

VILLAGE OF EAGLE  
BOARD OF TRUSTEES AGENDA  
APRIL 4, 2023  
EAGLE FIRE & RESCUE DEPARTMENT – 705 S 1<sup>st</sup> 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**

**PUBLIC HEARING** concerning the One & Six-Year Street Improvement Plan for the Village of Eagle.

Open Public Hearing  
Public Comment  
Close Public Hearing

1. Discuss/possible action: Resolution 2023-01 – Adoption of One & Six-Year Street Improvement Plan.
2. Report from Law Enforcement.
3. Report from Building & Zoning Administrator.
4. Open Forum.
5. Discussion: Property line boundaries at 140 D Street.
6. Discuss/possible action: Approve the donation of an annual Individual Pool Pass to the Eagle Park & Recreation Commission for the Earth Day Community Clean-up Event on April 22, 2023.
7. Discuss/possible action: Parkview Avenue and D Street Mill & Overlay Improvements Project bid opening, recommendation and award.
8. Discuss/possible action: Final reading of Ordinance 2023-03 – Amendment of Village of Eagle water rates.
9. Discuss/possible action: First reading of Ordinance 2023-04 – Establishing compensation for seasonal pool employees.
10. Discuss/possible action: Resolution 2023-02 – Setting a flat monthly sewer rate for new residents until a January, February and March water use average is established.
11. Discuss/possible action: Approve Extreme Crazy Cracker's 2023 Fireworks Permit Application at 510 Highway 34.
12. Discuss/possible action: Approve Alvo Eagle Recreation's 2023 Fireworks Permit Application at the Eagle Memorial Field located at 1<sup>st</sup> & Highway 34.
13. Discuss/possible action: Approve Patriot Pete's 2023 Fireworks Permit Application at 340 Highway 34.

14. Discuss/possible action: Consider four-year service contract with Sargent Drilling for the variable frequency drives at the wells in the amount of \$2,654.00.
15. Discuss/possible action: Consider purchase of Weed and Feed from Frontier Cooperative in an amount not to exceed \$1,700.00.
16. Discuss/possible action: Update on community recycling program.
17. Discuss/possible action: Approve or deny minutes as typed for the previous meeting.
18. Discuss/possible action: Approve claims.
19. Report from Attorney.
20. Report from Clerk/Treasurer.

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

**ONE & SIX YEAR  
STREET IMPROVEMENT PLAN  
2023-2028  
VILLAGE OF EAGLE, NEBRASKA**

In 1970, the State of Nebraska initiated a program developed to provide an integrated system of public roads for the state, counties, and municipalities. The Department of Transportation and each county and municipality develops a long range Six-Year Plan of highway, road, and street improvements. The Six-Year Plan is required by law to be extended annually and kept on file with the Village Clerk.

Along with the Six-Year Plan, a One-Year Plan shall be annually prepared and placed on file with the Village Clerk for specific highway, road, and street improvements for the current year.

These plans must first be approved and adopted by the Governing Body after a public hearing.

In the current 2022 program year, the Village of Eagle completed the following projects:

- M-259(31), Wenzel Circle from 4<sup>th</sup> Street Mill & Overlay Improvements, project cost total \$97,324.18.
- Miscellaneous Maintenance Projects totaling \$19,126.50.

Total Project Improvements completed in the year 2022 was \$116,450.68.

The 2023-2028 One- and Six-Year Street Improvement Plan includes the following and is described in more detail on the following pages.

- The One-Year Street Improvement Plan for 2023 consists of general maintenance and two projects consisting of nearly 6 blocks of street improvements. These projects total over 1,900' of pavement reconstruction and are estimated to cost \$125,000.
- The remaining four project on the Six-Year Improvements Plan for 2023-2028 consist of 9 blocks of street improvements. These projects total approximately 1,700 of pavement reconstruction and 1,300' of mill and overlay activities and are estimated to cost \$1,318,000.
  - o The estimated cost of all projects is \$1,443,000.
- A location map for each plan and a summary of the individual projects and their estimated costs are included in this report.

**Board of Public Roads Classifications and Standards**  
**Form 7 One- and Six-Year Plan**  
**Highway or Street Improvement Project**

County:	City:	Village: <b>Eagle</b>				
Location Description: <b>4th Street from A Street to B Street</b>						
Existing Surface Type and Structures: <i>(Such as dirt, gravel, asphalt, concrete, culvert, or bridge)</i> <b>Asphalt</b>						
Average Daily Traffic: <b>2019 = 150, 2028 = 150</b>		Classification Type: <i>(As shown on Functional Classification Map)</i> <b>Local</b>				
<b>PROPOSED IMPROVEMENT</b>						
Design Standard Number: <b>Table 2-001</b>	<b>Surfacing</b>	Thickness: <b>8"</b> Width: <b>31'</b>				
<input type="checkbox"/> Grading <input checked="" type="checkbox"/> Concrete <input type="checkbox"/> Right of Way <input type="checkbox"/> Lighting <input type="checkbox"/> Aggregate <input type="checkbox"/> Curb & Gutter <input type="checkbox"/> Utility Adjustments <input type="checkbox"/> ..... <input type="checkbox"/> Armor Coat <input type="checkbox"/> Drainage Structures <input type="checkbox"/> Fencing <input type="checkbox"/> ..... <input type="checkbox"/> Asphalt <input type="checkbox"/> Erosion Control <input type="checkbox"/> Sidewalks <input type="checkbox"/> .....						
<b>Bridge to Remain in Place</b>	Roadway Width:	Length:      Type:				
<b>New Bridge</b>	Roadway Width:	Length:      Type:				
<b>Box Culvert</b>	Span:      Rise:      Length:	Type:				
<b>Culvert</b>	Diameter:	Length:      Type:				
<b>Bridges and Culverts Sized</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Hydraulic Analysis Pending					
Other Construction Features: <b>Sidewalks, Grading, Curb Work, Storm Sewer</b>						
<b>ESTIMATED COST</b> <i>(in Thousands)</i> ★ OPTIONAL	★ COUNTY	★ CITY	★ STATE	★ FEDERAL	★ OTHER	TOTAL
		200				200
Project Length: <i>(Nearest Tenth, State Unit of Measure)</i> .10 Mile			Project No.: <b>M-259(22)</b>			
Signature: <i>Bobbiann Johnston</i>		Title: <b>Village Engineer</b>			Date: <b>3/10/2023</b>	

**Board of Public Roads Classifications and Standards**  
**Form 7 One- and Six-Year Plan**  
**Highway or Street Improvement Project**

County:	City:	Village: <b>Eagle</b>				
Location Description: <b>4th Street from B Street to C Street</b>						
Existing Surface Type and Structures: <i>(Such as dirt, gravel, asphalt, concrete, culvert, or bridge)</i> <b>Asphalt</b>						
Average Daily Traffic: <b>2019 = <u>150</u>, 2028 = <u>150</u></b>		Classification Type: <i>(As shown on Functional Classification Map)</i> <b>Local</b>				
<b>PROPOSED IMPROVEMENT</b>						
Design Standard Number: <b>Table 2-001</b>	<b>Surfacing</b>	Thickness: <b>8"</b> Width: <b>31'</b>				
<input type="checkbox"/> Grading <input checked="" type="checkbox"/> Concrete <input type="checkbox"/> Right of Way <input type="checkbox"/> Lighting <input type="checkbox"/> Aggregate <input type="checkbox"/> Curb & Gutter <input type="checkbox"/> Utility Adjustments <input type="checkbox"/> ..... <input type="checkbox"/> Armor Coat <input type="checkbox"/> Drainage Structures <input type="checkbox"/> Fencing <input type="checkbox"/> ..... <input type="checkbox"/> Asphalt <input type="checkbox"/> Erosion Control <input type="checkbox"/> Sidewalks <input type="checkbox"/> .....						
<b>Bridge to Remain in Place</b>	Roadway Width:	Length:      Type:				
<b>New Bridge</b>	Roadway Width:	Length:      Type:				
<b>Box Culvert</b>	Span:      Rise:      Length:	Type:				
<b>Culvert</b>	Diameter:	Length:      Type:				
<b>Bridges and Culverts Sized</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Hydraulic Analysis Pending					
Other Construction Features: <b>Sidewalks, Grading, Curb Work, Storm Sewer</b>						
<b>ESTIMATED COST</b> <i>(in Thousands)</i> ★ <b>OPTIONAL</b>	★ <b>COUNTY</b>	★ <b>CITY</b>	★ <b>STATE</b>	★ <b>FEDERAL</b>	★ <b>OTHER</b>	<b>TOTAL</b>
		205				205
Project Length: <i>(Nearest Tenth, State Unit of Measure)</i> <b>.10 Mile</b>			Project No.: <b>M-259(27)</b>			
Signature: <i>Bobbiann Johnston</i>		Title: <b>Village Engineer</b>			Date: <b>3/10/2023</b>	

