

VILLAGE OF EAGLE  
BOARD OF TRUSTEES AGENDA  
MARCH 21, 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**

1. Report from Fire & Rescue.
2. Discuss/possible action: Approve Luke Gentrup as a member of the Eagle Fire & Rescue Department.
3. Open Forum.
4. Discussion: Cass County Nebraska Economic Development Council updates.
5. Discuss/possible action: Approve the donation of an additional pool pass to Eagle Vision for their annual Easter Egg Hunt on April 9, 2022.
6. Discuss/possible action: Consider Alvo/Eagle Recreation's donation request for \$5,460.00 for park ballfield improvements and \$1,500.00 for maintenance to Memorial Field.
7. Discuss/possible action: Approve the rental of a Bobcat Mini Excavator and breaker attachment for pool repairs at a weekly rate of \$1,653.00.
8. Discuss/possible action: First reading of Ordinance 2022-02 – Amending Chapter 3, Article 1, Section 3-106 of the Eagle Municipal Code by amending the water tapping fee.
9. Discuss/possible action: First reading of Ordinance 2022-03 – Amending Chapter 10, Article 3 of the Eagle Municipal Code regulating mobile food vendors operating within the corporate limits of the Municipality.
10. Discuss/possible action: Updates on truck traffic and associated damages to the adjacent ADA Ramp at 520 South 1<sup>st</sup> Street.
11. Discuss/possible action: Approve 2022 Village of Eagle brush chipping rules.
12. Discuss/possible action: Approve 2022 Eagle Reorganization Q & A and associated advertisement for public education purposes.
13. Report on Streets and Maintenance.
14. Report on Wells and Sewer.
15. Discuss/possible action: Approve or deny minutes as typed for the previous meeting.
16. Report from Committees and Boards.
17. Discuss/possible action: Hiring for the Maintenance Supervisor position.

**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.**

# K & J Elite Sports Turf

Consultation, Renovation & Construction

Josh Klute: 402-430-3999

Jeremy Johnson: 402-802-8290

Customer:

Eagle Tee-ball

c/o Kyle Krajewski

Qty.	Description	Unit Price	Total
	<p><b>Project Outlook:</b> Option 1- addresses weeds and overgrowth, and smoothing the infield surface. Option 2- addresses weeds and overgrowth, adds infield material to address low areas and create a uniform grade throughout the infield. Topdressing will aid in infield drying and water absorption. <b>Recommended for either option-</b> new permanent plate, movable pitching rubber, and base anchors.</p> <p style="text-align: center;"><b>Area for Renovation- 7,500 sq ft</b></p> <p><b>Option 1</b></p> <p>Identify and establish back arc of infield</p> <p>Non-selective herbicide to kill overgrowth on infield and dugouts</p> <p>Herbicide application for 7,500 sq ft</p> <p>Cleanup and smooth infield</p> <p>New bury-all home plate</p> <p>New nail-down pitching rubber</p> <p>Base anchors and whisk plugs</p> <p>Installation of plate, pitching rubber, and base anchors</p> <p>Sod cutter rental</p> <p>Equipment mobilization</p>		<b>\$2,230.00</b>
	<p><b>Option 2</b></p> <p>Survey to determine desired grade</p> <p>Identify and establish back arc of infield</p> <p>Non-selective herbicide to kill overgrowth on infield and dugouts</p> <p>Herbicide application for 7,500 sq ft</p> <p>Add 30 Tons of infield soil (2 truck loads), rough grade</p> <p>Till and Grade</p> <p>Establish field layout</p> <p>New bury-all home plate</p> <p>New nail-down pitching rubber</p> <p>Base anchors and whisker plugs</p> <p>Install plate, pitching rubber, and base anchors</p> <p>Calcined infield topdressing (80 bags), and installation</p> <p>Sod cutter rental</p> <p>Equipment mobilization</p>		<b>\$5,640.00</b>
	<b>Total</b>		



**HAMILTON  
EQUIPMENT COMPANY**  
8801 HIGHWAY 6•LINCOLN, NEBRASKA 68507  
PHONE: 402-464-6381•FAX: 402-464-5989  
[www.hamiltonequipmentco.com](http://www.hamiltonequipmentco.com)



Cust: 02748

Document: R00026551R

Date: 03/11/2022

**VILLAGE OF EAGLE**  
P.O. BOX 130  
EAGLE, NE 683470130

Contact Information		Page 1 of 2
CURTIS. P.O. BOX 130 EAGLE, NE 683470130	PO Number: Salesman: BB	
M: (none) W: (402) 781-2748 H: (none)		
		<b>Totals</b>

Segment ID	Description	Totals
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0001

**Class Reservation**

Family: RENTAL  
Group: BOBCAT MX  
Class: E26

Job Number:

Contact: CURTIS .  
Location:  
Out Date: 03/14/2022 09:12AM  
Expected Return: 03/18/2022 09:12AM  
Actual Return:

Adjustment RENTAL PROTECTION of 14.00% applied to this item.

