2553.00, NPPD \$49.50, NE Rural Water Assoc \$125.00, NE Fire & Safety \$95.00, Nippon Life \$721.58, NW Pipe Fittings \$349.62, John Hancock \$1,933.95, PrintWorks \$229.28, Quadient \$600.00, Rocky Mountain Air \$143.00, Schank Roofing \$345.00, Simmons Olsen \$277.00, Simplot Growers \$1,636.25, Staples

\$18.58, Transcript \$457.36, US Bank \$2,204.86, Van Pelt Fencing \$2,132.75, Vera's Auto \$25.00, Viaero Wireless \$609.75, Western States Bank \$353.06, Payroll \$52,174.23. **Total =\$158,634.09.**

CHIMNEY ROCK VILLA

Council member Newhoff moved to approve the Chimney Rock Villa Bills & Claims in the amount of \$233,591.85. Seconded by council member Marquez. ROLL CALL: AYES: Newhoff, Kraus, Hernandez, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall.

Chimney Rock Villa dryer replacement was put on hold until the beginning of the year

Villa report for Council
November 9, 2021
SNF: 38
ALF: 2
Med A: 0

1. We haven't had any residents test positive this last week. Woohoo! We hopefully will be done with the red zone on the 8th and be able to open back up on the 15th.
2. PPHD was here to give the Pfizer booster last month to residents and staff. I am waiting to hear back from them to schedule the Moderna booster.
3. I received a quote from Whiting signs to reface the front of the sign.
4. You will see on the agenda that I'm asking for another dryer. It's estimated to cost \$3300 to fix and parts won't be available until possibly January.
5. The Cummins generator rep was here last month and gave us a ballpark quote for a new generator.
6. AHCA sent a letter to the FTC on the price gouging going on by some staffing agencies.
7. I've only received one candidate for the DON position and she turned down the offer.
8. We are currently doing a Quality Improvement Initiative due to covid being back in the building. It's something that CMS is requiring of us.
9. We are anxiously awaiting surveyors to come visit us. I'm hoping they will combine our annual with the focused infection control survey.
10. Vaccination has been officially mandated.

DEPARTMENT HEAD MONTHLY REPORTS

All department heads present (Zak Douglass, Dan Coolidge, Shelly Bowlin) gave their reports in person and were available for questions.

- **UTILITY REPORT** – Swept Streets, picked up cement in intersection, fixed water leak, helped Jeff with Hydrant at Figgins Field, poured cement and opened alley on 12th
- **PARK REPORT** – Figgins softball project work, painted new backstops, Isolated infield sprinkler system, Winterized concessions & bathrooms, drained all park sprinkler systems, Cleaned and maintained mower
- **POLICE REPORT** – Zak talked about training and what had been happening with the other officers.
- **LIBRARY REPORT** – There were 588 books checked out in the month of October, the computer was used 20 times, 140 books checked out through overdrive, the Library Board got recertified, applied for Library Improvement Grant & Youth Grants for Excellence, and has been weeding out old books and getting supplies for Summer

Reading.

- **OFFICE REPORT** – Finished EPA meetings, Auditors where onsite November 2nd & 3rd, Free dump day was Oct 9 and the volume of people was less than spring, Senior Center roof fixed, coordinating with contractor on projects, meeting with school to talk about community projects.

POLICE REPORTING SYSTEM

Council Member Newhoff made a motion to approve the purchase of the police reporting system, which is required for federal reporting, from JDS in the amount of \$8,250.00. Seconded by council member Marquez. ROLL CALL: AYES: Newhoff, Kraus, Hernandez, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall.

LIFT STATION RADIO AND EQUIPMENT

Council Member Newhoff made a motion to approve the purchase new radio and equipment replacement for the lift station from Imperial Pump Solutions in the amount of \$2,086.00. Seconded by council member Hernandez. ROLL CALL: AYES: Newhoff, Kraus, Hernandez, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall.

UPRIGHT COMPACTOR

Council Member Marquez made a motion to approve the purchase of an upright compactor from Contractors Materials in the amount of \$2,875.00. Seconded by council member Newhoff. ROLL CALL: AYES: Newhoff, Kraus, Hernandez, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall.

CONSENT AGENDA

Council member Newhoff moved to approve the consent agenda which included minutes from October 12th regular meeting; Treasurer’s reports, and operational budget. Seconded by council member Hernandez. ROLL CALL: AYES: Newhoff, Kraus, Hernandez, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall.

ORDINANCE #856

Mayor Schmall introduced Ordinance #856 to the council. City Clerk/Treasurer Bowlin read the title. Council member Newhoff made a motion for final passage of Ordinance #856. Seconded by council member Kraus.

Ordinance #856

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: Section 3-3-7 of the City Code of the City of Bayard is hereby amended to provide as follows:

The following rates and charges are hereby established for Customers of the City waterworks system:

Rate \$1.750 per Thousand gallon

* Minimum monthly bill shall be at least the following amount depending upon meter size:

Meter Size

5/8” or 3/4” \$30.00 per mo.

1” or 1 1/2” \$35.00 per mo.

2” \$56.00 per mo.

3” or 4” \$90.00 per mo.
Section 2: These rates shall become effective with the January 1, 2021 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.

PASSED AND APPROVED this 9th day of November, 2021.
Mayor Schmall declared it passed, adopted, and ordered it published.

PERSONNEL MANUAL

Council member Newhoff made a motion to approve changes to the Employee Personnel Manual. Seconded by council member Marquez. ROLL CALL: AYES: Kraus, Marquez, Newhoff, and Hernandez. NAYS: None. Motion declared carried by Mayor Schmall.

COLA

Council member Newhoff made a motion to approve a 2% cost of living increase for all city employees, effective October 1st. Seconded by council member Marquez. ROLL CALL: AYES: Newhoff, Kraus, Hernandez, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall.

BONUSES

Council member Newhoff made a motion to approve a \$150.00 bonus for all Chimney Rock Villa employees. Seconded by council member Kraus. ROLL CALL: AYES: Newhoff, Kraus, Hernandez, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall.

Council member Newhoff made a motion to approve a \$150.00 bonus for all City employees. Seconded by council member Hernandez. ROLL CALL: AYES: Newhoff, Kraus, Hernandez, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall.

FERAL CAT PROGRAM

Discussion was held about donating money from Keno into the Feral Cat Program to continue having cats Spayed and Neutered. Many items were discussed and the decision was to get more information on other programs to help with the cat population and revisit this at another time.

PUBLIC COMMENT

None.

ADJOURNMENT

Council member Marquez moved to adjourn at 8:38 P.M. Seconded by council member Kraus. ROLL CALL: AYES: Newhoff, Kraus, Hernandez, and Marquez. NAYS: None. Motion declared carried by Mayor Schmall.

G Schmall
Mayor

S Bowlin
City Clerk/Treasurer