**Board of Public Roads Classifications and Standards**  
**Form 7 One- and Six-Year Plan**  
**Highway or Street Improvement Project**

County:	City:	Village: <b>Eagle</b>				
Location Description: <b>4th Street from C Street to approximately 1/2 block South of Railway Street</b>						
Existing Surface Type and Structures: <i>(Such as dirt, gravel, asphalt, concrete, culvert, or bridge)</i> <b>Asphalt</b>						
Average Daily Traffic: <b>2019 = 150, 2028 = 150</b>		Classification Type: <i>(As shown on Functional Classification Map)</i> <b>Local</b>				
<b>PROPOSED IMPROVEMENT</b>						
Design Standard Number: <b>Table 2-001</b>	<b>Surfacing</b>	Thickness: <b>8"</b> Width: <b>31'</b>				
<input type="checkbox"/> Grading <input checked="" type="checkbox"/> Concrete <input type="checkbox"/> Right of Way <input type="checkbox"/> Lighting <input type="checkbox"/> Aggregate <input type="checkbox"/> Curb & Gutter <input type="checkbox"/> Utility Adjustments <input type="checkbox"/> ..... <input type="checkbox"/> Armor Coat <input type="checkbox"/> Drainage Structures <input type="checkbox"/> Fencing <input type="checkbox"/> ..... <input type="checkbox"/> Asphalt <input type="checkbox"/> Erosion Control <input type="checkbox"/> Sidewalks <input type="checkbox"/> .....						
<b>Bridge to Remain in Place</b>	Roadway Width:	Length:      Type:				
<b>New Bridge</b>	Roadway Width:	Length:      Type:				
<b>Box Culvert</b>	Span:      Rise:	Length:      Type:				
<b>Culvert</b>	Diameter:	Length:      Type:				
<b>Bridges and Culverts Sized</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Hydraulic Analysis Pending					
Other Construction Features: <b>Sidewalks, Grading, Curb Work, Storm Sewer</b>						
<b>ESTIMATED COST</b> <i>(in Thousands)</i> ★ <b>OPTIONAL</b>	★ <b>COUNTY</b>	★ <b>CITY</b>	★ <b>STATE</b>	★ <b>FEDERAL</b>	★ <b>OTHER</b>	<b>TOTAL</b>
		242				242
Project Length: <i>(Nearest Tenth, State Unit of Measure)</i> <b>.10 Mile</b>			Project No.: <b>M-259(28)</b>			
Signature: <i>Bobana Johnston</i>		Title: <b>Village Engineer</b>			Date: <b>3/10/2023</b>	

**Board of Public Roads Classifications and Standards**  
**Form 7 One- and Six-Year Plan**  
**Highway or Street Improvement Project**


County:	City:	Village: Eagle				
Location Description: F Street from 4th Street to 6th Street						
Existing Surface Type and Structures: (Such as dirt, gravel, asphalt, concrete, culvert, or bridge) Asphalt						
Average Daily Traffic: 2019 = <u>60</u> , 2024 = <u>60</u>		Classification Type: (As shown on Functional Classification Map) Local				
<b>PROPOSED IMPROVEMENT</b>						
Design Standard Number: Table 2-001	<b>Surfacing</b>	Thickness: 6"      Width: 23'				
<input type="checkbox"/> Grading	<input type="checkbox"/> Concrete	<input type="checkbox"/> Right of Way				
<input type="checkbox"/> Aggregate	<input type="checkbox"/> Curb & Gutter	<input type="checkbox"/> Utility Adjustments				
<input type="checkbox"/> Armor Coat	<input type="checkbox"/> Drainage Structures	<input type="checkbox"/> Fencing				
<input checked="" type="checkbox"/> Asphalt	<input type="checkbox"/> Erosion Control	<input type="checkbox"/> Sidewalks				
<input type="checkbox"/> Lighting						
<input type="checkbox"/> .....						
<input type="checkbox"/> .....						
<input type="checkbox"/> .....						
<b>Bridge to Remain in Place</b>	Roadway Width:	Length: Type:				
<b>New Bridge</b>	Roadway Width:	Length: Type:				
<b>Box Culvert</b>	Span: Rise: Length:	Type:				
<b>Culvert</b>	Diameter: Length:	Type:				
<b>Bridges and Culverts Sized</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Hydraulic Analysis Pending					
Other Construction Features: Sidewalks, Grading, Curb Work, Storm Sewer						
<b>ESTIMATED COST</b> (in Thousands) ★ OPTIONAL	★ COUNTY	★ CITY	★ STATE	★ FEDERAL	★ OTHER	TOTAL
		281				281
Project Length: (Nearest Tenth, State Unit of Measure) .10 Mile			Project No.: M-259(29)			
Signature: <i>Bobana Johnston</i>		Title: Village Engineer			Date: 3/10/2023	

**Board of Public Roads Classifications and Standards**  
**Form 7 One- and Six-Year Plan**  
**Highway or Street Improvement Project**

County:	City:	Village: <b>Eagle</b>																
Location Description: <b>Parkview Ave from Applewood Drive to F Street</b>																		
Existing Surface Type and Structures: <i>(Such as dirt, gravel, asphalt, concrete, culvert, or bridge)</i> <b>Asphalt</b>																		
Average Daily Traffic: <b>2019 = 60, 2023 = 60</b>		Classification Type: <i>(As shown on Functional Classification Map)</i> <b>Local</b>																
<b>PROPOSED IMPROVEMENT</b>																		
Design Standard Number: <b>Table 2-001</b>	<b>Surfacing</b>	Thickness: <b>2"</b> Width: <b>27'</b>																
<input type="checkbox"/> Grading	<input type="checkbox"/> Concrete	<input type="checkbox"/> Right of Way																
<input type="checkbox"/> Aggregate	<input type="checkbox"/> Curb & Gutter	<input type="checkbox"/> Utility Adjustments																
<input type="checkbox"/> Armor Coat	<input type="checkbox"/> Drainage Structures	<input type="checkbox"/> Fencing																
<input checked="" type="checkbox"/> Asphalt	<input type="checkbox"/> Erosion Control	<input type="checkbox"/> Sidewalks																
<input type="checkbox"/> Lighting	.....																	
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<b>Bridge to Remain in Place</b>	Roadway Width:	Length:	Type:															
<b>New Bridge</b>	Roadway Width:	Length:	Type:															
<b>Box Culvert</b>	Span:	Rise:	Length:															
<b>Culvert</b>	Diameter:	Length:	Type:															
<b>Bridges and Culverts Sized</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Hydraulic Analysis Pending																		
Other Construction Features: <b>Mill and resurface existing asphalt overlay</b>																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">ESTIMATED COST <i>(in Thousands)</i></th> <th style="width: 15%;">★ COUNTY</th> <th style="width: 15%;">★ CITY</th> <th style="width: 15%;">★ STATE</th> <th style="width: 15%;">★ FEDERAL</th> <th style="width: 15%;">★ OTHER</th> <th style="width: 15%;">TOTAL</th> </tr> </thead> <tbody> <tr> <td>★ OPTIONAL</td> <td></td> <td style="text-align: center;">50</td> <td></td> <td></td> <td></td> <td style="text-align: center;">50</td> </tr> </tbody> </table>			ESTIMATED COST <i>(in Thousands)</i>	★ COUNTY	★ CITY	★ STATE	★ FEDERAL	★ OTHER	TOTAL	★ OPTIONAL		50				50		
ESTIMATED COST <i>(in Thousands)</i>	★ COUNTY	★ CITY	★ STATE	★ FEDERAL	★ OTHER	TOTAL												
★ OPTIONAL		50				50												
Project Length: <i>(Nearest Tenth, State Unit of Measure)</i> <b>.20 Mile</b>		Project No.: <b>M-259(32)</b>																
Signature:		Title: <b>Village Engineer</b> Date: <b>3/10/2023</b>																