Rates:		Quantity:	0.00	Rate:	\$200.00	
	Half Day	Quantity:	0.00	Rate:	\$275.00	
	Daily	Quantity:	1.00	Rate:	\$850.00	
	Weekly	Quantity:	0.00	Rate:	\$2200.00	<b>850.00</b>
	Monthly					

Surcharge/Adj:	Type:	Description:	Percentage:	Extended:	
	Surcharge	RENTAL PROTECTION	14.000000	119.00	<b>119.00</b>

**Estimated Segment Total: 969.00**  
**Deposit Total: 0.00**

Notes:

18" bucket

0002

**Class Reservation**

Family: RENTAL  
Group: BOBCAT ATTACHMENTS  
Class: BREAKER NB140

Job Number:

Contact: CURTIS .  
Location:  
Out Date: 03/14/2022 09:12AM  
Expected Return: 03/18/2022 09:12AM  
Actual Return:

Adjustment RENTAL PROTECTION of 14.00% applied to this item.

Rates:		Quantity:	0.00	Rate:	\$135.00	
	Half Day	Quantity:	0.00	Rate:	\$200.00	
	Daily	Quantity:	1.00	Rate:	\$600.00	
	Weekly	Quantity:	0.00	Rate:	\$1800.00	<b>600.00</b>
	Monthly					

Surcharge/Adj:	Type:	Description:	Percentage:	Extended:	
	Surcharge	RENTAL PROTECTION	14.000000	84.00	<b>84.00</b>

**Estimated Segment Total: 684.00**  
**Deposit Total: 0.00**

Continued on next page



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Cust: 02748

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EAGLE, NE 683470130

<b>Contact Information</b>	<b>Page 2 of 2</b>
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CURTIS P.O. BOX 130 EAGLE, NE 683470130	PO Number: Salesman: BB
M: (none) W: (402) 781-2748 H: (none)	

Segment ID	Description	Totals
0002	<i>Continued from previous page</i>	

**Estimated Reservation Total: 1653.00**  
(Plus Applicable Sales Taxes)

**Deposit Total: 0.00**

Rental Rates are based on: 8 Hours per Day 40 Hours per Week 160 Hours per Month

HAMILTON  
EQUIPMENT  
COMPANY

Customer Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Name Printed: \_\_\_\_\_ Delivered By: \_\_\_\_\_ Date: \_\_\_\_\_

RENTAL COPY

## ORDINANCE NO. 2022-02

AN ORDINANCE OF THE VILLAGE OF EAGLE, NEBRASKA, TO AMEND CHAPTER 3, ARTICLE 1, SECTION 3-106 OF THE MUNICIPAL CODE OF THE VILLAGE OF EAGLE, NEBRASKA, PERTAINING TO WATER SERVICE INSTALLATION EXPENSE BY AMENDING THE WATER TAPPING FEE; 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 3-106 of the Municipal Code of the Village of Eagle, Nebraska, specifies the water service installation costs to be charged to consumers of the Eagle water system, and,

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

WHEREAS, the Chairman and Board of Trustees of the Village of Eagle, Nebraska, do desire to amend the water tapping fees 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 CHAIRMAN 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 3-106 of the Municipal Code of the Village of Eagle, Nebraska, shall be amended to read as follows:

### **§3-106 MUNICIPAL WATER DEPARTMENT; INSTALLATION EXPENSE.**

All costs of providing water service from the main to the point of distribution shall be paid by the consumer. Costs shall include corporate cocks, curb-stops, meters, as well as any required deposit or tap fee. It is hereby established, in addition to the above described

expenses, a tapping fee of ~~five hundred (\$500.00)~~ seven hundred and fifty (\$750.00) dollars per dwelling unit, business, business services or other commercial entities to be serviced by each main tap shall be paid. Said fee shall be required to be paid in full prior to any tap of a water main being made to connect a service line. The terms "dwelling unit," "business," or "business services" as used in this Section shall have the same meaning as that term is defined in Eagle Zoning and Subdivision Regulations, as they may be amended from time to time. The term "commercial entities" as used in this Section shall mean having to do with stores, office buildings, and commercial property. (Ref. 17-542 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 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 herefrom 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 \_\_\_\_\_, 2022.

