

VILLAGE OF EAGLE  
BOARD OF TRUSTEES AGENDA  
OCTOBER 4, 2022  
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** for the purpose of hearing testimony concerning a Preliminary Plat located in a portion of the W $\frac{1}{2}$  of the NE $\frac{1}{4}$  and a portion of the E $\frac{1}{2}$  of the NE $\frac{1}{4}$  of Section 29, Township 10 North, Range 9 East of the 6<sup>th</sup> P.M., Cass County, Nebraska.

Open Public Hearing  
Public Comment  
Close Public Hearing

1. Discuss/possible action: Approval of a Preliminary Plat located in a portion of the W $\frac{1}{2}$  of the NE $\frac{1}{4}$  and a portion of the E $\frac{1}{2}$  of the NE $\frac{1}{4}$  of Section 29, Township 10 North, Range 9 East of the 6<sup>th</sup> P.M., Cass County, Nebraska.
2. Report from Law Enforcement.
3. Report from Building & Zoning Administrator.
4. Open Forum.
5. Discuss/possible action: Approve supply reimbursement to Eagle Fire & Rescue for Eagle Elementary Fire Awareness Day on October 7, 2022 in the amount of \$500.00.
6. Discuss/possible action: Consider options for Pickleball at Eagle Municipal Park.
7. Discuss/possible action: Approve purchase of Durafirm Diving Board for the Eagle Pool from Aqua-Chem in the amount of \$5,450.00 plus freight.
8. Discuss/possible action: Consider request of proposals for contracted snow removal during the 2022-2023 winter season.
9. Discuss/possible action: Approve Village of Eagle depository.
10. Discuss/possible action: Approve or deny minutes as typed for the previous meeting.
11. Discuss/possible action: Approve claims.
12. Discussion: Use of Village equipment.
13. Report from Attorney.
14. Report from Clerk/Treasurer.

15. Discuss/possible action: Consideration of employment options for Curtis Klabenes.

**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.**

APPLICATION FOR PRELIMINARY PLAT  
EAGLE, NEBRASKA  
LEGAL DESCRIPTION AND GENERAL LOCATION  
See attached.

VILLAGE USE ONLY

RECEIPT NO: \_\_\_\_\_  
DATE: \_\_\_\_\_  
PRELIMINARY PLAT #: \_\_\_\_\_

SUBDIVIDER

Name: PRG Development Company, LLC  
Address: Attn: Ben Bleicher  
9621 Iron Gate Court  
Lincoln, Ne 68526  
Telephone: ( ) 402-419-6309

OWNER

Name: Estate of Carr, Dixie  
Address: Attn: Joe Carr  
640 Hazelwood Drive  
Lincoln Ne 68510  
Telephone: ( ) \_\_\_\_\_

**FEE PAID \$ Preliminary Plat - \$12,880 Change of Zone - \$350**

AGENT (Authorized to act on Subdivider's behalf):

Name: Brad Marshall (Olsson, Inc.)  
Address: 601 P Street, St. 200  
Lincoln Ne.  
68508  
Telephone: ( ) 402-458-5630

ANY OTHER ASSOCIATES:

Name: Seacrest & Kalkowski, PC, LLO  
Address: Attn: DaNay Kalkowski  
1128 Lincoln Mall, Suite 105  
Lincoln, Nebraska 68508  
Telephone: ( ) 402-435-6000

NAME OF PRELIMINARY PLAT: Eagle Point NUMBER OF LOTS: 213

1. Does the subdivider have any interest in the land surrounding the preliminary plat? Yes \_\_\_ No X. If yes, please describe the nature of such interest: \_\_\_\_\_

2. Will the preliminary plat require any zoning or other action (rezoning, Clustered/Mixed Use, conditional use, or vacations) to complete the development? Yes X No \_\_\_ . If yes, please describe the nature of the action: The development will need to be rezoned and annexed. Both of these actions are planned to be performed at the time that each phase or addition is completed.

