

VILLAGE OF EAGLE

December 5, 2023

The Village Board of Trustees met in regular session at 7:00 p.m. on December 5, 2023 with Todd, Hochstein, Meier, Caylor and Dobbins 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 the adoption of an updated Zoning Ordinance and amended Zoning Map for the Village of Eagle, Cass County, Nebraska. Todd asked if there were any comments or questions from the public. Shirley Oberle asked what rules and regulations she is required to follow since her property is located within Eagle's extraterritorial zoning jurisdiction. Nystrom said the Zoning Ordinance and Subdivision Regulations would apply. There were no further comments or questions from the public.

The public hearing was closed at 7:03 p.m.

Motion by Meier, second by Caylor, to introduce Ordinance 2023-06. Voting: Ayes – 5. Motion carried.

Chairperson Todd read Ordinance 2023-06 entitled:

ORDINANCE NO. 2023-06

AN ORDINANCE OF THE VILLAGE OF EAGLE, CASS COUNTY, NEBRASKA, TO AMEND SECTION 201, ARTICLE 2, CHAPTER 11 OF THE MUNICIPAL CODE OF THE VILLAGE OF EAGLE, NEBRASKA, BY THE ADOPTION OF NEW ZONING REGULATIONS, BY REFERENCE, FOR THE VILLAGE OF EAGLE, NEBRASKA, AND FOR THAT AREA WITHIN THE EXTRATERRITORIAL JURISDICTION BEYOND THE CORPORATE LIMITS; TO AMEND THE ZONING MAP FOR THE MUNICIPALITY; TO PROVIDE FOR THE SEVERABILITY OF ANY SECTION, CLAUSE, PROVISION OR PORTION FOUND UNCONSTITUTIONAL OR INVALID; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE THAT THIS ORDINANCE SHALL BE PUBLISHED WITHIN THE FIRST 15 DAYS AFTER ITS PASSAGE AND APPROVAL EITHER IN PAMPHLET FORM OR BY POSTING IN THREE PUBLIC PLACES IN THE VILLAGE OF EAGLE, NEBRASKA, AND SHALL BE IN FULL FORCE AND TAKE EFFECT FROM AND AFTER ITS PASSAGE AND APPROVAL, AS PROVIDED BY LAW AND AS PROVIDED

HEREIN; AND TO PROVIDE THAT THE PROVISIONS OF THIS ORDINANCE SHALL BECOME AND BE MADE A PART OF THE MUNICIPAL CODE OF THE VILLAGE OF EAGLE, NEBRASKA BY REFERENCE, AND THE SECTIONS OF THIS ORDINANCE MAY BE RENUMBERED TO ACCOMPLISH SUCH INTENTION.

Motion by Meier, second by Hochstein, to accept the first reading of Ordinance 2023-06. Voting: Ayes – 5. Motion carried.

Open Forum – Jeanne Colby requested an extension from the Village Board to abandon the existing septic system on her property and associated connection to the public sanitary sewer system. The Village Board will consider this request at the next regular meeting scheduled for December 18, 2023. Raymond Althouse asked what documentation is required to conjoin his 2.28 acre parcel of land with his surrounding agricultural property. Nystrom said the Cass County Surveyor will be able to perform this action administratively and send a revised plat map to the Village of Eagle.

Motion by Meier, second by Hochstein, to approve minutes as typed for the previous meeting. Voting: Ayes – 5. Motion carried.