VILLAGE OF EAGLE, NEBRASKA

By: \_\_\_\_\_  
John Surman, Its Chairman

ATTEST:

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

(SEAL)

## ORDINANCE NO. 2022-03

AN ORDINANCE OF THE VILLAGE OF EAGLE, CASS COUNTY, NEBRASKA, TO AMEND CHAPTER 10, ARTICLE 3, SECTION X-XXX, OF THE MUNICIPAL CODE OF THE VILLAGE OF EAGLE, NEBRASKA AS THE SAME RELATES TO BUSINESS REGULATIONS; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR THE SEVERABILITY OF ANY SECTION, CLAUSE, PROVISION OR PORTION FOUND UNCONSTITUTIONAL OR INVALID; TO PROVIDE THAT THIS ORDINANCE SHALL BE PUBLISHED AND SHALL BE IN FULL FORCE AND TAKE EFFECT FROM AND AFTER ITS PASSAGE AND APPROVAL, AS PROVIDED BY LAW AND AS PROVIDED HEREIN; AND TO PROVIDE THAT THE PROVISIONS OF THIS ORDINANCE SHALL BECOME AND BE MADE A PART OF THE MUNICIPAL CODE OF THE VILLAGE OF EAGLE, NEBRASKA, AND THE SECTIONS OF THIS ORDINANCE MAY BE RENUMBERED TO ACCOMPLISH SUCH INTENTION.

WHEREAS, the Village of Eagle has the authority to regulate mobile food vendors operating within the corporate limits of the Municipality;

WHEREAS, Mobile food vendors provide a beneficial service to the general public within the Village while, due to their distinct manner of operation, also present substantial differences of circumstances from other food retailers. It is, thus, desirable to regulate, and require permits for mobile food vendors so that their transitory use of various properties can occur in a fair and safe manner, and so that public safety and welfare can be protected. The purpose of this chapter is to enact regulations to serve those goals.

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

Section 1. Chapter 10, Article 3, Section 3-XXX of the Village of Eagle, is amended as indicated:

### **§10-3XX DEFINITIONS**

For the purpose of this chapter the following terms shall have the meanings respectively ascribed to them:

**Food:** Shall mean any raw, cooked, or processed edible substance or beverage used or intended for use or for sale in whole or in part for human consumption.

**Mobile Food Vendor:** Shall mean a person who travels from place to place selling or offering for sale food from a motor vehicle or trailer on public or private property. The following activities are excluded from such definition, and alone, do not subject a vendor to being covered under by such definition: (1) the sale or offer for sale of farm products produced or raised by such a vendor from land either occupied or cultivated by him or her; (2) the sale or offer of sale of homemade items, such as breads, pies, etc. for a Farmers Market event; (3) the sale or offer of sale of food by non-profit groups or at an event

sponsored by a non-profit group; or (4) a minor who is selling liquid refreshments or homemade items on a temporary basis in a manner akin to a lemonade stand.

**Permanent Food Establishment:** A fixed building which a person occupies on a continual basis and from which such person sells or offers to sell food for immediate delivery and consumption upon purchase. Such term shall not include a location where a mobile food vendor sells or offers to sell food, a concession stand, a convenience store, a grocery store, or an automotive fueling station.

**Administrator:** The Village Clerk/Treasurer, or his or her designee.

### **§10-3XX PERMIT REQUIRED**

It shall be unlawful for any person to operate as a mobile food vendor within the corporate limits, whether on public or private property, unless such person complies with the requirements and regulations of this chapter, including holding a valid and active mobile food vendor permit issued by the municipality under this chapter.

It shall be unlawful for any person to operate as a mobile food vendor within the extraterritorial zoning jurisdiction of the Village.

