

The Mayor and City Council of the City of Bayard, County Morrill, State of Nebraska, met in a regular session in the Council Chambers March 14, 2023. City of Bayard, 445 Main Street, Bayard, Nebraska, 69334. Notice of the meeting having been published in the Bayard Transcript March 8, 2023. An agenda for the meeting was made available to the mayor and each of the council members prior to the meeting. Present were Mayor Scot Ouderkirk and council members Chris Baird, Tanner Henkel, Sheila Henson, Diane Kraus, Marty Marquez, and Jamie Hernandez. Absent: None. There being a quorum of council members present, Mayor Ouderkirk called the meeting to order at 7:00 P.M. The Pledge of Allegiance was recited. Mayor Ouderkirk 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 Baird. ROLL CALL: AYES: Baird, Henkel, Henson, Kraus, Marquez, and Hernandez. NAYS: None. Motion declared carried by Mayor Ouderkirk.

### **PUBLIC HEARING – WELLFIELD LEASE**

Mayor Ouderkirk opened the public hearing at 7:02 PM, City Lawyer Ostdiek provided auctioneering services. Cash lease basis for one year from April 8, 2023 to April 8 2024. City is concerned with weeds, prairie dogs, and over grazing and will be working closely with Lessee. Jerrod Brown bid \$7,000.00 with no other bids; the public hearing was closed at 7:08 PM. Council member Baird made a motion to approve the lease to Jerrod Brown in the amount of \$7,000.00. Seconded by council member Henkel. ROLL CALL: AYES: Henkel, Henson, Kraus, Marquez, Hernandez, and Baird. NAYS: None. Motion declared carried by Mayor Ouderkirk.

### **LARGE ANIMAL PERMIT**

Council member Kraus made a motion to approve large animal permit for Emma Safford to be located at 1519 Avenue A; she will have a steer and a cow/calf pair for 4-H and FFA. Seconded by council member Hernandez. ROLL CALL: AYES: Henson, Kraus, Marquez, Hernandez, Baird, and Henkel. NAYS: None. Motion declared carried by Mayor Ouderkirk.

### **CITY BILLS & CLAIMS**

Council member Baird moved to approve all city bills and claims in the amount of \$141,569.12. Seconded by council member Marquez. ROLL CALL: AYES: Kraus, Marquez, Hernandez, Baird, Henkel, and Henson. NAYS: None. Motion declared carried by Mayor Ouderkirk

Accelerated Receivables \$505.44, Action Communication \$36.29, Airgas \$25.45, Amazon Capital Services \$403.76, Bayard Automotive \$388.24, Bayard Tiger Club \$9,818.94, Bayard Tiger Paws \$2.39, Benzel Pest Control \$184.00, Black Hills Energy \$3,259.78, Capital Business \$131.47, Charter \$545.79, Child Support of WY \$149.07, Chimney Rock PPD \$142.55, City of Gering \$11,601.32, Gene Claver \$5,376.13, Culligan \$123.16, Douglas, Kelly Ostdiek \$1,062.50, Enviro Service \$50.00, FNBO \$353.06, General Consolidated \$520.20, GreatAmerica \$235.00, Ideal Linen \$215.10, Ingram \$1,130.54, Jacks Uniforms \$269.39, John Hancock \$1,849.14, KRAV Maga WW \$895.00, Kuskie \$957.03, Mark Lang \$302.32, Menards \$1,573.78, Morrill Co Attorney \$150.00, Morrill Co Sheriff \$1,000.00, MEAN \$40,587.64, NE Child Support \$808.63, NDEE \$40.00, Nippon Life Benefits \$718.69, OPTK \$30.00, Rocky Mountain Air \$180.40, Ed Salazar \$79.80, Scb Bldg & Zng \$62.00, Simmons Olsen Law \$75.00, SparqData \$3,500.00, USPS \$300.00, Viaero Wireless \$38.04, Payroll \$51,902.08.

