

The Mayor and City Council of the City of Bayard, County Morrill, State of Nebraska, met in regular session in the Council Chambers November 8, 2016, 7:00 PM City of Bayard 445 Main St. 69334. Notice of the meeting having been published in the Bayard Transcript, a newspaper of general circulation, on November 2, 2016. An agenda for the meeting was made available to the Mayor and each of the Council members prior to the meeting. Present were Mayor Coolidge and council members, Scot Ouderkirk, Nate Edmunds, Jim Deines, and Gage Norman. Absent: John Schmall and Trevor Teichroeb. There being a quorum of council members present, Mayor Coolidge called the meeting to order at 7:00 P.M. with the City Clerk Heffron recording the minutes.

All present voluntarily recited the Pledge of Allegiance.

Council member Norman made a motion to approve the agenda. Seconded by council member Ouderkirk. ROLL CALL: AYES: Edmunds, Deines, Norman, and Ouderkirk. NAYS: None. Motion declared carried by Mayor Coolidge.

Mayor Coolidge acknowledged the Open Meetings Act and stated to the public that a copy is posted on the door.

Kim Burry, Administrator for Chimney Rock Villa gave the Villa's monthly report.

Council member Norman moved to approve the Chimney Rock Villa Bills & Claims. Seconded by council member Ouderkirk. ROLL CALL: AYES: Edmunds, Deines, Norman, and Ouderkirk. NAYS: None. Motion declared carried by Mayor Coolidge.

Council member Norman moved to award the Chimney Rock Villa annual audit to S. Douglas Kucera (SDK) in the amount of \$8,500.0 for fiscal year 2017, \$10,500.00 for fiscal year 2018, and \$10,500.00 for fiscal year 2019. (SDK was the only bid received)

All department heads: Justin Markheim, Nate Heffron, Dan Coolidge, Zak Douglass, Sharon Ulbrich, and Cheryl Eirich presented monthly reports for their departments.

Justin Markheim gave an update of affairs of the Chimney Rock Golf Course.

Council member Ouderkirk moved to approve the payroll portion of the bills and claims for the City of Bayard. Seconded by council member Deines. ROLL CALL: AYES: Edmunds, Deines, Norman, and Ouderkirk. NAYS: None. Motion declared carried by Mayor Coolidge.

Council member Norman moved to approve the City of Bayard bills & claims less payroll. Seconded by council member Edmunds. ROLL CALL: AYES: Edmunds, Deines, Norman, and Ouderkirk. NAYS: None. Motion declared carried by Mayor Coolidge.

Council member Norman moved to approve the consent agenda. Seconded by council member Edmunds. ROLL CALL: AYES: Edmunds, Deines, Norman, and Ouderkirk. NAYS: None. Motion declared carried by Mayor Coolidge.

Mike Olsen from MC Schaff could not attend the meeting but sent a letter in advance to the Mayor and Council. His letter stated Midland Inc. has signed and returned the contracts, as well as, obtained their bid and performance bond. The contracts are ready for the Mayor to sign and they will be fully executed. Midland Inc. also signed and returned Change Order No. 1 that updated the contract price to reflect the contract negotiation. He expects Midland Inc. to begin construction June 1, 2017. He also indicated that the first set of plans had been sent to DHHS and USDA Rural Development for their review, but have not heard anything to date.

Council member Edmunds moved to approve the changes to the American Legion Post #200's liquor license as requested. Seconded by council member Deines. ROLL CALL: AYES: Edmunds, Deines, Norman, and Ouderkirk. NAYS: None. Motion declared carried by Mayor Coolidge.

Council member Edmunds moved to approve the salary of \$61,000.00 annually to Chimney Rock Villa Administrator Kim Burry, effective November 1, 2016. Seconded by council member

Ouderkirk. ROLL CALL: AYES: Edmunds, Deines, Norman, and Ouderkirk. NAYS: None. Motion declared carried by Mayor Coolidge.

Chimney Rock Villa Administrator Kim Burry presented a tobacco free workplace policy and a tobacco free facility policy for the Chimney Rock Villa. The Mayor and Council decide to table this item pending further information.

