

VILLAGE OF EAGLE
BOARD OF TRUSTEES AGENDA
FEBRUARY 21, 2023
EAGLE FIRE & RESCUE DEPARTMENT—705 S 1st Street
7:00 P.M.

--A COPY OF THE OPEN MEETINGS ACT IS AVAILABLE FOR PUBLIC INSPECTION—

--THE BOARD OF TRUSTEES RESERVES THE RIGHT TO GO INTO EXECUTIVE SESSION PER NRS 84-1410—

--PLEDGE OF ALLEGIANCE

1. Report from Fire & Rescue.
2. Discuss/possible action: Approve the 2023 Annual Investment with Cass County Nebraska Economic Development Council in the amount of \$2,000.
3. Discussion: Windstream's proposal to submit an application to the Nebraska Public Service Commission's Capital Projects Fund Program to expand fiber broadband service in Eagle.
4. Open Forum.
5. Discuss/possible action: Approve the donation of individual pool passes to Eagle Vision for the annual Easter Egg Hunt on April 1, 2023.
6. Discuss/possible action: Approve Eagle Vision's request for an outdoor movie event at the Eagle Municipal Park on May 5, 2023.
7. Discuss/possible action: Approve the following requests by Eagle Vision for Eagle Days on June 24, 2023:
 - a. Street closings, barricades, no parking signs and parade route.
 - b. Street dance and associated closures.
 - c. Waiver of vendor fees.
 - d. Fireworks display at the Eagle Community Park.
 - e. Location of car show.
 - f. Free admittance to the Eagle Pool.
8. Discuss/possible action: Approve Culvert Agreement between Susana Frias and the Village of Eagle at 435 B Street.
9. Discuss/possible action: Update on community recycling program.
10. Report on Streets and Maintenance.
11. Report on Wells and Sewer.
12. Discuss/possible action: Approve or deny minutes as typed for the previous meeting.
13. Report from Committees and Boards.
14. Discuss/possible action: Hiring of a Seasonal Maintenance employee.

15. Discuss/possible action: Hiring for the Deputy Clerk Treasurer position.

The Agenda is readily available for inspection at the Village Clerk's Office located at 747 S. 2nd Street, Eagle, Nebraska during regular business hours.

Eagle Recycling Service

Monthly Disposal Fee Comparison

DATE	CARDBOARD HAULS	MISC HAULS	TOTAL MONTHLY FEE
2/1/2022	2	1	\$672.90
3/1/2022	2	2	\$931.40
4/5/2022	2	1	\$707.10
5/3/2022	3	1	\$923.30
6/7/2022	3	2	\$1,194.40
7/5/2022	3	2	\$1,180.90
8/2/2022	2	2	\$951.20
9/6/2022	4	2	\$1,284.00
10/4/2022	2	2	\$1,001.10
11/1/2022	3	1	\$911.11
12/6/2022	3	2	\$1,245.30
1/3/2023	3	2	\$1,359.90
2/7/2023	5	3	\$2,219.40
TOTAL	37	23	\$14,582.01

ITEMS TO NOTE:

TOTAL FOR FISCAL YEAR 2023 AS OF 2/16/23 IS \$6,736.81 (\$15,000 WAS ALLOCATED IN THE BUDGET)

HAULING FEE INCREASED 9.10% EFFECTIVE 12/1/2022

CARDBOARD RECYCLING WILL COST \$20.00 PER TON EFFECTIVE 3/14/2023 (ORIGINALLY NO COST)

VILLAGE OF EAGLE

February 7, 2023

The Village Board of Trustees met in regular session at 7:00 p.m. on February 7, 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.

Motion by Todd, second by Hochstein, to approve the appointment of Austyn Beck to the Eagle Planning Commission. Voting: Ayes – 5. Motion carried.

Open Forum – John Surman (450 Eagle Dr.) urged the Village Board to watch the budget closely as unexpected expenditures do arise; recent examples include payments in arrears to Maguire Iron and Rock Creek Refuse for services rendered and the increased volume of recyclables being hauled off by Quik Dump Refuse. Todd expressed concern with the amount of garbage accumulating around town due to unfortunate circumstances surrounding a particular refuse company and asked what can be done to alleviate the issue. Freeman-Caddy said individual citizens are responsible for their own solid waste disposal; if the accumulation of garbage becomes an issue then a notice of nuisance can be addressed to those in violation; this type of notice may trigger citizens to consider contracting with another refuse company to remain in compliance with the law or will result in the Village abating the nuisance violations itself. Scott Lonergan (Asst. Fire Chief) thanked the Village for providing a salt truck during the fire event that occurred last month. Lonergan briefly discussed the need for additional security cameras at the fire station and better tracking of those entering the facility with proxy cards.

