

## **VILLAGE OF EAGLE**

**December 2, 2025**

The Village Board of Trustees met in regular session at 7:00 p.m. on December 2, 2025 with Todd, Hochstein, Meier, Dobbins and Surman present. The Agenda items listed thereon were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. The Chairperson, at the beginning of the meeting, informed the public about the location of the posted current copy of the Open Meetings Act. Chairperson Todd named the three (3) areas where the agenda was posted as follows: Eagle Municipal Building, Eagle Fire & Rescue Department and Eagle Municipal Park. The Pledge of Allegiance was recited.

Chairperson Todd opened the public hearing at 7:01 p.m. for the purpose of hearing testimony concerning Sidewalk Improvement District No. 2025-01, the outer boundaries of which shall include all of the property abutting F Street, from 4<sup>th</sup> to 6<sup>th</sup> Street, to be improved by the construction of sidewalks and the improvement of sidewalk space. The Village Engineer, Barbara Johnston, and her colleague Sam Tomek, were present to help answer questions from the public. An exhibit was displayed showing the proposed roadway and sidewalk improvements in this district. Todd asked if there were any comments or questions from the public. Cindy Dice (530 F St.) asked how far the sidewalks will be set back onto the property. Johnston said sidewalks will typically be located five feet (5') from the edge of the street in the right-of-way area. Dice asked if the large tree on her lot will need to be removed. Johnston said it is difficult to tell from the current exhibit; the assumption is grading will need to occur all the way back to the property lines, but if there isn't a significant change in elevation, the tree may be saved; however, if the tree is in the right-of-way area it will likely be in danger of removal. Dice asked who would pay to have the tree removed. Johnston said that would be an expense of the Village as part of the construction project. Dice asked if the drainage tube adjacent to her front yard will be removed as part of the construction cost as well. Johnston said yes. The Village Attorney, Maureen Freeman-Caddy, said driveways will also be poured back to the property line, and if a property owner is interested in having their entire driveway done concurrently, they may be able to make independent arrangements with the contractor. Craig Dice (530 F St.) said his driveway and the alleyway are side-by-side; the exhibit shows a green space between the two and he does not believe there will be enough room for it. Tomek said the alleyway is not currently in the correct location so the driving surface will be shifted to the east. Dice said he would be fine if his driveway and alleyway were connected with concrete instead of having the small green space between the two. Josh Lahmon (245 S. 4<sup>th</sup> St.) said he believes a precedent was set in the past where residents were not charged for sidewalks as part of a Sidewalk Improvement District. Freeman-Caddy said there was only one instance where sidewalks were not assessed against the adjacent properties; this was the 4<sup>th</sup> Street ADA Improvements Project (D Street to F Street); the Village Board at that time deemed this particular project a public benefit project since it encompassed the downtown business district. Lahmon said his argument is all

sidewalks are installed for public benefit and some of the sidewalks that were not assessed during the last 4<sup>th</sup> Street Project were adjacent to residential properties.

The public hearing was closed at 7:12 p.m.

Chairperson Todd opened the public hearing at 7:13 p.m. for the purpose of hearing testimony concerning Sidewalk Improvement District No. 2025-02, the outer boundaries of which shall include all of the property abutting 4<sup>th</sup> Street, from A Street to the MoPac Trail, to be improved by the construction of sidewalks and the improvement of sidewalk space. The Village Engineer, Barbara Johnston, and her colleague Sam Tomek, were present to help answer questions from the public. An exhibit was displayed showing the proposed roadway and sidewalk improvements in this district. Todd asked if there were any comments or questions from the public. Josh Lahmon (245 S. 4<sup>th</sup> St.) said he believes a precedent was set in the past where residents were not charged for sidewalks as part of a Sidewalk Improvement District. He also asked if there is an estimated cost to each property owner because he feels there are individuals in this district that may not have the funds to afford the assessment. Nystrom said the total pre-design opinion of probable cost for sidewalks in this district was estimated at \$55,000. Johnston said her estimate would be between \$3,000-\$4,000 per 100' of frontage. Meier expressed concern that residents may not know they will be charged for sidewalks. Freeman-Caddy said that is the reason notices were sent to all affected property owners in each district. Deb Carter (205 S. 4<sup>th</sup> St.) said she also feels there will be property owners in the district that have difficulties with the assessment. Freeman-Caddy said that is part of the reason the Village Board is allowing interest-free annual payments over the course of seven years. Carter said she has an existing sidewalk and asked if it will need to be replaced. Johnston said the sidewalk will need to be replaced and relocated further to the east. Lahmon said there is a maximum allowable width for a driveway approach and asked if any that are currently over the limit will be poured back as they were or corrected to meet the allowable limit. Johnston said the plans are currently drawn to put back what is in existence.

