

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 8, 2022 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 2, 2022. 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; Sheila Henson, Diane Kraus, Jamie Hernandez, Marty Marquez and Scot Ouderkirk. Absent: Janice Newhoff. 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 Kraus. ROLL CALL: AYES: Henson, Kraus, Marquez, Ouderkirk, and Hernandez. NAYS: None. Motion declared carried by Mayor Schmall.

### **EAGLE SCOUT PROJECT**

Nate Barker has requested to do a project for Eagle Scout. He was unable to make the meeting due to sickness.

### **TURKEYS**

Council member Ouderkirk moved to approve the purchase of 10 turkeys to donate to school for food drive. Seconded by council member Marquez. ROLL CALL: AYES: Kraus, Ouderkirk, Hernandez, Marquez, and Henson. NAYS: None. Motion declared carried by Mayor Schmall.

### **TIGER CUB**

Council member Henson moved to approve payment of \$7,500.00 to Bayard Tiger Cub for childcare grant. Seconded by council member Ouderkirk. ROLL CALL: AYES: Kraus, Ouderkirk, Hernandez, Marquez, and Henson. NAYS: None. Motion declared carried by Mayor Schmall.

### **CITY BILLS & CLAIMS**

Council member Ouderkirk moved to approve all city bills and claims in the amount of \$150,931.41. Seconded by council member Henson. ROLL CALL: AYES: Kraus, Henson, Ouderkirk, Marquez, and Hernandez. NAYS: None. Motion declared carried by Mayor Schmall. & A Port-a-Potties \$300.00, Action Communication \$35.32, Advancing Technologies \$150.00, Airgas \$24.22, AST \$53.90, Arnold Pool Company \$4,630.00, Bayard Automotive \$321.31, Black Hills Energy \$611.53, Bluffs Facility Solutions \$72.00, Border States \$298.54, Bound Tree \$942.65, Brent Burry \$263.83, CenturyLink \$58.77, Charter \$1,145.94, Child Support of WY \$280.02, Chimney Rock PPD \$130.00, City of Gering \$11,667.83, CivicPlus \$1,200.00, Connecting Point \$89.65, Contractors Materials \$149.07, Culligan \$120.00, Zak Douglass \$98.09, Douglas Kelly Ost diek \$2,772.25, Drug Collection \$50.00, Enviro Service \$50.00, Fyr-Tek \$858.69, General Consolidated \$1,395.73, Great America \$235.00, Gworks \$10,112.91, Carl Kysar \$944.27, Ideal Linen \$211.17, Independent Plumbing \$25.76, Ingram \$965.93, Inland Truck Parts \$947.86, John Hancock \$1,850.87, Kuskie \$1,822.28, LARM \$213.37, Lincoln National \$121.99, MC Schaff \$800.00, Matt Friend \$374.61, Menards \$70.84, Mid-American \$552.25, Midwest Salt \$6,816.56, Morrill Co Attorney \$150.00, Morrill Co Sheriff \$1,000.00, MEAN \$23,401.99, NE Child Support \$1,144.64, NE Public Health \$485.00, Neb Total Office \$76.22, Nippon \$1,612.91, NW Pipe \$386.40, OPTK \$30.00, Panhandle Reg Deve \$50.00, POAN \$20.00, Quadient \$600.00, Robby Rhenbrandt \$250.00, Rocky Mountain Air \$150.60, Sandberg \$112.28, Sandry \$426.05, SCB Building & Zoning \$106.00, Simplot \$1,746.25, Staples \$96.28, Transcript \$362.16, TCD \$750.00, US Bank \$773.82, Western States Bank \$353.06. Payroll \$53,502.26.

### **BONUSES**

Council member Ouderkirk moved to approve bonuses for city employees of \$100 for full-time, \$75 for part-time, and \$50 for casual or less than 90 days. Seconded by council member Marquez. ROLL CALL: AYES: Kraus, Ouderkirk, Marquez, Hernandez, and Henson. NAYS: None. Motion declared carried by Mayor Schmall.

### **CHIMNEY ROCK VILLA**

Council member Henson moved to approve the Chimney Rock Villa Bills & Claims as presented in the amount of \$305,261.76. Seconded by council member Ouderkirk. ROLL CALL: AYES: Kraus, Henson, Ouderkirk, Marquez, and Hernandez. NAYS: None. Motion declared carried by Mayor Schmall.

Council member Ouderkirk moved to approve bonuses for Chimney Rock Villa employees of \$100 for full-time, \$75 for part-time, and \$50 for casual or less than 90 days. Seconded by council member Henson. ROLL CALL: AYES: Kraus, Ouderkirk, Marquez, Hernandez, and Henson. NAYS: None. Motion declared carried by Mayor Schmall.

#### DEPARTMENT HEAD MONTHLY REPORTS

All department heads gave their reports.