Motion by Hochstein, second by Caylor, to approve the purchase of a Centrifuge Sampling Kit from USA Bluebook for the WWTP in the amount of \$1,672.75. Voting: Ayes – 5. Motion carried.

Motion by Todd, second by Hochstein, to approve Bryce Belt attending the free 2023 Excavation Safety Summit in Lincoln on February 22, 2023. Voting: Ayes – 5. Motion carried.

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

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

Approved Claims: Wages 11,109.51, Board Wages 900.00, ABC Termite & Pest Control 119.00, Allied Benefit Systems 3,431.04, Amazon Marketplace 46.48, American Exchange Bank 750.00, Black Hills Energy 1,370.05, BOK Financial 785.00, Bound Tree Medical 5,387.25, Buel Trucking 408.48, Capital Business Systems 29.36, Casey's 680.71, Cass Co Sheriff's Dept 3,145.21, Cass Co Treasurer 1,105.00, CLIA Laboratory Program 180.00, CMS Medicare Svc 688.00, Constellation Energy 1,231.37, Core & Main 2,384.48, Cornhusker Press 153.50, Custom LED Lighting 108.00, Dollar General 34.15, Eagle Automotive 1,287.72, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 3,065.54, Google LLC 120.00, Gray, Robert & Audrey 175.36, John Hancock Investments 295.67, Keep Cass County Beautiful 1,000.00, Klein, Cody 17.50, Lancaster Co Mutual Aid 100.00, League of NE Municipalities 1,315.00, Lovell Excavating 1,200.00, Mary's Tax Svc 124.75, Matheson Tri-Gas 212.87, McKesson Medical 199.91, Menards-South 168.56, Midwest Labs 294.34, NE Dept of Rev 2,051.21, NE Public Health Env Lab 47.00, NE Secretary of State 55.00, Nystrom, Taira 450.00, One Billing Solutions 1,085.77, One Call Concepts 4.38, One Source Background Checks 29.00, OPPD 5,034.66, O'Reilly Auto Parts 104.25, Quik Dump Refuse 2,219.40, Riverstone Bank 15,304.84, Rock Creek Refuse 1,600.00, School District 145 20.00, Snyder & Associates 2,240.63, SE Area Clerks Assn 20.00, UNUM 673.05, US Postmaster 316.44, Verizon Wireless 747.33, Windstream 577.99. Total of bills: **\$77,696.76**.

Approved Park Claims: Black Hills Energy 40.58, OPPD 98.88. Total of bills: **\$139.46**.

The meeting was adjourned at 7:59 p.m.

Nick Nystrom
Village Clerk

Terri Todd
Chairperson

VILLAGE OF EAGLE

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Report from Law Enforcement – Sergeant Boehm reported 16 citations, 21 warnings and equipment violations, and 25 calls for service during the month of January. Meier said new off-road vehicle flags were issued at the beginning of the year; the flags are now yellow for license year 2023. Hochstein inquired about the two calls relating to drugs and the one assault call. Boehm said the two drug calls were regarding marijuana; the assault call occurred outside of the corporate limits which he does not have information on at this time.

Report from Building & Zoning Administrator – Hestermann reported no new building permits and 1 inspection during the month of January. There are 23 total open permits to date. Hestermann said he received no response from the property owner of 909 F Street regarding suspected roof damage; he visited the property to check the suspected issue and could not visually identify any damage from the street.

Motion by Todd, second by Hochstein, to approve the appointment of Austyn Beck to the Eagle Planning Commission. Voting: Ayes – 5. Motion carried.