3. Does the preliminary plat deviate from the requirements of the Subdivision Regulations of the Village of Eagle or the Village's Design Standards? Yes X No \_\_\_ . If yes, please state each deviation, how the proposal meets the intent of the subdivision ordinance and why the proposal should be accepted (additional sheets may be added): Refer to attached submittal letter for requested waivers to the Design Standards.

4. Is any part of the land within the preliminary plat within a flood plain? Yes \_\_\_ No X. If yes, please include the following information: Hydrological and grade information to determine frequency and extent of inundation of flood waters; location of proposed use and type of use; areas of habitation and employment to include location, size and floor elevation of any structures, location and elevation of parking areas, use, location and elevation of open space; all plans and other information conform to Development Standards; limits of the flood plain; amount of Fill Material brought into the flood plain; a certificate that grading will not result in any increase in the flood plain. (Additional sheets may be added).

Applicant's Signature: \_\_\_\_\_



Date: \_\_\_\_\_

8/31/2022

# Aqua-Chem Inc

Durafirm Diving Board (Direct Replacement) – \$5,450.00 plus freight

\*You will need to purchase a Durafirm diving board unless you hire an engineer to certify another brand of board at your pool.

\*No other diving board brand will give you a warranty if it is used on your Durafirm stand.

\*Current lead time is 22-24 weeks.

\*Pricing is guaranteed until October 14, 2022

## VILLAGE OF EAGLE

September 19, 2022

The Village Board of Trustees met in regular session at 7:00 p.m. on September 19, 2022 with Surman, Meier and Todd present. , Weyers and Caylor were 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 Surman 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 Surman opened the public hearing at 7:00 p.m. for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request. Surman said he would like to point out that the public hearings tonight have nothing to do with the pink sheets (Notice of Proposed Tax Increase) that were received by the public; the Village of Eagle is not one of the political subdivisions listed that desires to raise taxes beyond the maximum allowable limit of at least 2%, which would have triggered a joint public hearing. Surman said the Village of Eagle proposes to adopt a property tax request that will cause its tax rate to be 0.618695 per \$100 of assessed value; this number is the same tax rate as last year. The 2022-2023 property tax request is resolved to be set at \$524,913.00; \$367,439.00 for the General Fund and \$157,474.00 for the Bond Fund. Surman asked if there were any comments or questions from the public. There were no comments or questions from the public. The Village Board agreed to stand at ease until which time the next public hearing begins at 7:10 p.m.

The public hearing was closed at 7:10 p.m.

Chairperson Surman opened the public hearing at 7:10 p.m. for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the 2022-2023 Budget. Three copies of the proposed budget statement were made available to the public. Surman said any member of the public wishing to speak on the 2022-2023 Budget will be granted a period of five minutes each. The notice of public hearing on the 2022-2023 Budget was published in the September 15, 2022 edition of the Voice News and posted in the three public posting areas in town. Surman made a presentation outlining the key provisions of the proposed budget statement. The Village is keeping the tax levy the same as the prior year; with the valuation increase the Village can collect \$73,128.00 more tax in 2022-23 to help offset rising costs. The Village is budgeting for water and/or sewer infrastructure improvements; the estimated bond proceeds are \$2,500,000, the capital improvements are \$2,500,000 and the potential for debt payments is \$170,000. There are several other small projects budgeted for, but no other major projects included in

the 2022-2023 budget. Surman 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 7:13 p.m.

Motion by Meier, second by Todd, to introduce Resolution 2022-06. Voting: Ayes – 3. Motion carried.

Chairperson Surman read Resolution 2022-06 entitled:

## **RESOLUTION SETTING THE PROPERTY TAX REQUEST**

### **RESOLUTION NO. 2022-06**

**WHEREAS**, Nebraska Revised Statute 77-1632 and 77-1633 provides that the Governing Body of the Village of Eagle passes by a majority vote a resolution or ordinance setting the property tax request; and

**WHEREAS**, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

**NOW, THEREFORE**, the Governing Body of the Village of Eagle resolves that:

1. The 2022-2023 property tax request be set at:
  - a. General Fund:       \$367,439.00
  - b. Bond Fund:         \$157,474.00
2. The total assessed value of property differs from last year's total assessed value by 16.19 percent.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be 0.532502 per \$100 of assessed value.
4. The Village of Eagle proposes to adopt a property tax request that will cause its tax rate to be 0.618695 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of the Village of Eagle will increase from last year's budget by 8.22 percent.
6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 15, 2022.