**Board of Public Roads Classifications and Standards**  
**Form 7 One- and Six-Year Plan**  
**Highway or Street Improvement Project**

County:	City:	Village: <b>Eagle</b>				
Location Description: <b>C Street from 2nd Street to 4th Street, 1/2 Block of 2nd Street North</b>						
Existing Surface Type and Structures: <i>(Such as dirt, gravel, asphalt, concrete, culvert, or bridge)</i> <b>Asphalt</b>						
Average Daily Traffic: <b>2019 = 60, 2025 = 60</b>		Classification Type: <i>(As shown on Functional Classification Map)</i> <b>Local</b>				
<b>PROPOSED IMPROVEMENT</b>						
Design Standard Number: <b>Table 2-001</b>	<b>Surfacing</b>	Thickness: <b>6"</b> Width: <b>23'</b>				
<input type="checkbox"/> Grading <input checked="" type="checkbox"/> Concrete <input type="checkbox"/> Right of Way <input type="checkbox"/> Lighting <input type="checkbox"/> Aggregate <input type="checkbox"/> Curb & Gutter <input type="checkbox"/> Utility Adjustments <input type="checkbox"/> ..... <input type="checkbox"/> Armor Coat <input type="checkbox"/> Drainage Structures <input type="checkbox"/> Fencing <input type="checkbox"/> ..... <input type="checkbox"/> Asphalt <input type="checkbox"/> Erosion Control <input type="checkbox"/> Sidewalks <input type="checkbox"/> .....						
<b>Bridge to Remain in Place</b>	Roadway Width:	Length:      Type:				
<b>New Bridge</b>	Roadway Width:	Length:      Type:				
<b>Box Culvert</b>	Span:      Rise:      Length:	Type:				
<b>Culvert</b>	Diameter:	Length:      Type:				
<b>Bridges and Culverts Sized</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Hydraulic Analysis Pending					
Other Construction Features: <b>Sidewalk, curb work, grading, storm sewer.</b>						
<b>ESTIMATED COST</b> <i>(in Thousands)</i> ★ OPTIONAL	★ COUNTY	★ CITY	★ STATE	★ FEDERAL	★ OTHER	TOTAL
		340				340
Project Length: <i>(Nearest Tenth, State Unit of Measure)</i> <b>.10 Mile</b>			Project No.: <b>M-259(33)</b>			
Signature: 		Title: <b>Village Engineer</b>			Date: <b>3/10/2023</b>	

**Board of Public Roads Classifications and Standards**  
**Form 7 One- and Six-Year Plan**  
**Highway or Street Improvement Project**

County:	City:	Village: Eagle																
Location Description: D Street from 1st Street to 6th Street																		
Existing Surface Type and Structures: (Such as dirt, gravel, asphalt, concrete, culvert, or bridge) Asphalt																		
Average Daily Traffic: 2019 = <u>150</u> , 2023 = <u>150</u>		Classification Type: (As shown on Functional Classification Map) Local																
<b>PROPOSED IMPROVEMENT</b>																		
Design Standard Number: Table 2-001	<b>Surfacing</b>	Thickness: 2"      Width: 27'																
<input type="checkbox"/> Grading	<input type="checkbox"/> Concrete	<input type="checkbox"/> Right of Way																
<input type="checkbox"/> Aggregate	<input type="checkbox"/> Curb & Gutter	<input type="checkbox"/> Utility Adjustments																
<input type="checkbox"/> Armor Coat	<input type="checkbox"/> Drainage Structures	<input type="checkbox"/> Fencing																
<input checked="" type="checkbox"/> Asphalt	<input type="checkbox"/> Erosion Control	<input type="checkbox"/> Sidewalks																
<input type="checkbox"/> Lighting																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;"><b>Bridge to Remain in Place</b></td> <td>Roadway Width:</td> <td>Length:</td> <td>Type:</td> </tr> <tr> <td><b>New Bridge</b></td> <td>Roadway Width:</td> <td>Length:</td> <td>Type:</td> </tr> <tr> <td><b>Box Culvert</b></td> <td>Span:</td> <td>Rise:</td> <td>Length:</td> </tr> <tr> <td><b>Culvert</b></td> <td>Diameter:</td> <td>Length:</td> <td>Type:</td> </tr> </table>			<b>Bridge to Remain in Place</b>	Roadway Width:	Length:	Type:	<b>New Bridge</b>	Roadway Width:	Length:	Type:	<b>Box Culvert</b>	Span:	Rise:	Length:	<b>Culvert</b>	Diameter:	Length:	Type:
<b>Bridge to Remain in Place</b>	Roadway Width:	Length:	Type:															
<b>New Bridge</b>	Roadway Width:	Length:	Type:															
<b>Box Culvert</b>	Span:	Rise:	Length:															
<b>Culvert</b>	Diameter:	Length:	Type:															
<b>Bridges and Culverts Sized</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Hydraulic Analysis Pending																		
Other Construction Features: 2" Mill and overlay, full depth patching, pavement marking																		
<b>ESTIMATED COST</b> (in Thousands) ★ OPTIONAL	★ COUNTY	★ CITY	★ STATE	★ FEDERAL	★ OTHER	TOTAL												
		75				75												
Project Length: (Nearest Tenth, State Unit of Measure) .20 Mile			Project No.: M-259(34)															
Signature: <i>Roberta Johnston</i>			Title: Village Engineer		Date: 3/10/2023													

**Board of Public Roads Classifications and Standards**  
**Form 7 One- and Six-Year Plan**  
**Highway or Street Improvement Project**

County:	City:	Village: <b>Eagle</b>				
Location Description: <b>6th Street from D Street to F Street</b>						
Existing Surface Type and Structures: <i>(Such as dirt, gravel, asphalt, concrete, culvert, or bridge)</i> <b>Asphalt</b>						
Average Daily Traffic: <b>2019 = 60, 2026 = 60</b>		Classification Type: <i>(As shown on Functional Classification Map)</i> <b>Local</b>				
<b>PROPOSED IMPROVEMENT</b>						
Design Standard Number: <b>Table 2-001</b>	<b>Surfacing</b>	Thickness: <b>2"</b> Width: <b>23'</b>				
<input type="checkbox"/> Grading	<input type="checkbox"/> Concrete	<input type="checkbox"/> Right of Way				
<input type="checkbox"/> Aggregate	<input type="checkbox"/> Curb & Gutter	<input type="checkbox"/> Utility Adjustments				
<input type="checkbox"/> Armor Coat	<input type="checkbox"/> Drainage Structures	<input type="checkbox"/> Fencing				
<input checked="" type="checkbox"/> Asphalt	<input type="checkbox"/> Erosion Control	<input type="checkbox"/> Sidewalks				
<input type="checkbox"/> Lighting	<input type="checkbox"/> .....					
<input type="checkbox"/> .....						
<input type="checkbox"/> .....						
<b>Bridge to Remain in Place</b>	Roadway Width:	Length:      Type:				
<b>New Bridge</b>	Roadway Width:	Length:      Type:				
<b>Box Culvert</b>	Span:	Rise:      Length:      Type:				
<b>Culvert</b>	Diameter:	Length:      Type:				
<b>Bridges and Culverts Sized</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Hydraulic Analysis Pending					
Other Construction Features: <b>2" Mill and overlay, full depth patching, pavement marking</b>						
<b>ESTIMATED COST</b> <i>(in Thousands)</i> ★ OPTIONAL	★ COUNTY	★ CITY	★ STATE	★ FEDERAL	★ OTHER	TOTAL
		50				50
Project Length: <i>(Nearest Tenth, State Unit of Measure)</i> <b>.10 Mile</b>			Project No.: <b>M-259(35)</b>			
Signature: <i>Bobana Johnston</i>		Title: <b>Village Engineer</b>			Date: <b>3/10/2023</b>	