### **§10-3XX APPLICATION**

All permit applications under this chapter shall be filed with the Administrator on a form to be furnished by the municipality, which shall require, at a minimum, the following:

- (a) The name, address, phone number, and email address of the individual, partnership, firm, or corporation applying for a permit;
- (b) The vehicle license numbers and descriptions of all vehicles from which the applicant proposes to sell food;
- (c) The names of all persons expected to drive such vehicles;
- (d) A copy of all vehicle registrations;
- (e) Proof of motor vehicle and liability insurance;
- (f) A brief description of the foods to be sold;
- (g) If applicable, written permission to sell or offer to sell food on private property;
- (h) A copy of the State of Nebraska sales tax permit or proof of sales tax exemption; and
- (i) A copy of the applicant's permit issued by the Department of Agriculture of the State of Nebraska, as required by the Nebraska Pure Foods Act (Neb. Rev. Stat. secs. 81-2,239 to 81-2,292).

After receipt of the completed application and application fee, the Administrator shall either approve or deny the application. Grounds for denial may include, but not be limited to, the following:

- (a) An incomplete application;
- (b) The nonpayment of applicable fees;



- (c) A finding that the application is not in conformance with any applicable laws or this code including, but not limited to, Chapter \_\_\_\_ of this code.

### **§10-3XX ISSUANCE OR DENIAL**

- a. Upon receipt of a complete application for a permit pursuant to this chapter, the Administrator shall endeavor to determine if the statements contained within the application are true and correct and shall approve or deny such application within 30 days as provided herein.
- b. Grounds for denial may include, but are not limited to, the following
  - i. A finding that the application is incomplete;
  - ii. Non-payment of applicable fees;
  - iii. A finding that the application is not in conformance with any applicable laws or this code including, but not limited to Chapter 10 of this code;
  - iv. A finding that the applicant has been convicted of two or more separate violations of the provisions of this chapter within the 12 months preceding the submission of a complete application.
- c. An application for a permit under this chapter shall be accompanied by a nonrefundable processing fee of \$30.00 per year for each motor vehicle, trailer, cart or other piece of mobile equipment to be used.

### **§10-3XX TRANSFER**

Permits issued under this chapter shall be nontransferable and no such permit shall be used at any time by any person other than the one to whom it was issued.

### **§10-3XX EXHIBITION OF PERMIT**

Vendors shall exhibit their permit at all times when operating within the corporate limits of the municipality or upon the request of any Village official, Village employee, or customer.

### **§10-3XX RENEWAL**

A permit issued under this chapter shall expire on December 31st of each year. The permittee shall renew the permit for the following year by filing with the Village Clerk prior to expiration. The renewal shall be on a form provided by the Village Clerk and shall include payment of a renewal fee of \$15.00 per year for each motor vehicle, trailer, cart or other piece of mobile equipment to be used.

### **§10-3XX SALES REGULATIONS**

A mobile food vendor shall:

- a. have in full force and effect (1) a permit issued by the Village Clerk as provided herein, (2) a sales tax permit from the State of Nebraska, (3) a permit issued by the

Department of Agriculture of the State of Nebraska, as required by the Nebraska Pure Food Act, and (4) a motor vehicle liability insurance policy and be able to exhibit proof of such policy upon request;

- b. only sell or offer to sell food on private property that is zoned for commercial or industrial use, with written consent from the property owner;
- c. only sell or offer to sell food on village public property as provided for in §10-3XX;
- d. vend only when the vendor's truck is lawfully parked or stopped;
- e. vend only from the side of the truck that is away from moving traffic;
- f. comply with all local ordinances regulating noise;
- g. maintain in operable condition all fire suppression equipment or devices as required by local, state, or federal law;
- h. provide trash receptacles for the collection of trash and recyclable materials;
- i. pick up and properly dispose of any trash, litter, or recyclable materials prior to leaving a location;

A mobile food vendor shall not:

- a. sell or offer to sell alcoholic drinks;
- b. sell or offer to sell food on private property zoned for residential use;
- c. sell or offer to sell food from a vehicle located in a village right-of-way;
- d. sell or offer to sell food from a vehicle located on a street or street parking stall unless the street is closed for a special event, with approval from the Village Board;
- e. sell or offer to sell food on county public property, school public property, or natural resource district public property without written consent of an authorized representative;
- f. vend to a person standing in the roadway;
- g. vend on state highways;
- h. dispose of any trash, litter, recyclable materials, or food waste (including grease) in public trash or recycling containers;
- i. dump grease, waste, food waste, waste water, or grey water on the ground or in the storm sewers; or
- j. vend within 150 feet of any school or school grounds from 8:00 a.m. to 4:30 p.m. on a weekday.