### **CHIMNEY ROCK VILLA**

Council member Hernandez moved to approve the Chimney Rock Villa Bills & Claims as presented in the amount of \$308,500.40. Seconded by council member Baird. ROLL CALL: AYES: Marquez, Hernandez, Baird, Henkel, Henson and Kraus. NAYS: None. Motion declared carried by Mayor Ouderkirk.

### **DEPARTMENT HEAD MONTHLY REPORTS**

All department heads gave their reports.

- **UTILITY REPORT** – Removed snow, installed lights at fire hall, changed street lights, Kevin went to water class in Gering.
- **POLICE REPORT** – 48 Assist the public, 26 assist other agencies, 2 accident investigations, 2 citation violations, 18 warning violations, 18 complaints, 3 investigations.
- **LIBRARY REPORT** – There were 612 books checked out in the month of February, the

computer was used 20 times, 243 books checked out through overdrive; sent 50 rolls of microfilm for digitalization, Summer Reading workshop March 23

- **OFFICE REPORT** – Monthly reports, payroll, Meetings, pay scale work, clerk school.
- **FIRE DEPARTMENT – Chief’s Report** –2 MVA, 1 Structure Fire, 1 Control Burn, 1 other; 5 calls - 26 man-hours. **Rescue Report** Not provided. **Training Report** –Burn box training – 10 people – 4 man-hours; mutual aid with Minatare Water Training – 4 people – 3 man-hours.

### **CONSENT AGENDA**

Council member Henson moved to approve the consent agenda which included minutes from February 14<sup>th</sup> meeting; Treasurer’s reports, operational budget, and fire department minutes & roster. Seconded by council member Baird. ROLL CALL: AYES: Hernandez, Baird, Henkel, Henson, Kraus, and Marquez. NAYS: None. Motion declared carried by Mayor Ouderkirk.

### **AGING OFFICE OF WESTERN NEBRASKA**

Council member Henson moved to approve agreement with Aging Office of Western Nebraska for rental of Senior Center building. Seconded by council member Kraus. ROLL CALL: AYES: Baird, Henkel, Henson, Kraus, Marquez, and Hernandez. NAYS: None. Motion declared carried by Mayor Ouderkirk.

### **MEAN – GREEN ENERGY**

Council member Henson moved approve agreement with MEAN for Green Energy and to waive the three readings of Ordinance 870. Seconded by council member Baird. ROLL CALL: AYES: Henkel, Henson, Kraus, Marquez, Hernandez, Baird. NAYS: None. Motion declared Waived by Mayor Ouderkirk.

AN ORDINANCE AUTHORIZING AND DIRECTING EXECUTION OF THE GREEN ENERGY PROGRAM SUBSCRIPTION CONFIRMATION BY THE CITY/VILLAGE/TOWN OF Bayard, Nebraska WITH THE MUNICIPAL ENERGY AGENCY OF NEBRASKA; TO PRESCRIBE THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Council member Henson moved for final passage of Ordinance 870. Seconded by council member Baird. ROLL CALL: AYES: Henkel, Henson, Kraus, Marquez, Hernandez, Baird. NAYS: None. Mayor Ouderkirk declared it passed, adopted, and ordered it published.

### **ORDINANCE 869**

Discussion was held between council and residence concerning Ordinance 869. City Clerk/Treasurer Bowlin read the title.

AN ORDINANCE OF THE CITY OF BAYARD, NEBRASKA AMENDING SECTION 93.30 OF THE CITY CODE OF ORDINANCES CONCERNING REMOVAL OF SNOW AND/OR ICE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

This item will be updated and placed on the April Meeting for final reading.

### **PUBLIC COMMENT**

None.

### **ADJOURNMENT**

Council member Henson moved to adjourn at 7:58 P.M. Seconded by council member Kraus. ROLL CALL: AYES: Henson, Kraus, Marquez, Hernandez, Baird, and Henkel. NAYS: None. Meeting declared adjourned by Mayor Ouderkirk.

S Ouderkirk.  
Mayor

S Bowlin  
City Clerk/Treasurer