

VILLAGE OF EAGLE

April 4, 2023

The Village Board of Trustees met in regular session at 7:00 p.m. on April 4, 2023 with Todd, Hochstein, Meier and Dobbins present. Caylor was absent. 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. concerning the One & Six-Year Street Improvement Plan for the Village of Eagle. In the current 2022 program year, the Village of Eagle completed the following projects: Wenzel Circle from 4th Street Mill & Overlay Improvements (\$97,324.18) and Miscellaneous Maintenance Projects (\$19,126.50). The total project improvements completed in the year 2022 was \$116,450.68. 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 projects on the Six-Year Street Improvement 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. The estimated cost of all projects is \$1,443,000. Hochstein noted an amendment is necessary for Project No. M-259(34) on the One-Year Plan; this article should read D Street from 1st Street to 5th Street. Nystrom will forward this information to the Village Engineer. Hochstein said at the time 4th Street is reconstructed (see Six-Year Plan) there will be significant water main and storm sewer work that needs to be included. 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 7:05 p.m.

Motion by Dobbins, second by Meier, to introduce Resolution 2023-01. Voting: Ayes – 4. Motion carried.

Chairperson Todd read Resolution 2023-01 entitled:

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.

Motion by Hochstein, second by Dobbins, to adopt Resolution 2023-01. Voting: Ayes – 4. Motion carried.

Open Forum – Hochstein asked what the final outcome is on the culvert project adjacent to 315 South 4th Street; it appears the culvert on the north side of the property has been removed and concrete work is pending. Dobbins said the Street Committee met onsite with the property owner and determined that proper grading will allow water to flow down the ditch without a culvert on the north side. Hochstein said he has concerns with water being pushed out into the street if there isn't a culvert. Meier said he initially had some concerns as well but feels that if the driveway contains a proper swale there shouldn't be any issues. Terry Caddy said the Village Engineer visited the site today and will make a recommendation to the Village Board on how to proceed with the project.

Motion by Todd, second by Dobbins, to approve the donation of an annual Individual Pool Pass to the Eagle Parks & Recreation Commission for the Earth Day Community Clean-up Event on April 22, 2023. Voting: Ayes – 4. Motion carried.

Motion by Todd, second by Hochstein, to award the Parkview Avenue and D Street Mill & Overlay Improvements Project proposal to Cather & Sons Construction in the total amount of \$99,097.40. Voting: Ayes – 4. Motion carried.

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.

Motion by Todd, second by Hochstein, to accept the final reading and adopt Ordinance 2023-03. Voting: Ayes – 4. Motion carried.

Motion by Meier, second by Hochstein, to introduce Ordinance 2023-04. Voting: Ayes – 4. Motion carried.

Chairperson Todd read Ordinance 2023-04 entitled:

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.

Motion by Hochstein, second by Todd, to accept the first reading of Ordinance 2023-04. Voting: Ayes – 4. Motion carried.

Motion by Dobbins, second by Meier, to suspend the rules of three consecutive readings of Ordinance 2023-04. Voting: Ayes – 4. Motion carried.

Motion by Meier, second by Todd, to adopt Ordinance 2023-04. Voting: Ayes – 4. Motion carried.

Motion by Meier, second by Hochstein, to introduce Resolution 2023-02. Voting: Ayes – 4. Motion carried.

Chairperson Todd read Resolution 2023-02 entitled:

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.

Motion by Dobbins, second by Hochstein, to adopt Resolution 2023-02. Voting: Ayes – 4. Motion carried.

Motion by Hochstein, second by Meier, to approve Extreme Crazy Cracker's 2023 Fireworks Permit Application at 510 Highway 34. Voting: Ayes – 4. Motion carried.

Motion by Hochstein, second by Meier, to approve Alvo/Eagle Recreation's 2023 Fireworks Permit Application at 1st Street & Highway 34. Voting: Ayes – 4. Motion carried.

Motion by Hochstein, second by Meier, to approve Patriot Pete's 2023 Fireworks Permit Application at 340 Highway 34. Voting: Ayes – 4. Motion carried.

Motion by Meier, second by Hochstein, to approve the four-year service contract with Sargent Drilling for the variable frequency drives at the wells in the amount of \$2,654.00. Voting: Ayes – 4. Motion carried.

Motion by Todd, second by Meier, to approve the purchase of Weed and Feed from Frontier Cooperative in an amount not to exceed \$1,700.00. Voting: Ayes – 4. Motion carried.

Motion by Meier, second by Todd, to approve minutes as typed for the previous meeting. Voting: Ayes – 4. Motion carried.

Motion by Hochstein, second by Meier, to approve claims as presented. Voting: Ayes – 4. Motion carried.

Approved Claims: Wages 17,894.03, Board Wages 1,000.00, ABC Termite & Pest Control 55.00, Allied Benefit Systems 3,431.04, Amazon Marketplace 245.91, American Exchange Bank 750.00, Big Red Drainage Pipe Supply 1,309.58, Black Hills Energy 1,024.66, Bound Tree Medical 604.66, Bromen, Joseph & Kyleigh 300.00, Bromm Lindahl Freeman-Caddy & Lausterer 210.00, Capital Business Systems 231.63, Casey's 578.24, Cass Co Economic Development 1,000.00, Cass Co Sheriff's Dept 3,145.21, Cass Co Treasurer 100.00, CC Contracting 910.00, Constellation Energy 980.01, Copple Chevrolet 2,338.52, Display Sales 450.00, Dunrite Homes 1,810.00, Eagle Automotive 183.63, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 5,026.36, Google LLC 132.00, Grainger 300.01, Hestermann, Rick 979.70, Intuit Quickbooks 799.00, John Hancock Investments 382.89, Lovell Excavating 1,000.00, Maguire Iron 3,544.00, Mary's Tax Svc 135.00, Matheson Tri-Gas 212.87, Menards-South 136.90, Midwest Labs 125.70, NE Dept of Rev 2,337.36, NE Generator 9,160.55, NE Public Health Env Lab 247.00, NE Unclaimed Property 367.46, NE Works 31.67, Norland Pure 6.50, Nystrom, Taira 450.00, One Billing Solutions 763.54, One Call Concepts 53.94, OPPD 4,753.66, Quik Dump Refuse 1,436.80, Snyder & Associates 6,691.00, Southwick Liquid Waste 320.00, UNUM 673.05, US Postmaster 563.13, Verizon Wireless 747.33, Voice News 450.91, Windstream 578.07, Youngdahl, Robert & Benet 300.00. Total of bills: **\$82,750.52**.

Approved Park Claims: Aqua Chem 6,573.00, Black Hills Energy 42.35, Lincoln Winnelson Supply 186.18, Menards-South 304.09, NE Unclaimed Property 100.87, OPPD 93.98. Total of bills: **\$7,300.47**.

The meeting was adjourned at 8:27 p.m.

Nick Nystrom
Village Clerk

Terri Todd
Chairperson