### **§10-3XX OPERATING ON VILLAGE PUBLIC PROPERTY**

Mobile food vendors are only allowed to park and operate on the following village public property:

- a. the northern or eastern portion of the village lot located east of the Eagle Municipal Pool (Eagle-OT lots 1-6 of block 13); or
- b. the southern portion of the Eagle Municipal Office parking lot located at 747 S. 2<sup>nd</sup> Street.

Any authorized official or employee of the Village may order a mobile food vendor to move or leave from the above specified locations. No vehicles or other auxiliary equipment used by a mobile food vendor shall be left or parked on village public property for more than 12

hours. The Village may tow or otherwise move a mobile food vendor's vehicle or other auxiliary equipment if it presents a danger to public safety and the mobile food vendor fails to move the same.

### **§10-3XX HOURS OF OPERATION**

Mobile food vendors are allowed to operate within the corporate limits between the hours of 7:00 a.m. and 12:00 midnight, seven days a week.

### **§10-3XX REVOCATION OR SUSPENSION**

**Grounds:** A permit issued under this chapter may be revoked or suspended by the Administrator for any of the following reasons:

- a. Any fraud, misrepresentation, or false statement contained in the application for a permit;
- b. Any fraud, misrepresentation, or false statement made in connection with the selling of food;
- c. Any violation of this chapter or any applicable laws or provisions of the Eagle Municipal Code;
- d. Conducting business in an unlawful manner or in such a manner as to constitute a breach of the peace or a menace to the health, safety, or general welfare of the public;

**Conviction of violation of chapter:** The Administrator shall revoke a permit issued under this chapter for any mobile food vendor who is convicted of two or more separate violations of this chapter within any consecutive 12-month period. For purposes of this section, conviction shall mean any finding of guilt or liability on the part of the mobile food vendor by a court of competent jurisdiction, and shall include any conviction that has previously been set aside.

**Notice:** To revoke or suspend a license, the Administrator shall provide written notice to the permit holder state the revocation or suspension action taken, the grounds for such action, and the availability of an appeal under this section. Such notice shall be sent by regular U.S. mail or by certified mail (although return receipt is not required to prove service) to the license holder's address as state in his or her application.

**Appeal:** A permit holder aggrieved by the decision of the Administrator under this section may file an appeal with the Village, to be heard before the Village Board.

**Re-application:** A person whose license has been revoked under this chapter may not re-apply for a new license for a period of 12 months after the effective date of the revocation.

### **§10-3XX PENALTY**

It shall be unlawful for any person to violate the provisions of this chapter. Any violation shall be punishable as provided in §XX-XXX.

Section 2. 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 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 should any section, paragraph, sentence of this Ordinance hereby adopted be declared for any reason 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 5. 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 6. 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.

This Ordinance passed and approved this \_\_\_\_ day of \_\_\_\_\_ 2022.

VILLAGE OF EAGLE, NEBRASKA

By: \_\_\_\_\_  
John Surman, Its Chair

ATTEST:

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

(SEAL)

# VILLAGE OF EAGLE

INCORPORATED 1891

747 S 2<sup>nd</sup> STREET / PO BOX 130  
EAGLE, NEBRASKA 68347  
OFFICE 402-781-2748  
FAX 402-781-2775

## 2022 VILLAGE OF EAGLE CHIPPING RULES

Dear Village Resident:

The Village of Eagle will continue its chipping services beginning the first Monday in April through the first Monday in October, 2022. The Village of Eagle does **NOT** provide tree removal services; we only provide branch & limb clean-up services. The following rules for brush chipping services are effective immediately:

- Limbs may not exceed six (6') feet in length
- Limbs may not exceed four (4") inches in diameter
- Limbs smaller than six (6") inches in length **MUST** be placed in waste baskets, containers, wheel barrows or similar
- Limbs **MUST** be piled between the curb & sidewalk at each residence
- Limbs shall **NOT be in a tangled pile** (smaller limbs shall be separated in an orderly fashion to allow Village employees the ability to efficiently separate larger pieces for purposes of chipping)
- **NO** piling of limbs on streets or sidewalks
- **NO** stacking of limbs around trees, signs or motor vehicles
- **NO** garden vegetable plants will be permitted
- **NO** entire trees
- **NO** bags of leaves or grass clippings
- **NO** rose bushes or other thorns
- The maximum time limit for employees at an individual location is **15 minutes**

***The Village of Eagle reserves the right to reject any pile if it does not comply with the requests above OR if the volume appears to include the limbs of an entire tree or trees.*** If these rules are not followed at a residence, chipping services will not be performed there. A red tag will be placed at any pile of brush that does not meet the fore-mentioned specifications. This will result in the owner/tenant taking responsibility for the disposal of their branch, limb or tree pile(s).