Motion by Todd, second by Meier, to adopt Resolution 2022-06. Voting: Ayes – 3. Motion carried.

Discuss/possible action: Approve 1% increase in Restricted Funds – Agenda item tabled until a fourth member of the Village Board is present.

Motion by Meier, second by Todd, to approve the 2022-2023 Budget. Voting: Ayes – 3. Motion carried.

Report from Fire & Rescue – Aaron Hofeling (Fire Lieutenant) reported 3 rescue calls, 4 fire calls, 3 car accidents and 1 mass casualty incident (no fatalities) since the August 15, 2022 board meeting. The department is averaging approximately 15 volunteers per call. Surman said there have been some relatively widespread grass fires around the state due to dry conditions and asked if the department foresees any issues locally. Hofeling said combines are working in the fields this time of year so it is something the department is prepared for. Meier said Fire Awareness Day with Eagle Elementary will be held on October 7, 2022.

Discuss/possible action: Approve Stryker Medical's five-year onsite preventive maintenance inspection and repairs agreement on the Unit 10 power cot system in the amount of \$15,494.50 – Hofeling briefly discussed the importance of the power cot system and its ability to safely transport patients and decrease the risk of back and other injuries to the volunteers; however, with those positive features comes routine maintenance and repairs with which the technology provides us. Hofeling said the other power cot system is covered under an agreement and it would be beneficial to have the same agreement for this unit. Todd asked if this maintenance agreement is paid annually. Nystrom said \$3,098.90 will be paid annually for five years. Surman said the only problem is this maintenance agreement was not included in last year's budget or this year's budget; he would advise Fire & Rescue to curtail next year's budget by the annual amount that is owed for this agreement. Hofeling said he understands that and said this was simply an oversight. Surman said if a member(s) of Fire & Rescue believes an item was discussed at a board meeting previously, they need to realize that unless formal action is taken, nothing was officially approved.

Weyers arrived to the meeting at 7:25 p.m.

Motion by Todd, second by Surman, to approve Stryker Medical's five-year onsite preventive maintenance inspection and repairs agreement on the Unit 10 power cot system in the total amount of \$15,494.50. Voting: Ayes – 4. Motion carried.

Motion by Weyers, second by Todd, to approve a one-percent (1%) increase in Restricted Funds. Voting: Ayes – 4. Motion carried.

Open Forum – No public comment.

Discuss/possible action: Drainage concerns at 500 South 2<sup>nd</sup> Street – Bill & Terre Stickney (500 S. 2<sup>nd</sup> St.) were present to discuss drainage concerns. Bill Stickney said he and his wife have lived at this property in Eagle for 43 years; although it has been very dry this year, they have experienced a lot of water move through their area of town. Some of the events that have taken place since they have owned their home include: a duplex unit was built in the mid-1980's two lots to the south which changed the water flow pattern; 1<sup>st</sup> Street was paved with concrete, curb and gutter; and a new addition (garage) was built on his property. Stickney said the amount of water flow directed at his property from 1<sup>st</sup> Street has been tremendous; the storm water filter sock that was installed along the nearest gutter on 1<sup>st</sup> Street did help alleviate a lot of the water flow concerns; however, the water that is not caught does still come directly down D Street and onto his property. Additionally, water flow from the grain elevator along 3<sup>rd</sup> Street also moves down D Street towards his property as there is no culvert that takes water south across 3<sup>rd</sup> Street. Stickney said the ditch at 200 D Street is silted in and probably needs to be cleaned out to help with appropriate drainage in this area. Terre Stickney shared her personal experience and said the amount of water traveling down D Street during a significant rain event has nowhere to go due to the culverts being silted in at adjacent properties and this water moves right into her backyard; she added that she would like to see the drainage grate secured next to her property to prevent accident or injury to children who utilize this route when going to and from school. Surman discussed the former railroad tracks, now the MoPac Trail, where the landscaping was cut down which resulted in water that previously stayed on the north side to be brought to the south side of the existing trail; one way to potentially alleviate this is by boring under the road to add a culvert that keeps water to the north; however, it would also have to be determined how this redirection of water would affect neighboring properties on the north side of the trail. The Village Board agreed to direct the maintenance staff to inspect and prepare to clean-out the drainage ditches in the vicinity and to identify a method to better secure the drainage gate adjacent to 500 South 2<sup>nd</sup> Street. The Village Engineer will be notified of the plans to address the drainage concerns and perhaps asked for an opinion for additional steps in the future. No further action taken.

