

The Mayor and City Council of the City of Bayard, Morrill County, State of Nebraska, met in a regular session in the Council Chambers January 12, 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 January 6, 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

Council member Newhoff made a motion to approve the agenda. Seconded by council member Ouderkirk. 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** – Put in water meter pit, swept streets, line locates, changed lights at Chimney Rock, and fixed multiple water leaks.
- **PARK REPORT** –Jeff Smith still out.
- **POLICE REPORT** – 22 assist the public; 11 assist other agencies; 0 accident investigations; 0 citation violation; 3 warning violation; 13 complaints; 8 investigations.
- **LIBRARY REPORT** – There were 631 books checked out, the computer was used 32 times, 102 books checked out through overdrive, awarded internship grant, attending summer reading workshop.
- **OFFICE REPORT** – finalizing new website, working on meter reads and billing, working on garbage rates, monthly and quarterly reports, bank reconciliations, EAP Brownfield assessments, and personnel manual updates.
- **BAYARD FIRE DEPT REPORT** – Chiefs Report: 1 structure fire, 5 man hours 5 people; Rescue Report: 4 transports by Valley, 3 transports to RWMC, 3 No Transports, 1 Lift Assist, 1 transport to MCCH, 1 Stand-by, 13 calls – 44 man hours, 209.8 miles; Training Report: Search & Rescue 13 people – 6 man hours.

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 \$36.08, Advancing Technology \$150.00, AFLAC \$1,156.38, Airgas \$15.94, AirMed Care \$780.00, AST \$49.90, Ameritas Life Ins \$108.04, Barco \$192.06, Bayard Automotive \$931.74, Bayard Grocery \$8.38, Bayard Rural Fire \$30.00, Tiger Paws \$976.17, Best Plumbing \$4,700.07, Black Hills Energy \$2,460.95, Bluffs Sanitary \$20.76, Capital Business Systems \$133.10, Centurylink \$243.96; Charter \$1550.68, Child Support of WY \$298.14, Chimney Rock PPD \$139.95, Connecting Point \$149.49, Credit Mgmt. \$86.67, Culligan \$154.00, Dollar General \$24.50, Douglas Kelly Ostdiek \$3075.50, Dutton Lainson \$538.89, Ecolab \$665.45, Enviro Service \$40.00, Flat Water Vet \$80.00, Ford Motor \$9525.23, Fremont Motors, General Consolidated \$1,068.07; Jessica Ernest \$131.93, Gworks \$123.45, Hawkins \$1621.70, Ideal \$333.20, Ingram \$634.15, Inland Truck \$1,495.62, IIMC \$175.00, Jack's Uniforms \$132.69, Lincoln Nat'l Life \$64.64, Maggi's Sewing \$499.99, Morrill Co Attorney \$150.00, Morrill Co Clerk \$476.20, Morrill Co Sheriff \$1,000.00, MEAN \$64,368.40, NE Child support \$1,650.96, NMPP \$1,650.00, NPPD \$49.50, NE Safety & Fire \$936.95, NE Total Office, Nippon Life Benefits \$743.42, Northwest Pipe \$370.64, One America \$1,264.63, One Call Concepts \$63.06, Pro Overhead Door \$347.00, Quadient \$2,055.00, RR Mgmt \$671.95, Rocky Mountain Air \$121.00, Mark Schwartzkoph \$2,221.50, Simmons Olsen Law \$105.00, Transcript \$103.41, US Bank \$1,370.78, Viaero Wireless, Waste Connections \$10,485.95, Western States Bank \$160.07, Payroll \$53,319.97. **Total** =\$181,067.29.

CHIMNEY ROCK VILLA

Director's Report

1. **WE ARE GREEN!!** We will have to mask up and social distance, but residents are able to come out of their rooms at will. We will be using the dining room between meals and activities for visitors. We had to tweak our visitation policy a little, and we will be notifying families.

2. We moved the containment wall so we now just have 3 rooms for the red zone.
3. On December 31 Walgreen's came in and did vaccinations for residents and staff. All residents but three received the vaccine and 11 staff members. Our next vaccine dose will be January 21. Then they will be back in February to give vaccine to any new residents. Because Morrill County is yellow, staff will still get tested twice/week, but residents won't need tested since we aren't in outbreak status.
4. We have a water leak...below the concrete in the wall that separates dietary manager office and laundry room. It doesn't always leak when the washing machine drains, but when it does, there is water all over. Calling in plumbers to see what/where the leak is and how much.
5. Going to be doing a lot of touch up painting from where the containment walls came down. I'm wanting to get Sherwin Williams or someone in here to offer suggestions to update the look of the inside for the 50th Anniversary.
6. PPHD reached out to us to help another facility in the panhandle that is having an outbreak. They wanted to transfer their COVID positive residents to us. Casey and I were very leery about bringing COVID back into the building, but still wanted to help the facility out, so we offered to send our recovered staff to help out. They needed a med aide and LPN for 14 days. I don't have a nurse to spare, so we sent a med aide. They were very appreciative.
7. We will be a testing site for NHCA. The Villa has been approved, now just going to see if we have an RN that wants to test, or if I'll just have NHCA supply the nurse. WE will be doing some reorganizing of the offices in the back to accommodate the testing and hopefully teaching again.

Council member Newhoff moved to approve the Chimney Rock Villa Bills & Claims in the amount of \$282,245.04. Seconded by council member Ouderkirk. ROLL CALL: AYES: Henson, Newhoff, Ouderkirk, Kraus, and Valentine. NAYS: None. Motion declared carried by Mayor Schmall.