The public hearing was closed at 7:23 p.m.

Motion by Surman, second by Meier, to introduce Resolution 2025-14. Voting: Ayes – 5. Motion carried.

Chairperson Todd read Resolution 2025-14 entitled:

#### **RESOLUTION NO. 2025-14**

**A RESOLUTION DETERMINING THAT THE WRITTEN OBJECTIONS TO THE CREATION OF SIDEWALK IMPROVEMENT DISTRICT NOS. 2025-01 AND 2025-02 OF THE VILLAGE (COLLECTIVELY, THE “DISTRICT”) ARE INSUFFICIENT AND THAT THE REQUIRED FACTS AND CONDITIONS FOR THE CREATION OF THE DISTRICT**

EXIST; RATIFYING AND AFFIRMING THE CREATION OF THE DISTRICT; ACCEPTING AND APPROVING THE PLANS AND SPECIFICATIONS AND ESTIMATE OF COSTS OF THE ENGINEERS OF THE VILLAGE IN CONNECTION WITH THE DISTRICT IMPROVEMENTS AND AUTHORIZING VILLAGE OFFICIALS TO ENTER INTO AND EXECUTE A CONTRACT FOR SUCH IMPROVEMENTS ON BEHALF OF THE DISTRICT

BE IT RESOLVED BY THE CHAIRPERSON AND BOARD OF TRUSTEES (THE "VILLAGE BOARD") OF THE VILLAGE OF EAGLE, NEBRASKA (THE "VILLAGE") AS FOLLOWS:

**Section 1.** The Village Board makes the following findings and determinations:

- a. Pursuant to Ordinance Nos. 2025-09 and 2025-10, adopted by the Village Board on October 20, 2025 ("**Creation Ordinance**"), the Village created Sidewalk Improvement District Nos. 2025-01 and 2025-02 (collectively, the "**District**") and authorized the construction and improvement of sidewalks within (i) F Street from 4th to 6th Street, and (ii) 4th Street from A St. to the Mopac Trail, all within the Village (as more fully described in the Creation Ordinance, the "**Improvements**"); and
- b. Pursuant to the Creation Ordinance, the Village Board called for a public hearing to be held on December 2, 2025 (the "**Public Hearing**") for the Village Board to determine the sufficiency of any written objections filed objecting to the creation of the District and the existence of the required facts and conditions relative to the creation of such District, and the Village Board ordered notice of the Public Hearing to be published as provided by law; and
- c. Notice of the creation of the District and notice of the Public Hearing was published once each week for two consecutive weeks, on November 6 and November 13, in *The Voice News*, a legal newspaper of general circulation in the Village; and
- d. As of the date of the Public Hearing, owners of record title representing 0% of the front footage of the property directly abutting upon the Improvements to be made in District No. 2025-01 and 9.48% of the front footage of the property directly abutting the Improvements to be made in District No. 2025-02 have filed written objections to the creation of such District; and
- e. The owners of record title to property directly abutting upon the Improvements to be made in the District who filed objections to the creation of such District do not represent more than 50 percent of the front footage of property directly abutting upon the Improvements to be made in the District; and

f. The Village Board finds and determines that (i) objections to the creation of the District are insufficient to repeal the Creation Ordinance, and (ii) all required facts and conditions exist for the creation of the District.

**Section 2.** The creation of the District and the Village Board's findings and determinations with respect to the construction of the Improvements are hereby ratified and affirmed.

**Section 3.** The plans, specifications and estimates of cost of the engineers in connection with the construction of the Improvements in the District, which have heretofore been filed with the Village Board are accepted and approved.

**Section 4.** This Resolution shall be in full force and take effect from and after its passage as provided by law.

Motion by Surman, second by Meier, to adopt Resolution 2025-14. Voting: Ayes – 5. Motion carried.

Motion by Surman, second by Dobbins, to introduce Ordinance 2025-11. Voting: Ayes – 5. Motion carried.