Discuss/possible action: Updates on Frisbee Golf proposal at Eagle Municipal Park – Nystrom said the Frisbee Golf baskets have been ordered and should arrive within one week. The Eagle Park & Recreation Commission has scheduled a meeting for tomorrow evening at 5:00 p.m. with the individual that designed Waverly's Frisbee Golf course. Surman said he still has concerns with trying to fit a 9-hole course in the limited amount of space offered at Eagle Municipal Park. No action taken.

Discuss/possible action: Consider options for the future of the former Truck Fill Building located at 3<sup>rd</sup> & D Street – Nystrom said in the past there was some interest in demolishing this structure and it was brought to his attention recently by the Maintenance Supervisor that the building is in need of painting and minor repairs. Electrical service is still active at this building and it currently houses some water service repair parts that could potentially be relocated to the maintenance shop. Weyers asked if water is still active at this location. Nystrom said there is no active



water service currently, but it is up for debate as to whether service has been abandoned entirely or if it has just been shut off at the curb stop. Weyers asked if there is anything the maintenance department can use the building for. Caddy said the building could continue to be used for limited storage; if the building is torn down there has to be an idea of what to do with the pipes coming out of the ground. Todd asked how much the monthly electrical bill runs at the property. Nystrom said \$33.00 per month. The Village Board generally agreed to keep the former Truck Fill Building available for storage purposes and consider painting the exterior in the near future. No further action taken.

Report on Streets and Maintenance – Surman asked if any contact was made with Hein Construction regarding street crack sealing. Klabenes said he has attempted to make contact with the contractor several times with no success. Surman asked if any feedback has been received from Tennis Courts Unlimited regarding warranty repair work at the tennis court. Nystrom and Meier have both attempted to reach out to the contractor and have not received a returned call. Klabenes said the swimming pool has been drained and winterization has begun. The large tree in village right-of-way has been trimmed up along 3<sup>rd</sup> Street north of D Street. Surman asked when the park restrooms will be closed for the year. Klabenes said he anticipates closing the park restrooms and taking down the volleyball nets sometime in mid-October. Meier said the park sprinklers will also need to be winterized around this time. Klabenes said the maintenance department has been addressing nuisance conditions at the direction of the Village Board, primarily at 705 Eagle Drive. The final brush chipping day for the season is Monday, October 3, 2022. Nystrom will post this information on the Village website and Facebook page. Klabenes said Gabel Construction has finished the concrete work across the alleyway north of F Street between 4<sup>th</sup> & 5<sup>th</sup> Street and adjacent to 2<sup>nd</sup> & E Street. Meier suggested placing an item on the next agenda to consider the purchase of a new diving board for the swimming pool.

Report on Wells and Sewer – Klabenes said Johnson Service has finished its work for the year cleaning and jetting the sewer mains. Surman said it was discussed this morning that the buried manholes on the south side of Highway 34 will need to be brought back up to level in the near future for the purpose of serving future development and also preventing infiltration. Klabenes said the well drawdowns for this month have been a little lower than what is typically seen due to dry conditions. Caddy said he would encourage the Village Board to consider a policy for lawn irrigation in the future, whether it is an increase in cost for excess water use or alternating schedules (odd/even properties) for lawn irrigation.