If there are any questions, please contact us at the phone number above. Our office hours are Monday, Tuesday, Thursday & Friday from 7:30AM-12:00PM and 1:00PM-3:30PM. We are closed to the public on Wednesdays.



# **2022 Eagle Reorganization Q&A**

## **When does a village become a city?**

Under state law, a village automatically becomes a city once it has a population of 800 or more people (as determined by the decennial census).

## **Why didn't Eagle automatically become a city?**

According to the 1980 Census, Eagle's population was 832 and would have automatically become city. However, the Board of Trustees at the time allowed the voters to decide whether to become a city or remain a village.

## **What were the results of the 1981 Reorganization Question?**

A total of 184 votes were cast in the special election: 99 votes in favor of remaining a village and 85 votes opposed to remaining a village. Therefore, Eagle has remained a village for the last 41 years.

## **How did the question of reorganizing as a city get placed on the 2022 Primary Election Ballot?**

According to the 2020 Census, Eagle's population is now 1,065. The Eagle Village Board of Trustees agreed that residents deserved the opportunity to reconsider the question of becoming a city and unanimously adopted Resolution 2021-12 to place the question before the voters. Qualified electors will have the opportunity to vote on reorganizing as a city during the statewide Primary Election on May 10, 2022.

## **What are the primary differences between the village form of government and the city form of government?**

A city is governed by a mayor who is elected at-large and a 4-member city council, who are elected by wards. The city's total population is evenly divided into wards and 2 city council members are elected from each ward.

A village is governed by a 5-member board of trustees, which are elected at-large. The Board Chairperson is elected from amongst the board members.

All elected officials in both cities and villages serve 4-year terms.

## **What is the role of a mayor and city council versus the role of a village board and board chairperson?**

A mayor is responsible for supervising and controlling the affairs of the city, especially the day-to-day operations and personnel issues. The mayor also serves as the presiding officer at city council meetings. The city council considers and approves policy, but the mayor can veto policies he or she disagrees with and can cast a deciding vote when the city council is equally divided.

Under the village form of government, the board of trustees are all equally responsible for the day-to-day functions of the village. Members are appointed to committees that oversee specific areas/operations, but most formal action must be discussed and voted on at a board meeting. The hiring, firing, and discipline of an employee is handled by the Human Resources Committee, but also requires formal action at a board meeting.

**Will becoming a city increase my taxes?**

No, changing the form of government does not automatically increase property taxes or sales tax. The property tax levy is set by the city council or village board annually, following public notice and a public hearing. An increase in sales tax, whether under the city or village form of government, requires voter approval.

**What other major differences are there between a city and a village?**

A city has the ability to levy a special assessment in order to provide for and maintain a Business Improvement District, especially for along main street or a highway corridor. A village does not have this authority.

A city can enter into a Joint Public Agency (JPA) with a school district to acquire land for, erect, equip, furnish, maintain and operate a joint municipal and recreation building or joint recreational and athletic field. A village does not have this authority.

A city has the authority to establish a police department and hire a chief of police. A village only has the authority to appoint a village marshal, who has limited powers and enforcement authority.

## **VILLAGE OF EAGLE**

**March 1, 2022**

The Village Board of Trustees met in regular session at 7:00 p.m. on March 1, 2022 with Surman, Meier, Weyers and Caylor present. Moore 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 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.

Moore arrived to the meeting at 7:02 p.m.

Open Forum – Larry Reynoldson (700 G St.) asked when brush chipping services will begin this year. Surman said brush chipping services begin the first Monday in April through the first Monday in October. Reynoldson inquired as to when the WWTP bond will expire. Surman said to the best of his recollection the bond will expire in 2026.