Chairperson Todd read Ordinance 2025-11 entitled:

#### **ORDINANCE NO. 2025-11**

**AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF VARIOUS PURPOSE BOND ANTICIPATION NOTES, SERIES 2025, OF THE VILLAGE OF EAGLE, NEBRASKA, IN ONE OR MORE SERIES AND IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED TWO MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$2,800,000), TO PROVIDE INTERIM FINANCING FOR THE COSTS OF CONSTRUCTING AND IMPROVING STREETS, SEWERS AND SIDEWALKS WITHIN CERTAIN IMPROVEMENT DISTRICTS IN THE VILLAGE; AUTHORIZING CERTAIN OFFICIALS TO DETERMINE THE FINAL AGGREGATE PRINCIPAL AMOUNT, MATURITIES, RATES, REDEMPTION PROVISIONS, TERMS AND OTHER DETAILS OF SUCH NOTES; PRESCRIBING THE FORM AND DETAILS OF THE NOTES; COVENANTING TO ISSUE GENERAL OBLIGATION VARIOUS PURPOSE BONDS TO PAY THE NOTES AT MATURITY OR EARLIER REDEMPTION OR TO PAY THE NOTES FROM OTHER AVAILABLE FUNDS, INCLUDING REFUNDING NOTES; DESIGNATING THE NOTES AS QUALIFIED TAX EXEMPT OBLIGATIONS; ADOPTING CERTAIN POST-ISSUANCE TAX COMPLIANCE AND DISCLOSURE PROCEDURES WITH RESPECT TO THE NOTES; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH**

Motion by Hochstein, second by Meier, to accept the first reading of Ordinance 2025-11. Voting: Ayes – 5. Motion carried.

Motion by Surman, second by Hochstein, to suspend the rules of three consecutive readings of Ordinance 2025-11. Voting: Ayes – 5. Motion carried.

Motion by Meier, second by Hochstein, to adopt Ordinance 2025-11. Voting: Ayes – 5. Motion carried.

Open Forum – Cindy Dice (530 F St.) asked if there are any plans to put sidewalks around the perimeter of Eagle Municipal Park. There are no plans to date.

Motion by Surman, second by Meier, to approve minutes as typed for the previous meeting. Voting: Ayes – Dobbins, Meier, Surman, Todd. Hochstein abstained. Motion carried.

Motion by Meier, second by Hochstein, to approve claims as presented. Voting: Ayes – 5. Motion carried.

Approved Claims: Wages 11,658.38, Board Wages 800.00, ABC Termite & Pest Control 55.00, Allied Benefit Systems 7,203.00, Amazon Marketplace 207.23, American Exchange Bank 2,625.00, Big Step Construction 100.00, Black Hills Energy 431.51, BOK Financial 29,395.75, Bound Tree Medical 1,632.58, Bromm Lindahl Freeman-Caddy & Lausterer 3,654.50, Capital Business Systems 240.90, Casey's 505.10, Cass Co Refuse 196.00, Cass Co Sheriff's Dept 3,145.21, Constellation Energy 121.80, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 4,113.24, Fortner, Paige & Sam 300.00, GBE, CPA 8,000.00, Google LLC 201.60, Grainger 42.86, Hestermann, Rick 507.50, HOA Leasing 16,500.00, Home Depot Credit Svc 159.96, Horning, Tyler & Traci 47.50, Hotsy Equipment Co 214.05, JLC Exteriors LLC 100.00, John Hancock Investments 403.09, Klabenes, Curtis 910.00, Knee Deep LLC 5,100.00, Krejdl, Alyse 300.00, League of NE Municipalities 160.00, Lourdes, Avila 300.00, Lutz, Morgan 3,537.54, Matheson Tri-Gas 98.93, Menards-South 467.00, Midwest Labs 207.37, NE Dept of Rev 2,156.14, NE Public Health Env Lab 30.00, Norland Pure 26.18, Nystrom, Taira 480.00, One Billing Solutions 403.28, One Call Concepts 6.52, OPPD 5,242.48, O'Reilly Auto Parts 26.42, Pavers 9,159.00, Power Manager 3,187.04, Quik Dump Refuse 1,934.80, SCS Engineers 768.75, Snyder & Associates 7,930.00, Stickney, Bill 300.00, Stryker Sales 3,746.80, Subsurface Solutions 360.00, The Electronic Repair Shop 95.00, UNUM 935.80, US Postmaster 378.36, Verizon Wireless 726.57, Voice News 537.98, Windstream 658.53. Total of bills: **\$144,306.09**.