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

Report from Committees and Boards – Surman asked if the Park Board has heard of a delivery date for the new playground equipment. Todd said the hope is delivery will happen next month. Nystrom said there has been some interest in bringing Pickleball

to the Eagle Municipal Park. Meier said the plan is to discuss options for Pickleball at the next board meeting.

Discuss/possible action: Annual employee evaluation for Terry Caddy – Surman said the maintenance employee is present tonight and asked Caddy if he would like to go into executive session to discuss his annual evaluation. Caddy elected to remain in open session. Surman gave a brief presentation as to how the employee evaluation sheet is designed and said each member of the Village Board has the opportunity to score the employee based on the various aspects of their job. Surman said the Human Resources Committee has already discussed the results of the evaluation with the employee and asked Caddy if he would like to discuss it again by each individual line item. Caddy said he will leave that decision up to the Village Board. The Village Board generally agreed to pass on the option to discuss each individual line item a second time with the employee. Surman said the total score for the employee was 87.17 out of 100 possible points. The Village Board was also asked to list strengths and weaknesses for the employee as part of the evaluation. Surman said the list of strengths included, thorough knowledge of the physical area; follows directions even in unpleasant environments; solid employee; willing to do what is needed; budget-minded; knowledgeable and valuable to Eagle; and can be counted on for historical data regarding Village infrastructure. Surman said the list of weaknesses included, obtaining a complete knowledge of sewer facilities; sometimes outspoken with personal opinions; and some tasks are hard on the back. Surman asked if the employee has any comments for the Village Board. Caddy said no. Surman said he would entertain options for a possible increase to the employee's wage. Weyers said the Human Resources Committee felt a wage increase to \$18.50 per hour is appropriate. Surman said the maximum hourly rate for the position is \$19.00 per hour. Weyers said the employee is aware of that. Surman said another thing to keep in mind, and Caddy has said the same thing in the past, is when employee wages begin to meet the amount of property tax revenue received, the Village could get "top heavy" in the wrong direction; the counter point to that is if the Village continues to expand the property tax money received will increase. Surman said if the Village tries to restrict growth to where it is currently you will also restrict employee wages; this is not something the Village should want to do to its employees or to itself.

Motion by Todd, second by Weyers, to increase Terry Caddy's wage to \$18.50 per hour. Voting: Ayes – Meier, Weyers, Todd. Nays – Surman. Motion carried.

The meeting was adjourned at 8:21 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 September 19, 2022 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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John Surman  
Chairperson

## VILLAGE OF EAGLE

September 19, 2022

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Motion by Meier, second by Todd, to introduce Resolution 2022-06. Voting: Ayes – 3. Motion carried.

Chairperson Surman read Resolution 2022-06 entitled:

## **RESOLUTION SETTING THE PROPERTY TAX REQUEST**

### **RESOLUTION NO. 2022-06**

**WHEREAS**, Nebraska Revised Statute 77-1632 and 77-1633 provides that the Governing Body of the Village of Eagle passes by a majority vote a resolution or ordinance setting the property tax request; and

**WHEREAS**, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

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6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 15, 2022.

Motion by Todd, second by Meier, to adopt Resolution 2022-06. Voting: Ayes – 3. Motion carried.

Discuss/possible action: Approve 1% increase in Restricted Funds – Agenda item tabled until a fourth member of the Village Board is present.

Motion by Meier, second by Todd, to approve the 2022-2023 Budget. Voting: Ayes – 3. Motion carried.

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Motion by Weyers, second by Todd, to approve a one-percent (1%) increase in Restricted Funds. Voting: Ayes – 4. Motion carried.

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

Motion by Todd, second by Weyers, to increase Terry Caddy's wage to \$18.50 per hour. Voting: Ayes – Meier, Weyers, Todd. Nays – Surman. Motion carried.

The meeting was adjourned at 8:21 p.m.

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Nick Nystrom  
Village Clerk

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John Surman  
Chairperson