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

Approved Claims: Wages 12,656.81, Board Wages 900.00, ABC Termite & Pest Control 119.00, Allied Benefit Systems 5,146.56, Amazon Marketplace 737.03, American Exchange Bank 1,125.00, Black Hills Energy 409.47, BOK Financial 104,809.25, Bromm Lindahl Freeman-Caddy & Lausterer 1,555.50, Capital Business Systems 231.63, Casey's 558.21, Cass Co Economic Development 1,000.00, Cass Co Sheriff's Dept 3,145.21, Constellation Energy 87.23, Core & Main 11,256.32, Drake CPE 33.76, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 3,871.16, Frontier Cooperative 740.52, GBE, CPA, PC 6,000.00, Google LLC 158.40, GPM Environmental Solutions 6,791.00, Graham, Mike 200.49, Hestermann, Richard 715.23, Hotsy Equipment 7,940.00, Interstate Battery 104.25, John Hancock Investments 278.94, Johnson Service Co 108,083.25, Knee Deep LLC 1,500.00, Matheson Tri-Gas 233.39, Menards-South 869.03, Midwest Labs 125.70, Nadrchal, Jim 5,000.00, NE Assigned Risk Pool 431.00, NE Dept of Agriculture 207.40, NE Dept of Env & Energy 345.00, NE Dept of Rev 2,204.97, NE Public Health Env Lab 32.00, Norland Pure 14.45, Nystrom, Taira 450.00, One Billing Solutions 1,397.97, One Call Concepts 7.58, OPPD 4,595.31, O'Reilly Auto Parts 374.28, Power Manager 339.34, Quik Dump Refuse 1,438.30, Rock Creek Refuse 100.00, School District 145 300.00, Signs Now 292.00, Subsurface Solutions 4,104.00, The Electronic Repair Shop 95.00, UNUM 720.91, US Postmaster 631.64, USA Bluebook 84.06, Verizon Wireless 748.42, Voice News 316.03, Windstream 585.99. Total of bills: **\$307,644.55**.

Approved Park Claims: Black Hills Energy 42.51, OPPD 104.12. Total of bills: **\$146.63.**

Motion by Hochstein, second by Dobbins, to approve a \$100.00 Christmas bonus for each full-time Village of Eagle employee. Voting: Ayes – 5. Motion carried.

Terri Todd, as current Chairperson, called for nominations for Chairperson.

Dobbins nominated Todd for Chairperson.

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

Todd was elected Village Board Chairperson.

Chairperson Todd called for nominations for Chairperson Pro Tempore.

Todd nominated Hochstein for Chairperson Pro Tempore.

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

Hochstein was elected Village Board Chairperson Pro Tempore.

Motion by Hochstein, 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 Todd, second by Meier, to approve the following appointments and individuals serving on the internal boards of the Village of Eagle: Board of Health – Todd, Caylor; Streets – Meier, Dobbins; Water – Meier, Hochstein; Sewer – Meier, Hochstein; Buildings & Grounds – Todd, Caylor; NRD – Office, Caylor; Keno – None; Technology & Telecommunications – Office, Todd, Dobbins; Safety – Caylor, Meier, Village Employees; Park – Todd, Meier; Human Resources & Personnel – Todd, Caylor; Emergency Services – Caylor, Dobbins. Voting: Ayes – 5. Motion carried.

Motion by Hochstein, second by Caylor, to approve the following slate of appointments: Planning Commission – Randy Todd & Willa DiCostanzo; Board of Appeals – Brandon Meyer; and Park & Recreation Commission – Elizabeth Umshler, Cassidi Denton, Tracy Masek, Amber Doser & Derek Wiedenfeld. Voting: Ayes – 5. Motion carried.

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

Motion by Meier, second by Todd, to approve a bid of up to \$13,000 for the purchase of a 2012 Chevrolet Silverado on Auction Time. Voting: Ayes – 5. Motion carried.

Motion by Hochstein, second by Caylor, to approve the Retainer Agreement with the Law Firm of Napoli Shkolnik PLLC as the same relates to expenses that may incur in the future for testing, treatment and remediation of PFAS contamination. Voting: Ayes – 5. Motion carried.

Motion by Meier, second by Hochstein, to go into executive session at 8:09 p.m. to discuss Nick Nystrom's annual employee evaluation and to protect the reputation of the employee. Voting: Ayes – 5. Motion carried.

Chairperson Todd said the Village Board has come out of executive session at 8:15 p.m. after discussing Nick Nystrom's annual employee evaluation.

Motion by Todd, second by Caylor, to increase Nick Nystrom's wage to \$38.50 per hour. Voting: Ayes – 5. Motion carried.

The meeting was adjourned at 8:16 p.m.

Nick Nystrom
Village Clerk

Terri Todd
Chairperson