Open Forum – John Surman (450 Eagle Dr.) urged the Village Board to watch the budget closely as unexpected expenditures do arise; recent examples include payments in arrears to Maguire Iron and Rock Creek Refuse for services rendered and the increased volume of recyclables being hauled off by Quik Dump Refuse. Todd expressed concern with the amount of garbage accumulating around town due to unfortunate circumstances surrounding a particular refuse company and asked what can be done to alleviate the issue. Freeman-Caddy said individual citizens are responsible for their own solid waste disposal; if the accumulation of garbage becomes an issue then a notice of nuisance can be addressed to those in violation; this type of notice may trigger citizens to consider contracting with another refuse company to remain in compliance with the law or will result in the Village abating the nuisance violations itself. Scott Lonergan (Asst. Fire Chief) thanked the Village for providing a salt truck during the fire event that occurred last month. Lonergan briefly discussed the need for additional security cameras at the fire station and better tracking of those entering the facility with proxy cards.

Discuss/possible action: Approve purchase of Cummins Generator for the lift station at Hartland Estates from Nebraska Generator in the amount of \$19,450.22 – Todd said this generator would serve as a standalone unit specifically for the Hartland Estates lift station. The Eagle Board of Trustees allocated \$20,000 for a lift station generator in this year's budget. Dobbins said there will be some additional costs associated with this purchase as well, such as electrical and concrete; additionally, 36kW seems excessive when only 20kW would be necessary to meet electrical code. Hochstein agreed that 36kW seems excessive. Dobbins suggested obtaining an alternate bid for a 20kW generator for the sake of comparison. Caylor asked if there will be a need for a 36kW generator in the future as Eagle continues to grow. Dobbins said he is unsure because he does not know what the lift station was specifically designed to handle. Nystrom was directed to forward the questions from the Village Board to Nebraska Generator and obtain a proposal for a 20kW generator. Agenda item tabled until a future meeting. No action taken.

Motion by Hochstein, second by Caylor, to approve the purchase of a Centrifuge Sampling Kit from USA Bluebook for the WWTP in the amount of \$1,672.75. Voting: Ayes – 5. Motion carried.

Motion by Todd, second by Hochstein, to approve Bryce Belt attending the free 2023 Excavation Safety Summit in Lincoln on February 22, 2023. Voting: Ayes – 5. Motion carried.

Discussion: Allowing chickens within the corporate limits of the Municipality – Nystrom said before a significant amount of time is spent researching the topic of allowing chickens in town he felt it would be a good idea to gauge the Village Board's interest in the same. Hochstein said he would support allowing chickens in town. Nystrom said he did speak to a few communities in the area but the majority did not allow chickens in town; the primary reasons for their decisions included lack of adequate enforceability, nuisance concerns (odor, noise, etc.) and attracting dogs, cats, raccoons, coyotes and other wildlife into town, among others. Hochstein said the communities he spoke with that do allow chickens require an application and inspection process that the office can approve or deny based on whether or not all criteria is met. Meier said there is not enough staff to adequately patrol chickens and respond to neighborhood complaints; additionally, this is not something law enforcement is going to assist in. Caylor said as a member of the Health Board her concern is the smell chickens can create if not properly maintained. Hochstein said if chickens are not properly maintained by a specific individual then the permit could be revoked and not renewed the following year. Caylor said the problem is they would already own the chickens; this means the Village Board would be forced to abate the nuisance themselves or file an action in court. Nystrom said his recommendation to the Village Board has always been not to pass into law something that cannot be properly enforced. John Surman (450 Eagle Dr.) said this law would be unenforceable; there have been instances where the Village Board spent money in court against individuals with too many dogs and the problem still didn't stop; the

Village staff has more important things to do than field complaints as the result of an unenforceable law. Surman said he expressed similar concerns when the off-road vehicles were allowed to be operated in town; it is a frequent occurrence to see people without a license driving down the street but not a single citation has been issued by law enforcement since the ordinance went into effect last year. Meier expressed concern with keeping chickens warm in the winter months and the increased risk of fire. Caylor added that one chicken coop burned down earlier this year outside of town. Todd said her opinion is there is not adequate staffing to properly enforce the law. Dobbins suggested entertaining the idea again a couple of years down the road when there may be a need for more staff. The majority of the Village Board generally disagreed with allowing chickens within the corporate limits of the Municipality. No further discussion.