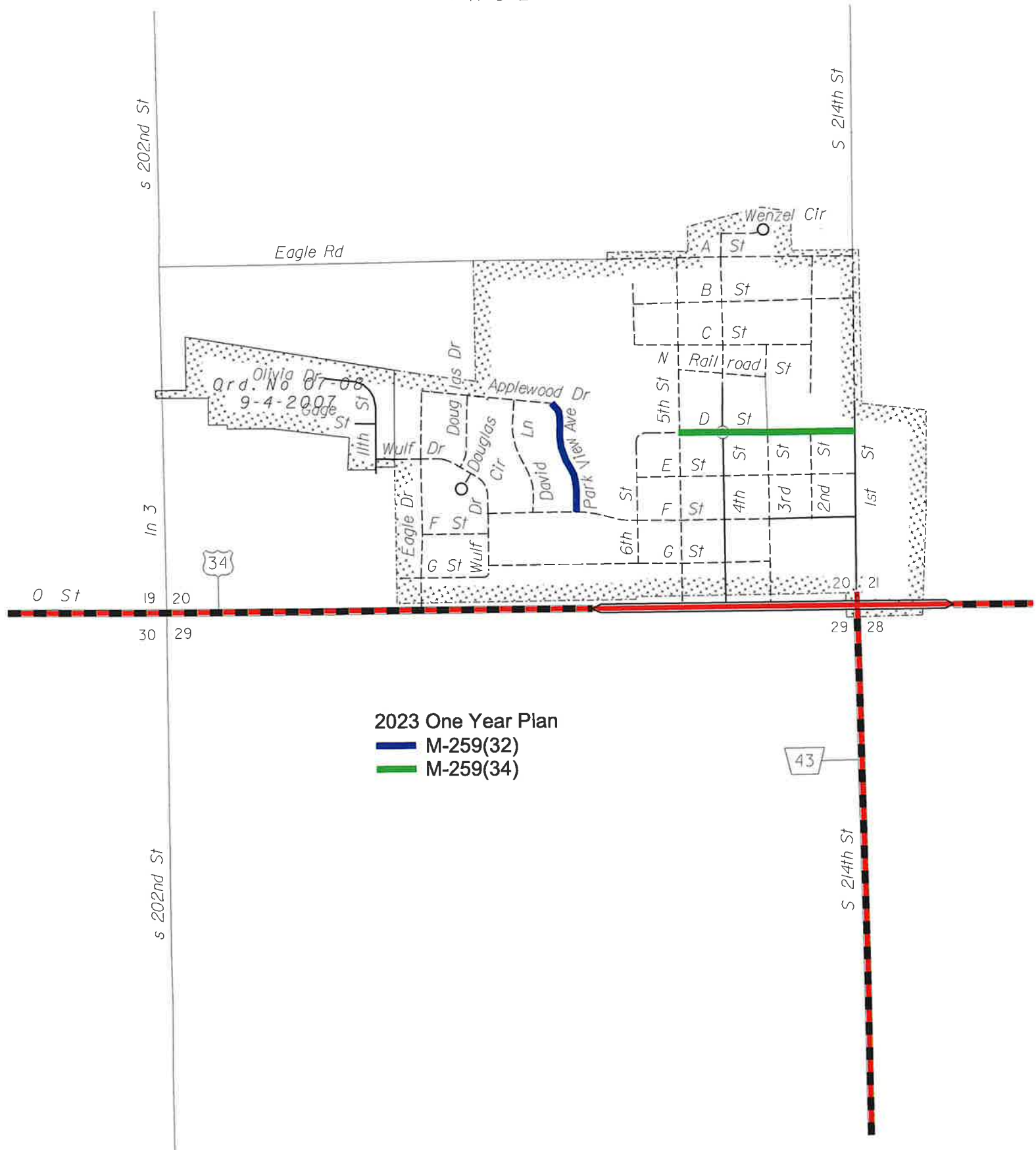
# EAGLE

CASS COUNTY  
NEBRASKA

POPULATION 1,024 (2010 CENSUS)

2014

R 9 E







**RESOLUTION OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF EAGLE, NEBRASKA**

**RESOLUTION NO. 2023-01**

**WHEREAS**, The Village of Eagle, Nebraska, has conducted a public hearing in accordance with the requirements of the Board of Public Roads Classification and Standards.

**NOW, THEREFORE**, be it resolved by the Chairperson and Village Board that the One and Six Year Plan for streets as presented at said public hearing has been accepted and approved.

\_\_\_\_\_  
Chairperson

**CERTIFICATE OF RECORDING OFFICER**

The undersigned, duly qualified and acting Village Clerk of the Village of Eagle, Nebraska, does hereby certify that the above resolution was adopted at a legally convened meeting of the Village held on the 4<sup>th</sup> day of April, 2023, and further, that such a resolution has been fully recorded in the proceedings and records in the office of the Village Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand this 4<sup>th</sup> day of April, 2023.

\_\_\_\_\_  
Village Clerk

The undersigned, duly qualified and acting Village Clerk of the Village of Eagle, Nebraska, does hereby certify that the notice of public hearing was posted in the Village at the public places listed below at least ten (10) days prior to the public hearing.

\_\_\_\_\_  
Village Clerk

Locations where the Public Hearing Notice was posted:

Eagle Municipal Building  
Eagle Fire & Rescue Department  
Eagle Municipal Park

The notices were posted on March 23, 2023

**ORDINANCE NO. 2023-03**

AN ORDINANCE OF THE VILLAGE OF EAGLE, NEBRASKA, TO AMEND CHAPTER 3, ARTICLE 1, SECTION 3-108 OF THE MUNICIPAL CODE OF THE VILLAGE OF EAGLE, NEBRASKA, PERTAINING TO WATER RATES BY AMENDING SAID RATES; TO PROVIDE AN EFFECTIVE DATE FOR SAID RATES; TO PROVIDE THAT THE CHAIR AND THE APPROPRIATE DEPARTMENT, WHETHER ONE OR MORE, OF THE VILLAGE OF EAGLE, NEBRASKA, ARE HEREBY AUTHORIZED AND DIRECTED TO IMPLEMENT THIS ORDINANCE; 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, APPROVAL, AND PUBLICATION, AS PROVIDED HEREIN; AND TO PROVIDE THAT THIS ORDINANCE SHALL BECOME AND BE MADE A PART OF THE MUNICIPAL CODE OF THE VILAGE OF EAGLE, NEBRASKA, AND THE SECTIONS OF THIS ORDINANCE MAY BE RENUMBERED TO ACCOMPLISH SUCH INTENTION.

WHEREAS, Section 3-108 of the Municipal Code of the Village of Eagle, Nebraska, specifies the water rates to be charged to users of the Eagle water system, and,

WHEREAS, no amendment to the standard fees and variable usage fees have been made since May 15, 2015.