- **UTILITY REPORT** – Fixed sewer issue, Swept streets, Fixed water leak, Meter orders, Hauled gravel into allies, Change speed limit signs.
- **PARK REPORT** – Started working on Chimney Rock Villa sprinkler system, Winterized all sprinkler systems, Winterized concession and bathrooms, Washed mowers and cleaned vehicles, Trimmed out windows at Genoways Hall.
- **POLICE REPORT** – 35 Assist the public, 11 assist other agencies, 0 accident investigations, 8 citation violations, 19 warning violations, 10 complaints, 7 investigations.
- **LIBRARY REPORT** – There were 514 books checked out in the month of October, the computer was used 27 times, 145 books checked out through overdrive; Submitted Internship and Library Improvement Grants.
- **OFFICE REPORT** – Monthly reports, payroll, Meetings, auditor in house.
- **FIRE DEPARTMENT – Chief’s Report – September** - 2 MVA’s; 1 Structure Fire; 3 Grass Fires; 1 Dumpster Fire – 7 Calls. **Rescue Report** – –13 Calls; 6 Transported by Bayard; 1 Transported by Valley; 1 Transported by MC ALS- 4 Refusals; Time in service – 11 hours 39 mins Miles with pt 105.8 - total 233.8; Nov 10th Training- Lucas & Monitors; Feb 15th SIMS. **Training Report** –Type 3 Building Construction – Walking tour of town – 7 people for 3 hours.

#### CONSENT AGENDA

Council member Henson moved to approve the consent agenda which included minutes from October 11 meeting; Treasurer’s reports, operational budget, New Hire – Matt MacIntosh \$16.00/hr, and fire department minutes & roster. Seconded by council member Ouderkirk. ROLL CALL: AYES: Kraus, Henson, Ouderkirk, Marquez, and Hernandez. NAYS: None. Motion declared carried by Mayor Schmall.

#### LIBRARY BOARD

Council member Ouderkirk moved to approve the appointment of Rodney Olson to Library Board. Seconded by council member Henson. ROLL CALL: AYES: Kraus, Henson, Ouderkirk, Marquez, and Hernandez. NAYS: None. Motion declared carried by Mayor Schmall.

#### ORDINANCE 868

Council member Hernandez moved to waive the statutory requirement of three readings of Ordinance #868 Updating Grounds Superintendent position. Seconded by council member Ouderkirk. ROLL CALL: AYES: Kraus, Ouderkirk, Marquez, Hernandez, and Henson. NAYS: None. Mayor Schmall declared it waived.

Council member Hernandez moved to approve Ordinance #868 Updating Grounds Superintendent position. Seconded by council member Henson. ROLL CALL: AYES: Kraus, Ouderkirk, Marquez, Hernandez, and Henson. NAYS: None. Mayor Schmall declared it passed, adopted, and ordered it published.

#### ORDINANCE 868

**AN ORDINANCE OF THE CITY OF BAYARD, NEBRASKA AMENDING SECTION 90.01 OF THE CITY CODE - DEFINING JOB FOR GROUNDS SUPERINTENDENT; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES, AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**NOW THEREFORE**, be it ordained by the Council of the City of Bayard, in the State of Nebraska, as follows:  
**SECTION 1: AMENDMENT** “90.01 Grounds Department” of the City of Bayard Municipal Code is hereby *amended* as follows:

90.01 Grounds Department

A. The Grounds Department is responsible for maintenance of all parks and recreation areas in or owned by the city. The Grounds Superintendent is the head of the Grounds Department. All personnel of the Department will report to and work under the supervision of the Grounds Superintendent.

B. The Grounds Superintendent shall be appointed by the Mayor with the consent of the City Council and may be removed by the Mayor.

C. The Grounds Superintendent shall have general supervision of all parks and recreation areas **and other land as designated by council** in or owned by the city. The specific duties, terms and conditions of employment shall be established by resolution of the City Council.

#### **RESOLUTION #1016**

Council member Henson moved to approve Resolution #1016 amending the duties of Grounds Superintendent. Seconded by council member Hernandez. ROLL CALL: AYES: Kraus, Ouderirk, Marquez, Hernandez, and Henson. NAYS: None. Motion declared carried by Mayor Schmall.

#### **RESOLUTION #1015**

Council member Ouderirk moved to approve Resolution #1015 appointed officials' salaries. Seconded by council member Henson. ROLL CALL: AYES: Kraus, Ouderirk, Marquez, Hernandez, and Henson. NAYS: None. Motion declared carried by Mayor Schmall.

#### **NEW SERVER**

Council member Kraus moved to approve purchase of new servers and equipment for City office in the amount of up to \$17,970.56. Seconded by council member Henson. ROLL CALL: AYES: Kraus, Ouderirk, Marquez, Hernandez, and Henson. NAYS: None. Motion declared carried by Mayor Schmall.

#### **PUBLIC COMMENT**

Council President Ouderirk would like to re-instate the employee recognition dinner, would like to have added to December meeting for approval.

#### **ADJOURNMENT**

Council member Ouderirk moved to adjourn at 8:11 P.M. Seconded by council member Marquez. ROLL CALL: AYES: Henson, Kraus, Ouderirk, Marquez, and Hernandez. NAYS: None. Motion declared adjourned by Mayor Schmall.

G Schmall  
Mayor

S Bowlin  
City Clerk/Treasurer