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

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

Approved Claims: Wages 11,109.51, Board Wages 900.00, ABC Termite & Pest Control 119.00, Allied Benefit Systems 3,431.04, Amazon Marketplace 46.48, American Exchange Bank 750.00, Black Hills Energy 1,370.05, BOK Financial 785.00, Bound Tree Medical 5,387.25, Buel Trucking 408.48, Capital Business Systems 29.36, Casey's 680.71, Cass Co Sheriff's Dept 3,145.21, Cass Co Treasurer 1,105.00, CLIA Laboratory Program 180.00, CMS Medicare Svc 688.00, Constellation Energy 1,231.37, Core & Main 2,384.48, Cornhusker Press 153.50, Custom LED Lighting 108.00, Dollar General 34.15, Eagle Automotive 1,287.72, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 3,065.54, Google LLC 120.00, Gray, Robert & Audrey 175.36, John Hancock Investments 295.67, Keep Cass County Beautiful 1,000.00, Klein, Cody 17.50, Lancaster Co Mutual Aid 100.00, League of NE Municipalities 1,315.00, Lovell Excavating 1,200.00, Mary's Tax Svc 124.75, Matheson Tri-Gas 212.87, McKesson Medical 199.91, Menards-South 168.56, Midwest Labs 294.34, NE Dept of Rev 2,051.21, NE Public Health Env Lab 47.00, NE Secretary of State 55.00, Nystrom, Taira 450.00, One Billing Solutions 1,085.77, One Call Concepts 4.38, One Source Background Checks 29.00, OPPD 5,034.66, O'Reilly Auto Parts 104.25, Quik Dump Refuse 2,219.40, Riverstone Bank 15,304.84, Rock Creek Refuse 1,600.00, School District 145 20.00, Snyder & Associates 2,240.63, SE Area Clerks Assn 20.00, UNUM 673.05, US Postmaster 316.44, Verizon Wireless 747.33, Windstream 577.99. Total of bills: **\$77,696.76**.

Approved Park Claims: Black Hills Energy 40.58, OPPD 98.88. Total of bills: **\$139.46**.

Report from Attorney – Freeman-Caddy said she was contacted by a law firm representing the developer of Eagle's Landing regarding the pending subdivision application; she will be sending samples of past subdivision agreements for the law

firm's review. Nystrom said he has received complaints regarding a car that is parked in the entryway of the former Casey's General Store property along 3rd Street; the car is parked too close to the adjacent fire hydrant which restricts access for firefighters and municipal staff. Freeman-Caddy said she would recommend having law enforcement make contact with the vehicle owner and issue a citation if it is not moved.

Report from Clerk/Treasurer – Nystrom said the new full-time maintenance employee is scheduled to begin employment on February 21, 2023. The office identified unlicensed and inoperable vehicles on public and private property and sent letters to property owners in violation of Municipal Code. Nystrom said he is in the process of revalidating enrollment for the Rescue Department with the Centers for Medicare & Medicaid Services. Final notices were mailed to property owners who have not yet submitted their Cross Connection Control Surveys. Nystrom briefly discussed a free drinking water screening for polyfluoroalkyl substances (PFAS); this is proactive testing to determine if PFAS is an issue for public water systems in Nebraska. The Nebraska Municipal Clerk Academy will be held in Kearney on March 13-17, 2023. Nystrom recommended a new commercial vacuum be purchased for the fire department that can specifically handle dirt, rock and heavy debris. Todd said there are a number of vehicles around town that are parked on grass lawns; Eagle's zoning ordinance only permits the parking of vehicles on hard-surfaced areas. Nystrom asked if the Village Board would like the staff to identify those vehicles in violation of the zoning ordinance and send notices relating to the same. The Village Board generally agreed to identify and send notice to those in violation of Section 8.02.04 of the Eagle Zoning Ordinance. Nystrom said the total monthly income ending January 31, 2023 was \$125,384.84.

Discuss/possible action: Update on the Deputy Clerk Treasurer position – Nystrom said Polly Frye's final day of employment with the Village of Eagle will be March 31, 2023. After a brief discussion, the Village Board directed the Village Clerk to advertise for the upcoming vacant position in the three public posting areas outside of the Eagle Municipal Office, Eagle Fire & Rescue Department and Eagle Municipal Park. No further action taken at this time.

The meeting was adjourned at 7:59 p.m.

I, the undersigned Village Clerk for the Village of Eagle, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Chair and Board of Trustees on February 7, 2023 at 7:00 p.m. and that all of the subjects included in the foregoing proceedings were contained in the Agenda for the meeting, kept continually current and readily available for public inspection at the office of the Village Clerk; that such subjects were contained in said Agenda for at least twenty-four (24) hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public

inspection within ten (10) working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

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Nick Nystrom
Village Clerk

Terri Todd
Chairperson