WHEREAS, the cost of providing water service to the users of the Municipal system has changed and an amendment to the same is in order, and,

WHEREAS, the Chairperson and Board of Trustees of the Village of Eagle, Nebraska, do desire to amend the rates to account for and pay for the operation and maintenance expense incurred by the Village to offer said service.

NOW, THEREFORE, BE IT ORDAINED BY THE CHAIRPERSON AND BOARD OF TRUSTEES OF THE VILLAGE OF EAGLE, NEBRASKA, as follows:

Section 1. That the findings here and above should be, and they are hereby made a part of this Ordinance, as fully as if set out at length herein.

Section 2. That Chapter 3, Article 1, Section 108 of the Municipal Code of the Village of Eagle, Nebraska, shall be amended to read as follows:

**§3-108 MUNICIPAL WATER DEPARTMENT; USE RATES.**

A. All water consumers located within the corporate limits of the Municipality of Eagle, Nebraska, shall be liable for the following user rates as set by ordinance for all water which is reported to have flowed through the water meter of the consumer. The following rates will be charged for water service:

- (1) The sum of ~~eight dollars (\$8.00)~~ **nine dollars (\$9.00)** shall be charged for all water consumed up to and including one thousand (1,000) gallons per month. This ~~eight dollars (\$8.00)~~ **nine dollars (\$9.00)** per month charge shall be a minimum charge for water service and shall be assessed against all Eagle water users within the corporate limit.

In addition to the minimum charge established herein, the following rates for water service shall apply:

- (2) The sum of one dollar and forty cents (\$1.40) shall be charged for each one thousand (1,000) gallons consumed in excess of one thousand (1,000) gallons per month, up to and including four thousand (4,000) gallons per month.
- (3) The sum of one dollar and seventy-five cents (\$1.75) shall be charged for each one thousand (1,000) gallons consumed in excess of four thousand (4,000) gallons per month, up to and including nine thousand (9,000) gallons per month.
- (4) The sum of ~~two dollars and ten cents (\$2.10)~~ **four dollars and twenty cents (\$4.20)** shall be charged for each one thousand (1,000) gallons consumed in excess of nine thousand (9,000) gallons per month, up to and including fourteen thousand (14,000) gallons per month.
- (5) The sum of ~~two dollars and forty-five cents (\$2.45)~~ **four dollars and ninety cents (\$4.90)** shall be charged for each one thousand (1,000) gallons consumed in excess of fourteen thousand (14,000) gallons per month, up to and including nineteen thousand (19,000) gallons per month.
- (6) The sum of ~~two dollars and eighty cents (\$2.80)~~ **five dollars and sixty cents (\$5.60)** shall be charged for each one thousand (1,000) gallons consumed in excess of nineteen thousand (19,000) gallons per month.
- (7) Water may be furnished by the Municipality of Eagle for construction purposes in strict accordance with this paragraph. The contractor shall contact the Municipal maintenance staff and obtain a water meter prior to obtaining the Municipality's water. The water so obtained shall be metered using the meter provided by the Municipal maintenance department and shall be obtained from a site designated by the Municipal maintenance department and equipped with a backflow prevention device. The minimum charge for the water so obtained shall be ~~\$25~~ **fifty dollars (\$50.00)** per load **and**, in addition, the sum of ~~\$40~~ **twenty dollars (\$20.00)** shall be charged for each 1,000 gallons of water obtained in excess of 2,000 gallons. Upon completion of the loading of the water, the

contractor shall return the meter to the Municipal Clerk and pay the charges incurred for the water obtained. The contractor shall be responsible for any damage done to the water furnished by the Municipality.

B. All non-resident users, approved for access by the Municipality, shall pay 175% of the rates set forth above in subparagraphs 1 through 6, for premises not located within the corporate boundaries of the Municipality. Non-resident users shall be subject to all ordinances, resolutions, rules, and regulations adopted by the Municipality, regarding use and operation of the water system of the Municipality, including but not limited to, the operation and maintenance of water meter and system protection devices, water use restrictions, termination of service, and payment of water use fees.

C. These rates shall be effective commencing on the 15<sup>th</sup> day of May, 2023. (Ref. 17-538 RS Neb.)

Section 4. That the Chair and the appropriate Department, whether one or more, of the Village of Eagle, Nebraska, are hereby authorized and directed to implement this Ordinance.

Section 5. That all Ordinances and parts of Ordinances passed and approved prior to the passage, approval, and publication of this Ordinance, in conflict herewith, are hereby repealed.

Section 6. That should any section, paragraph, sentence of this Ordinance hereby adopted be declared for any reason to be invalid, it is the intent of the Chair and Governing Body of the Village of Eagle, Nebraska, that it would have passed all other portions of this Ordinance independent of the elimination here from of any such portion as may be declared invalid.

Section 7. 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 on the 15<sup>th</sup> day from and after its passage, approval, and publication, as provided herein.

Section 8. That it is the intention of the Chair and Governing Body of the Village of Eagle, Nebraska, and it is hereby ordained that the provisions of this Ordinance shall amend the Municipal Code of the Village of Eagle, Nebraska, and the sections of this Ordinance may be renumbered to accomplish such intention.

PASSED AND APPROVED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2023.

VILLAGE OF EAGLE, NEBRASKA

By: \_\_\_\_\_  
Terri Todd, Its Chairperson

ATTEST:

\_\_\_\_\_  
Nick Nystrom, Village Clerk

(SEAL)

## ORDINANCE 2023-04

AN ORDINANCE TO ESTABLISH COMPENSATION FOR POOL EMPLOYEES; TO PROVIDE FOR THE EFFECTIVE DATE HEREOF; 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, APPROVAL, AND PUBLICATION, AS PROVIDED HEREIN; AND TO PROVIDE THAT THIS ORDINANCE SHALL NOT BECOME AND BE MADE A PART OF THE MUNICIPAL CODE OF THE VILLAGE OF EAGLE, NEBRASKA.

The Village operates a swimming pool in the Municipality and it is necessary to pay for and compensate seasonal employees for the operation of the pool, therefore,

BE IT ORDAINED BY THE CHAIRPERSON AND THE MEMBERS OF THE BOARD OF TRUSTEES OF THE VILLAGE OF EAGLE, NEBRASKA:

**Section 1.** COMPENSATION SCHEDULE FOR EAGLE POOL EMPLOYEES AS FOLLOWS:

Manager:	\$13.00
Asst. Manager:	\$11.00
Lifeguards/Pool Operator:	\$10.50
Office Assistant:	\$7.00

The wage for any returning Lifeguard or Pool Operator will increase by \$0.25 per hour each season.

**Section 2.** The above schedule of compensation shall run for the duration of the 2023 pool season, unless amended by ordinance of the Village of Eagle.

**Section 3.** That all Ordinances and parts of Ordinances passed and approved prior to the passage, approval, and publication of this Ordinance, in conflict herewith, are hereby repealed.

**Section 4.** That this Ordinance shall be published within the first fifteen (15) days after its passage and approved in pamphlet form, and shall be effective the 15<sup>th</sup> day from and after the passage, approval, and publication as provided herein.