Council member Norman moved to approve a \$100, after tax, bonus for all full-time City employees \$75.00, after tax for full time seasonal. Seconded by council member Deines. ROLL CALL: AYES: Edmunds, Deines, Norman, and Ouderkirk. NAYS: None. Motion declared carried by Mayor Coolidge.

Council member Norman moved to approve a \$100, after tax, bonus for all full-time Chimney Rock Villa employees \$75.00, after tax for part time employees, and \$50.00, after tax for employees employed ninety (90) days or less. Seconded by council member Ouderkirk ROLL CALL: AYES: Edmunds, Deines, Norman, and Ouderkirk. NAYS: None. Motion declared carried by Mayor Coolidge.

Council Member Edmunds introduced Ordinance #790 and called for its first reading. City Clerk Nate Heffron read the title: 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 #790 will be placed on next month's agenda for its second reading.

City Clerk Nate Heffron read the title of Ordinance #791 for its second reading: AN ORDINANCE OF THE CITY OF BAYARD AMENDING SECTION 53.13 (B) OF THE CITY CODE; SETTING SEWER FEES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

Ordinance #791 will be placed on next month's agenda for its third reading.

The Council and Mayor decided to table Ordinance #792 until next month.

Mayor Coolidge gave an update to the Housing Study that Western Nebraska Economic Development group (WNED) contracted. The study can be obtained on the City's website. Mayor Coolidge informed the Council that the next WNED meeting will be on 11-17-16, at 6:00 PM at the Bayard City Council Chambers.

City Streets and Utilities Supervisor Dan Coolidge brought a quote to the Council to extend the skid steer warranty with Murphy Tractor and Supply Company for \$1230.00 Council and Mayor asked for further information before taking action on this and will table it until next meeting.

City Streets and Utilities Supervisor Dan Coolidge brought a quote the Council to contract with Midco Diving and Marine Inc. for 2016 water tower tank maintenance. The Council and Mayor asked Supervisor Coolidge to gather more information verse who performed this task last time.

Council member Norman moved to change salaried employees to hourly employees effective December 1, 2016. Seconded by council member Deines ROLL CALL: AYES: Edmunds, Deines, Norman, and Ouderkirk. NAYS: None. Motion declared carried by Mayor Coolidge.

Mayor Coolidge gave the Council an update concerning finding an auditor for this year's state audit. No firms at this point have presented bids. The Mayor and City Clerk will be working on locating an auditor.

Mayor Coolidge presented a proposal to change the City's bereavement policy from up to three days can be taken by an employee to up to five days, plus travel time, and to allow the Mayor to extend upon approval.

Council member Edmunds moved to change City's bereavement policy from up to three days can be taken by an employee to up to five days, plus travel time, and to allow the Mayor to

extend upon approval. Seconded by council member Deines ROLL CALL: AYES: Edmunds, Deines. NAYS: Ouderkirk. ABSTAIN: Norman. Motion failed.

Mayor Coolidge gave an update on the testing of the R&M building demolition site. Several months back it was reported that a rogue employee working for the testing agency had not performed some tests in a proper manner. Due to this, the testing agency preformed the test over. The same results were confirmed by the second rounds of testing and no action needs to be taken.

Mayor Coolidge gave a brief update on Council Member Teichroeb's condition. City Attorney Phil Kelley informed the Council and Mayor that if needed, the Council could excuse Council Member Teichroeb's absences from meetings if they wanted and would have to consider such action once he missed so many meetings or, by state statute he would have to vacate his seat.

Mayor Coolidge request that the Council consider replacing some of the highs school flags that line Main Street using Keno funds. Mayor Coolidge will bring back more information on the cost at the December meeting.

Public Comment:

Travis Miller expressed his gratitude to the members of the Mayor, Council, and city staff for their support of the school system and leadership in the community.

Mayor Coolidge recognized the Boy Scouts in attendance and thanked them for coming to the meeting.

Council member Norman moved to adjourn at 8:14 P.M. Seconded by council member Ouderkirk. ROLL CALL: AYES: Edmunds, Deines, Norman, and Ouderkirk. NAYS: None. Motion declared carried by Mayor Coolidge.

Mayor

ATTEST:

City Clerk

“This institution is an equal opportunity provider and employer.”