CONSENT AGENDA

Council member Ouderkirk moved to approve the consent agenda which included minutes from December 8th meeting; Treasurer's reports, operational budget. Seconded by council member Henson. ROLL CALL: AYES: Henson, Newhoff, Ouderkirk, Valentine, and Kraus. NAYS: None. Motion declared carried by Mayor Schmall.

ORDINANCE 845

Council Member Ouderkirk made a motion to waive the three readings for Ordinance #845. Seconded by council member Newhoff. ROLL CALL: AYES: Henson, Newhoff, Valentine, Ouderkirk, and Kraus. NAYS: None. Motion declared suspended by Mayor Schmall.

Council Member Newhoff made a motion for final passage of Ordinance #845. Seconded by council member Valentine. ROLL CALL: AYES: Henson, Newhoff, Valentine, Ouderkirk, and Kraus. NAYS: None. Mayor Schmall declared it passed, adopted, and ordered it published.

ORDINANCE #845

AN ORDINANCE OF THE CITY OF BAYARD, NEBRASKA AMENDING SECTION 51.04 OF THE CITY CODE CONCERNING SERVICE RATES FOR GARBAGE COLLECTION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR EFFECTIVE DATE OF THIS ORDINANCE.

ORDINANCE 846

Council Member Ouderkirk made a motion to waive the three readings for Ordinance #846. Seconded by council member Newhoff. ROLL CALL: AYES: Henson, Newhoff, Valentine, Ouderkirk, and Kraus. NAYS: None. Motion declared suspended by Mayor Schmall.

Council Member Ouderkirk made a motion for final passage of Ordinance #846. Seconded by council member Newhoff. ROLL CALL: AYES: Henson, Newhoff, Valentine, Ouderkirk, and Kraus. NAYS: None. Mayor Schmall declared it passed, adopted, and ordered it published.

ORDINANCE #846

AN ORDINANCE OF THE CITY OF BAYARD, NEBRASKA AMENDING SECTION 95.05 OF THE CITY CODE OF ORDINANCES CONCERNING CHANGES NECESSARY DUE TO THE SALE OF THE CHIMNEY ROCK GOLF COURSE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

RESOLUTION 987

Council member Newhoff moved to approve Resolution #987 Appointing Fire Department Officers for 2021. Seconded by council member Henson. ROLL CALL: AYES: Henson, Kraus, Newhoff, Valentine, and Ouderkirk. NAYS: None. Motion declared carried by Mayor Schmall.

RESOLUTION 987

BE IT RESOLVED that the election of the following officers of the Bayard Fire Department for the year 2021 are confirmed:

President	Jeff Kizzire
Vice President	Jerred Brown
Secretary	Kacey Kreman
Treasurer	Chris Baird
Fire Chief	Mike Harimon
Assistant Fire Chief	Paul Safford
Rescue Chief	Stephanie Dalbey

Dated this 12th day of January, 2021.

RESOLUTION 988

Council member Henson moved to approve Resolution #988 Schedule of Fees for 2021. Seconded by council member Newhoff. ROLL CALL: AYES: Henson, Kraus, Newhoff, Valentine, and Ouderkirk. NAYS: None. Motion declared carried by Mayor Schmall.

RESOLUTION 988

A Resolution of the City Council of the City of Bayard establishing permit, license, and related fees.

BE IT THEREFORE RESOLVED by the Mayor and City Council of the City of Bayard, Nebraska:

1. The following schedule of fees is hereby adopted by the City of Bayard and shall be effective beginning January 12, 2021.

Accident Reports	\$5.00	
ATV Registration	\$15.00	
Building Permits	\$20.00 plus inspector fees	
Copy Fee	\$.25	per page
Dog tags	\$15.00 per year	Spade or neutered
	\$20.00 per year	Not spade or neutered
Dump Disposal Fee	\$25.00	pick-up load; or
	\$5.00	per individual item; or
	\$50.00-\$100.00	per dump-truck load or trailer
Fax Fee - Out	\$5.00	for the first 3 pages
	\$1.00	pages 4 and after
In	\$.50	for the first page
	\$.25	for each page there after
Mowing Lots	\$200.00 per lot/parcel number the first time	
	\$300.00 each there after	
Meter Deposits	\$100.00	own – residential or business
	\$250.00	rent – residential or business
	\$25.00-\$100.00	additional deposit –requested if shut Off more than once.
Pole Rental	\$10.00	per pole (i.e. Charter Comm.)
Reconnect Fees	\$10.00	reconnect fee (requested shut-off)
	\$50.00	reconnect fee (during hours)
	\$125.00	reconnect fee (after hours)

Selling Permit	\$50.00	annually (i.e. Cash-wa, Mountain Man)
	\$10.00	per day (i.e. door-to-door salesman, tree seller down at Tiger Paws)
	\$50.00	fireworks

Passed and approved on January 12, 2021.

PUBLIC COMMENT

Mayor Schmall updated council about the Grocery closing on March 5th, asking the community to fill out survey from TCD. Council Member Henson asked if the pool was going to be ready to be open for spring/summer. Mayor Schmall informed all present what he had been told about the pool and we would be ready for summer season. We will be looking for lifeguards and providing reimbursement for training. Mayor Schmall also updated on a couple of legislative bills that may be coming that will affect sales tax.

ADJOURNMENT

Council member Henson moved to adjourn at 7:44 P.M. Seconded by council member Newhoff. 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