**Section 5.** That it is the intention of the Board of Trustees of the Village of Eagle, Nebraska, and it is hereby ordained that the provisions of this Ordinance shall not become a part of the Eagle Municipal Code of the Village of Eagle, Nebraska.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF MARCH, 2023.**

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Terri Todd  
Chairperson

(Seal)

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Nick Nystrom  
Village Clerk

**RESOLUTION OF THE BOARD OF TRUSTEES  
FOR THE VILLAGE OF EAGLE, NEBRASKA**

**RESOLUTION NO. 2023-02**

**WHEREAS**, the Municipal Code of the Village of Eagle, Nebraska, and in particular Ordinance §3-223, provides the following:

The sum of \$4.00 shall be charged for each 1000 gallons of water used based upon the average amount of water metered for the premises, occupied by the current occupant or tenant, per month during the preceding winter quarter (January, February, and March). If there is no established usage for the previous January, February and March period for the premises occupied by the current occupant or tenant, **then a flat monthly rate set by resolution by the Governing Body, annually, shall be charged, until a January, February and March water usage average can be established.**

**WHEREAS**, the Chair and Board of Trustees of the Village of Eagle, Nebraska deem it in the best interests of the citizens of the Village of Eagle, Nebraska, that said flat monthly rate be established for the period this Resolution is passed, until the anniversary of passage,

**NOW, THEREFORE**, be it resolved by the Chair and Board of Trustees of the Village of Eagle, Nebraska, as follows:

- 1 That the findings here and above made should be and are hereby made a part of this Resolution as fully as if set out at length herein.
- 2 That the flat monthly rate required by the Ordinance set forth above shall be the amount of \$20.00 per month.
- 3 That the effective date of this rate shall be May 1, 2023 and shall expire on April 30, 2024.

**PASSED AND APPROVED THIS 4<sup>TH</sup> DAY OF APRIL, 2023.**

ATTEST:

VILLAGE OF EAGLE, NEBRASKA

\_\_\_\_\_  
Terri Todd, Chairperson

\_\_\_\_\_  
Nick Nystrom, Clerk

# 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
3/7/2023	3	1	\$1,048.50
4/4/2023	3	2	\$1,436.80
<b>TOTAL</b>	<b>43</b>	<b>26</b>	<b>\$17,067.31</b>

### 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

March 20, 2023

The Village Board of Trustees met in regular session at 7:00 p.m. on March 20, 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 7:00 p.m. for the purpose of hearing testimony concerning an Application for Preliminary Plat submitted by MDC Eagle One, LLC, pertaining to ± 60.565 acres located in part of Tax Lot 22 and part of Tax Lot 35, in the E½ of Section 19, Township 10 North, Range 9 East of the 6<sup>th</sup> P.M., Cass County, Nebraska. Joe Flaxbeard (Lamp Rynearson) was present on behalf of the subdivision applicant. Flaxbeard said the Eagles Landing subdivision was previously designed for higher density housing but was ultimately amended due to infrastructure costs. The subdivision today consists of eighteen, three-acre minimum lots with individual water wells and septic systems. Flaxbeard said there are three waiver requests as part of the preliminary plat; allowing block lengths greater than 600' without pedestrian easements, allowing one vehicle access point to the subdivision and waiving the sidewalk requirement. Dobbins said his primary concern with the acreage development is the future impact it may have on Eagle growing to the west due to the independent water wells and septic systems on each lot. Flaxbeard acknowledged this point and said conversations were had with the Village of Eagle and Cass County Rural Water but the cost to provide water service was not feasible for the project to proceed. The Eagle Planning Commission recommended the approval of the Application for Preliminary Plat at its March 8, 2023 meeting. Todd asked if there were any comments or questions from the public. There were no comments or questions from the public.

The public hearing was closed at 7:08 p.m.

Chairperson Todd opened the public hearing at 7:09 p.m. for the purpose of hearing testimony concerning an Application for a Change of Zoning and amendment of the Eagle Zoning Map from AG (Agricultural) to RE (Residential Estates) submitted by MDC Eagle One, LLC, pertaining to ± 60.565 acres located in part of Tax Lot 22 and part of Tax Lot 35, in the E½ of Section 19, Township 10 North, Range 9 East of the 6<sup>th</sup> P.M., Cass County, Nebraska. The Eagle Planning Commission recommended the approval of the Application for a Change of Zoning at its March 8, 2023 meeting. Todd asked if there were any comments or questions from the public. There were no comments or questions from the public.

The public hearing was closed at 7:11 p.m.

Motion by Hochstein, second by Caylor, to grant Waiver No. 1 to allow maximum block lengths greater than 600' without pedestrian easements after determining all three conditions to the waiver request have been met. Voting: Ayes – 5. Motion carried.

Motion by Hochstein, second by Dobbins, to grant Waiver No. 2 to allow for one vehicle access point to the subdivision after determining all three conditions to the waiver request have been met. Voting: Ayes – 5. Motion carried.

Motion by Caylor, second by Hochstein, to approve the Preliminary Plat located in part of Tax Lot 22 and part of Tax Lot 35, in the E½ of Section 19, Township 10 North, Range 9 East of the 6<sup>th</sup> P.M., Cass County, Nebraska. Voting: Ayes – 5. Motion carried.

Motion by Hochstein, second by Caylor, to approve the Application for a Change of Zoning and amendment of the Eagle Zoning Map from AG (Agricultural) to RE (Residential Estates) submitted by MDC Eagle One, LLC, pertaining to ± 60.565 acres located in part of Tax Lot 22 and part of Tax Lot 35, in the E½ of Section 19, Township 10 North, Range 9 East of the 6<sup>th</sup> P.M., Cass County, Nebraska, conditional upon the approval of a Final Plat and zoning change ordinance. Voting: Ayes – 5. Motion carried.

Motion by Todd, second by Dobbins, to approve a 2023 Groundbreaking Level Annual Investment with Cass County Nebraska Economic Development Council in the amount of \$1,000. Voting: Ayes – Caylor, Dobbins, Todd. Nays – Meier, Hochstein. Motion carried.

Open Forum – John Surman (450 Eagle Dr.) said last month the Village Board stated they would revisit the topic of the community recycling program at the meeting tonight. Nystrom said the monthly invoice for recycling services has not yet been received so further discussion on the topic was postponed until the next meeting.

Chairperson Todd read Ordinance 2023-03 entitled:

### **ORDINANCE NO. 2023-03**

AN ORDINANCE OF THE VILLAGE OF EAGLE, NEBRASKA, TO AMEND CHAPTER 3, ARTICLE 1, SECTION 3-108 OF THE MUNICIPAL CODE OF THE VILLAGE OF EAGLE, NEBRASKA, PERTAINING TO WATER RATES BY AMENDING SAID RATES; TO PROVIDE AN EFFECTIVE DATE FOR SAID RATES; TO PROVIDE THAT THE CHAIR AND THE APPROPRIATE DEPARTMENT, WHETHER ONE OR MORE, OF THE VILLAGE OF EAGLE, NEBRASKA, ARE HEREBY AUTHORIZED AND

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Motion by Hochstein, second by Todd, to accept the second reading of Ordinance 2023-03. Voting: Ayes – 5. Motion carried.

Motion by Todd, second by Hochstein, to approve the 2023 Village of Eagle brush chipping rules. Voting: Ayes – 5. Motion carried.

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

Motion by Todd, second by Dobbins, to approve the donation of two 2023 Family Pool Passes to Eagle PTE for Eagle Fun Night on March 24, 2023. Voting: Ayes – 5. Motion carried.

Motion by Todd, second by Hochstein, to approve hiring KiLee Newell as the Eagle Pool Manager for the 2023 season. Voting: Ayes – 5. Motion carried.

Motion by Todd, second by Hochstein, to approve the Park Board hiring the remaining swimming pool employees for the 2023 season. Voting: Ayes – 5. Motion carried.

The meeting was adjourned at 8:02 p.m.

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Nick Nystrom  
Village Clerk

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Terri Todd  
Chairperson

## VILLAGE OF EAGLE

March 20, 2023

The Village Board of Trustees met in regular session at 7:00 p.m. on March 20, 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 7:00 p.m. for the purpose of hearing testimony concerning an Application for Preliminary Plat submitted by MDC Eagle One, LLC, pertaining to ± 60.565 acres located in part of Tax Lot 22 and part of Tax Lot 35, in the E½ of Section 19, Township 10 North, Range 9 East of the 6<sup>th</sup> P.M., Cass County, Nebraska. Joe Flaxbeard (Lamp Rynearson) was present on behalf of the subdivision applicant. Flaxbeard said the Eagles Landing subdivision was previously designed for higher density housing but was ultimately amended due to infrastructure costs. The subdivision today consists of eighteen, three-acre minimum lots with individual water wells and septic systems. Flaxbeard said there are three waiver requests as part of the preliminary plat; allowing block lengths greater than 600' without pedestrian easements, allowing one vehicle access point to the subdivision and waiving the sidewalk requirement. Dobbins said his primary concern with the acreage development is the future impact it may have on Eagle growing to the west due to the independent water wells and septic systems on each lot. Flaxbeard acknowledged this point and said conversations were had with the Village of Eagle and Cass County Rural Water but the cost to provide water service was not feasible for the project to proceed. The Eagle Planning Commission recommended the approval of the Application for Preliminary Plat at its March 8, 2023 meeting. Todd asked if there were any comments or questions from the public. There were no comments or questions from the public.