Approved Park Claims: Black Hills Energy 52.61, OPPD 110.90, Windstream 34.46. Total of bills: **\$197.97**.

Motion by Todd, second by Meier, to appoint the Village Clerk as Chairperson Pro Tempore. Voting: Ayes – 5. Motion carried.

Nick Nystrom, as acting Chairperson Pro Tempore, called for nominations for Chairperson.

Hochstein nominated Todd and Dobbins nominated Hochstein for Chairperson.

Motion by Surman, second by Todd, to cease nominations for Chairperson. Voting: Ayes – 5. Motion carried.

The vote to elect a Village Board Chairperson was conducted via secret ballot. The results were read by the Village Clerk as 3 votes Hochstein and 2 votes Todd. Hochstein was appointed Village Board Chairperson.

Chairperson Hochstein called for nominations for Chairperson Pro Tempore.

Dobbins nominated Todd for Chairperson Pro Tempore.

Motion by Surman, second by Dobbins, to cease nominations for Chairperson Pro Tempore. Voting: Ayes – 5. Motion carried.

Todd was appointed Chairperson Pro Tempore by acclamation.

Motion by Dobbins, second by Meier, to approve the following slate of appointments: Attorney – Maureen Freeman-Caddy; Maintenance Superintendent – None; Clerk – Nick Nystrom; Treasurer – Nick Nystrom; Legal Newspaper – The Voice News; Accountant – Mierau & Company; Engineer – Snyder & Associates; Building Inspector/Zoning Administrator – Rick Hestermann; and Nuisance Hearing Officer – Sandy Weyers. Voting: Ayes – 5. Motion carried.

Motion by Meier, second by Surman, to approve the following appointments and individuals serving on the internal boards of the Village of Eagle: Board of Health – Hochstein, Meier; Streets – Meier, Surman; Water – Hochstein, Meier; Sewer – Hochstein, Surman; Buildings & Grounds – Hochstein, Todd; NRD – Office, Dobbins; Keno – Meier, Todd; Technology & Telecommunications – Office, Dobbins, Todd; Safety – Todd, Meier, Village Employees; Park – Hochstein, Meier; Human Resources & Personnel – Todd, Surman; Emergency Services – Todd, Dobbins. Voting: Ayes – 5. Motion carried.

Motion by Meier, second by Todd, to designate the three public posting areas as a method of giving reasonable advanced notice for the Village of Eagle as the Eagle Municipal Building, Eagle Fire & Rescue Department and Eagle Municipal Park. Voting: Ayes – 5. Motion carried.

Motion by Surman, second by Meier, to allow emergency vehicles to leave the corporate limits. Voting: Ayes – 5. Motion carried.

Motion by Hochstein, second by Todd, to approve the design and location of the monument sign as presented for the new Fire & Rescue Station Facility. Voting: Ayes – 5. Motion carried.

Motion by Dobbins, second by Meier, to approve the purchase of clip-on flashlights from O-Light for members of Eagle Fire & Rescue in the amount of \$699.75. Voting: Ayes – 5. Motion carried.

Motion by Surman, second by Meier, to approve the purchase of a Toro 18" Gas Snow Blower from Small Engine Specialists in the amount of \$589.00. Voting: Ayes – 5. Motion carried.

Motion by Meier, second by Hochstein, to approve the purchase of ¾" water meters and radio transceivers from Core & Main in the amount of \$8,815.80. Voting: Ayes – 5. Motion carried.

Motion by Hochstein, second by Todd, to go into executive session at 8:15 p.m. to discuss Nick Nystrom's annual employee evaluation and to protect the reputation of the employee. Voting: Ayes – 5. Motion carried.

Chairperson Hochstein said the Village Board has come out of executive session at 8:24 p.m. after discussing Nick Nystrom's annual employee evaluation.

Motion by Todd, second by Meier, to increase Nick Nystrom's wage to \$41.25 per hour. Voting: Ayes – 5. Motion carried.

The meeting was adjourned at 8:25 p.m.

Nick Nystrom  
Village Clerk

Marcus Hochstein  
Chairperson