The public hearing was closed at 7:08 p.m.

Chairperson Todd opened the public hearing at 7:09 p.m. for the purpose of hearing testimony concerning an Application for a Change of Zoning and amendment of the Eagle Zoning Map from AG (Agricultural) to RE (Residential Estates) submitted by MDC Eagle One, LLC, pertaining to ± 60.565 acres located in part of Tax Lot 22 and part of Tax Lot 35, in the E½ of Section 19, Township 10 North, Range 9 East of the 6<sup>th</sup> P.M., Cass County, Nebraska. The Eagle Planning Commission recommended the approval of the Application for a Change of Zoning at its March 8, 2023 meeting. Todd asked if there were any comments or questions from the public. There were no comments or questions from the public.

The public hearing was closed at 7:11 p.m.

Discuss/possible action: Approval of the following waiver requests submitted by MDC Eagle One, LLC – Nystrom said the Village Board may only grant waivers after determining the following three conditions have been met; there are unique circumstances or conditions affecting the property that are not the result of actions by the subdivider; the waivers are necessary for the reasonable and acceptable development of the property in question; and the granting of the waivers will not be detrimental to the public or injurious to adjacent and nearby properties.

Motion by Hochstein, second by Caylor, to grant Waiver No. 1 to allow maximum block lengths greater than 600' without pedestrian easements after determining all three conditions to the waiver request have been met. Voting: Ayes – 5. Motion carried.

Motion by Hochstein, second by Dobbins, to grant Waiver No. 2 to allow for one vehicle access point to the subdivision after determining all three conditions to the waiver request have been met. Voting: Ayes – 5. Motion carried.

Motion by Caylor, second by Hochstein, to approve the Preliminary Plat located in part of Tax Lot 22 and part of Tax Lot 35, in the E½ of Section 19, Township 10 North, Range 9 East of the 6<sup>th</sup> P.M., Cass County, Nebraska. Voting: Ayes – 5. Motion carried.

Motion by Hochstein, second by Caylor, to approve the Application for a Change of Zoning and amendment of the Eagle Zoning Map from AG (Agricultural) to RE (Residential Estates) submitted by MDC Eagle One, LLC, pertaining to ± 60.565 acres located in part of Tax Lot 22 and part of Tax Lot 35, in the E½ of Section 19, Township 10 North, Range 9 East of the 6<sup>th</sup> P.M., Cass County, Nebraska, conditional upon the approval of a Final Plat and zoning change ordinance. Voting: Ayes – 5. Motion carried.

Report from Fire & Rescue – Caylor reported 5 rescue calls, 1 fire call, 1 car accident and 1 mutual aid response since the February 21, 2023 board meeting. The department will be looking to purchase a new set of Jaws of Life in the coming weeks.

Discuss/possible action: Approve the 2023 Annual Investment with Cass County Nebraska Economic Development Council in the amount of \$2,000 – Todd said Nystrom and Caddy met with Josh Charvat (Executive Director-CCNEDC) and provided insight on the community as well as a list of tasks they would like to see handled by the agency. The recommendation from the staff is to reinvest with CCNEDC. John Surman (450 Eagle Dr.) asked what the Village is getting from being a member; at one time, the Village Board increased the annual investment to get a voting member on the CCNEDC board but it didn't seem to do any good. Caddy said

his argument would be that Eagle can get a member on the board if someone wanted to volunteer for the position. Nystrom said CCNEDC has stated their desire for a member from Eagle to join their board. Dobbins inquired about the frequency of meetings. Caddy said there is one morning meeting per month. Surman said he has never seen anything come back to the Village by being a member. Caddy said a long list of community desires was given to Charvat to explore, such as a fast food restaurant, senior living facility, medical clinic, etc.; the expectation is Charvat will keep the Village Board informed on the progress he's made. Nystrom said communication is the key; CCNEDC isn't going to assume what Eagle wants, but instead it is important to stay in contact with them and ask for assistance when it's needed. Caddy said being a member of CCNEDC is like having an insurance policy; when you need economic development assistance, they can provide information and resources to assist the community. Hochstein said he doesn't feel the Village is in a position where they need economic development assistance right now. Todd said she feels it is important to remain an interested party and give the new Executive Director a chance to show what the agency has to offer.

Motion by Todd, second by Dobbins, to approve a 2023 Groundbreaking Level Annual Investment with Cass County Nebraska Economic Development Council in the amount of \$1,000. Voting: Ayes – Caylor, Dobbins, Todd. Nays – Meier, Hochstein. Motion carried.

Open Forum – John Surman (450 Eagle Dr.) said last month the Village Board stated they would revisit the topic of the community recycling program at the meeting tonight. Nystrom said the monthly invoice for recycling services has not yet been received so further discussion on the topic was postponed until the next meeting.

Discuss/possible action: Consider cost-share request from Dustin Gordon in the amount of \$2,100.00 as part of the culvert installation project adjacent to 315 S. 4<sup>th</sup> Street – Nystrom said this topic was discussed last November prior to Gordon having a formal bid to install a catch basin at the southwest corner of 4<sup>th</sup> & C Street. The property owner feels the Village should consider sharing responsibility for this portion of the project since similar work was approved adjacent to this location. Caylor cautioned that sharing costs on a project may set a precedent for future requests. Hochstein said this particular situation appears to be more of a cosmetic upgrade rather than a possible safety issue. Caddy said there would be a drop off in this ditch but nothing more severe than what already exists around town. Surman asked if this is money that would just be thrown away once 4<sup>th</sup> Street is replaced with curb and gutter. Meier said yes. The Village Board generally agreed to take no action on the cost-share request.

Chairperson Todd read Ordinance 2023-03 entitled:

**ORDINANCE NO. 2023-03**

AN ORDINANCE OF THE VILLAGE OF EAGLE, NEBRASKA, TO AMEND CHAPTER 3, ARTICLE 1, SECTION 3-108 OF THE MUNICIPAL CODE OF THE VILLAGE OF EAGLE, NEBRASKA, PERTAINING TO WATER RATES BY AMENDING SAID RATES; TO PROVIDE AN EFFECTIVE DATE FOR SAID RATES; TO PROVIDE THAT THE CHAIR AND THE APPROPRIATE DEPARTMENT, WHETHER ONE OR MORE, OF THE VILLAGE OF EAGLE, NEBRASKA, ARE HEREBY AUTHORIZED AND DIRECTED TO IMPLEMENT THIS ORDINANCE; 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, APPROVAL, AND PUBLICATION, AS PROVIDED HEREIN; AND TO PROVIDE THAT THIS ORDINANCE SHALL BECOME AND BE MADE A PART OF THE MUNICIPAL CODE OF THE VILAGE OF EAGLE, NEBRASKA, AND THE SECTIONS OF THIS ORDINANCE MAY BE RENUMBERED TO ACCOMPLISH SUCH INTENTION.

WHEREAS, Section 3-108 of the Municipal Code of the Village of Eagle, Nebraska, specifies the water rates to be charged to users of the Eagle water system, and,

WHEREAS, no amendment to the standard fees and variable usage fees have been made since May 15, 2015.

WHEREAS, the cost of providing water service to the users of the Municipal system has changed and an amendment to the same is in order, and,

WHEREAS, the Chairperson and Board of Trustees of the Village of Eagle, Nebraska, do desire to amend the rates to account for and pay for the operation and maintenance expense incurred by the Village to offer said service.

NOW, THEREFORE, BE IT ORDAINED BY THE CHAIRPERSON AND BOARD OF TRUSTEES OF THE VILLAGE OF EAGLE, NEBRASKA, as follows:

Section 1. That the findings here and above should be, and they are hereby made a part of this Ordinance, as fully as if set out at length herein.

Section 2. That Chapter 3, Article 1, Section 108 of the Municipal Code of the Village of Eagle, Nebraska, shall be amended to read as follows:

**§3-108 MUNICIPAL WATER DEPARTMENT; USE RATES.**

A. All water consumers located within the corporate limits of the Municipality of Eagle, Nebraska, shall be liable for the following user rates as set by ordinance for all water which is reported to have flowed through the water meter of the consumer. The following rates will be charged for water service:

- (1) The sum of ~~eight dollars (\$8.00)~~ **nine dollars (\$9.00)** shall be charged for all water consumed up to and including one thousand (1,000) gallons per month. This ~~eight dollars (\$8.00)~~ **nine dollars (\$9.00)** per month charge shall be a minimum charge for water service and shall be assessed against all Eagle water users within the corporate limit.

In addition to the minimum charge established herein, the following rates for water service shall apply:

- (2) The sum of one dollar and forty cents (\$1.40) shall be charged for each one thousand (1,000) gallons consumed in excess of one thousand (1,000) gallons per month, up to and including four thousand (4,000) gallons per month.
- (3) The sum of one dollar and seventy-five cents (\$1.75) shall be charged for each one thousand (1,000) gallons consumed in excess of four thousand (4,000) gallons per month, up to and including nine thousand (9,000) gallons per month.
- (4) The sum of ~~two dollars and ten cents (\$2.10)~~ **four dollars and twenty cents (\$4.20)** shall be charged for each one thousand (1,000) gallons consumed in excess of nine thousand (9,000) gallons per month, up to and including fourteen thousand (14,000) gallons per month.
- (5) The sum of ~~two dollars and forty five cents (\$2.45)~~ **four dollars and ninety cents (\$4.90)** shall be charged for each one thousand (1,000) gallons consumed in excess of fourteen thousand (14,000) gallons per month, up to and including nineteen thousand (19,000) gallons per month.
- (6) The sum of ~~two dollars and eighty cents (\$2.80)~~ **five dollars and sixty cents (\$5.60)** shall be charged for each one thousand (1,000) gallons consumed in excess of nineteen thousand (19,000) gallons per month.
- (7) Water may be furnished by the Municipality of Eagle for construction purposes in strict accordance with this paragraph. The contractor shall contact the Municipal maintenance staff and obtain a water meter prior to obtaining the Municipality's water. The water so obtained shall be metered using the meter provided by the Municipal maintenance department and shall be obtained from a site designated by the Municipal maintenance department and equipped with a backflow prevention device. The minimum charge for the water so obtained shall be ~~\$25~~ **fifty dollars (\$50.00)** per load **and**, in addition, the sum of ~~\$40~~ **twenty dollars (\$20.00)** shall be charged for each 1,000 gallons of water



obtained in excess of 2,000 gallons. Upon completion of the loading of the water, the contractor shall return the meter to the Municipal Clerk and pay the charges incurred for the water obtained. The contractor shall be responsible for any damage done to the water furnished by the Municipality.

B. All non-resident users, approved for access by the Municipality, shall pay 175% of the rates set forth above in subparagraphs 1 through 6, for premises not located within the corporate boundaries of the Municipality. Non-resident users shall be subject to all ordinances, resolutions, rules, and regulations adopted by the Municipality, regarding use and operation of the water system of the Municipality, including but not limited to, the operation and maintenance of water meter and system protection devices, water use restrictions, termination of service, and payment of water use fees.

C. These rates shall be effective commencing on the 15<sup>th</sup> day of May, 2023. (*Ref. 17-538 RS Neb.*)

Section 4. That the Chair and the appropriate Department, whether one or more, of the Village of Eagle, Nebraska, are hereby authorized and directed to implement this Ordinance.

Section 5. That all Ordinances and parts of Ordinances passed and approved prior to the passage, approval, and publication of this Ordinance, in conflict herewith, are hereby repealed.

Section 6. That should any section, paragraph, sentence of this Ordinance hereby adopted be declared for any reason to be invalid, it is the intent of the Chair and Governing Body of the Village of Eagle, Nebraska, that it would have passed all other portions of this Ordinance independent of the elimination here from of any such portion as may be declared invalid.

Section 7. 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 on the 15<sup>th</sup> day from and after its passage, approval, and publication, as provided herein.

Section 8. That it is the intention of the Chair and Governing Body of the Village of Eagle, Nebraska, and it is hereby ordained that the provisions of this Ordinance shall amend the Municipal Code of the Village of Eagle, Nebraska, and the sections of this Ordinance may be renumbered to accomplish such intention.

Motion by Hochstein, second by Todd, to accept the second reading of Ordinance 2023-03. Voting: Ayes – 5. Motion carried.

Motion by Todd, second by Hochstein, to approve the 2023 Village of Eagle brush chipping rules. Voting: Ayes – 5. Motion carried.

Report on Streets and Maintenance – Caddy said the plan is to begin street sweeping in mid-April. A pothole exists at the intersection of 202<sup>nd</sup> & Olivia Drive that is on the Cass County portion of roadway. Caddy said the 2013 Chevy Silverado is having a diesel exhaust fluid (DEF) issue and will be going to Cople Chevrolet tomorrow for repairs. Belt and Graham are in the process of painting the interior walls and adding epoxy flooring to the park restrooms; the anticipated opening date for the facilities is April 1, 2023. Caddy said pipe was picked up for the two culvert projects on the east side of town. The staff will be meeting with Nebraska Generator this week to discuss installation of the new generator for the Hartland Estates lift station. Todd said water pools at the intersection of Highway 34 & Eagle Drive due to inadequate drainage and asked who is responsible for repairs. Nystrom said this is the responsibility of the State of Nebraska Department of Transportation; he will contact them to make them aware of the situation. Caddy said the new swimming pool diving board was received. Meier requested bids for new urinals at the pool restrooms.

Report on Wells and Sewer – Caddy said the sludge tank is full at the WWTP so arrangements have been made to haul solids away this week. The Hartland Estates lift station was pumped out by Southwick Liquid Waste due to an accumulation of grease and other by-products.

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

Motion by Todd, second by Dobbins, to approve the donation of two 2023 Family Pool Passes to Eagle PTE for Eagle Fun Night on March 24, 2023. Voting: Ayes – 5. Motion carried.

Motion by Todd, second by Hochstein, to approve hiring KiLee Newell as the Eagle Pool Manager for the 2023 season. Voting: Ayes – 5. Motion carried.

Motion by Todd, second by Hochstein, to approve the Park Board hiring the remaining swimming pool employees for the 2023 season. Voting: Ayes – 5. Motion carried.

Report from Committees and Boards – The Eagle Park & Recreation Commission met on March 8, 2023. Todd said one item that was discussed was the Frisbee Golf course design; tee pads will need to be purchased ahead of installation work. Caddy asked if it has been decided where some of the old playground equipment will be reinstalled. Nystrom said a couple of Park & Rec members will meet with the maintenance department to decide on installation locations. Surman asked if the swimming pool operating hours have been determined for the season. Nystrom said no; however, some discussion has been held about scaling back the opening time to 1:00 PM due to the limited number of patrons between 11:00 AM-1:00 PM.

The meeting was adjourned at 8:02 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 March 20, 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.

Seal

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Nick Nystrom  
Village Clerk

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Terri Todd  
Chairperson