Motion by Caylor, second by Meier, to approve the donation of an individual pool pass to Eagle Vision for their annual Easter Egg Hunt on April 9, 2022. Voting: Ayes – 5. Motion carried.

Motion by Meier, second by Weyers, to approve Hein Construction's proposal for hot mix asphalt patching in the amount of \$10,827.00. Voting: Ayes – 5. Motion carried.

Motion by Moore, second by Meier, to introduce Ordinance 2022-01. Voting: Ayes – 5. Motion carried.

Chairperson Surman read Ordinance 2022-01 entitled:

### **ORDINANCE 2022-01**

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 Moore, second by Weyers, to accept the first reading of Ordinance 2022-01. Voting: Ayes – 5. Motion carried.

Motion by Moore, second by Meier, to suspend the rules of three consecutive readings of Ordinance 2022-01. Voting: Ayes – 5. Motion carried.

Motion by Moore, second by Weyers, to adopt Ordinance 2022-01. Voting: Ayes – 5. Motion carried.

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

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

Approved Claims: Wages 13,133.34, Board Wages 1,000.00, ABC Termite & Pest Control 119.00, All Road Barricades 357.50, Allied Benefit Systems 3,537.56, Amazon Marketplace 322.37, American Exchange Bank 750.00, Black Hills Energy 876.01, BOK Financial 931.25, Brasch Homes 1,810.00, Bromm Lindahl Freeman-Caddy & Lausterer 697.50, Casey's 341.39, Cass Co. Sheriff's Dept 3,145.21, Company Care 104.00, Constellation Energy 567.66, Core & Main 3,845.10, Cornhusker Press 182.10, Custom Cooling & Heating 23.65, Dollar General 33.15, Dunrite Homes 1,810.00, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 3,351.84, First Wireless 85.00, Google LLC 120.00, Hestermann, Rick 107.28, Home Depot Credit Svc 68.99, J & A Traffic Products 2,701.33, John Hancock Investments 296.40, Keep Cass County Beautiful 1,000.00, Klabenes, Curtis 197.99, Knee Deep 3,250.00, Langfeldt Overhead Doors 3,505.00, League of NE Municipalities 370.00, Lincoln Winwater Works 1,200.00, Lovell Excavating 1,000.00, Matheson Tri-Gas 177.75, McKesson Medical 2,687.03, Menards-South 645.96, Midwest Labs 180.05, NE Dept of Env & Energy 150.00, NE Dept of Rev 1,556.94, NE Public Health Env Lab 774.00, Norland Pure 24.00, Nystrom, Taira 400.00, One Call Concepts 29.90, OPPD 4,447.21, Quick Med Claims 293.50, Quik Dump Refuse 931.40, Snyder & Associates 4,128.00, The Electronic Repair Shop 1,485.00, Tractor Supply 81.97, UNUM 654.27, US Postmaster 207.38, USA Bluebook 188.95, Verizon Wireless 586.76, Voice News 140.54, Windstream 624.77. Total of bills: **\$72,728.00**.

Approved Park Claims: Black Hills Energy 38.41, NE Dept of Env & Energy 40.00, OPPD 92.13. Total of bills: **\$170.54**.

Approved Keno Claims: Tennis Courts Unlimited 6,440.00. Total of bills: **\$6,440.00**.

Motion by Moore, second by Weyers, to go into executive session at 7:28 p.m. to discuss Polly Frye's annual employee evaluation and to protect the reputation of the employee. Voting: Ayes – 5. Motion carried.

Chairperson Surman said the board has come out of executive session at 7:34 p.m. after discussing Polly Frye's annual employee evaluation.

Motion by Moore, second by Weyers, to increase Polly Frye's wage to \$15.75 per hour. Voting: Ayes – 5. Motion carried.

The meeting was adjourned at 7:35 p.m.

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Nick Nystrom  
Village Clerk

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John Surman  
Chairperson

## VILLAGE OF EAGLE

March 1, 2022

The Village Board of Trustees met in regular session at 7:00 p.m. on March 1, 2022 with Surman, Meier, Weyers and Caylor present. Moore 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 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.

Report from Law Enforcement – Sergeant Sommer said there were not a lot of calls for service during the month of February. The majority of the calls were for parking related matters. Sommer said the correct information regarding the new off-road vehicle ordinance is now available in the department's eCitation system.

Moore arrived to the meeting at 7:02 p.m.

Report from Building & Zoning Administrator – Hestermann reported 1 new building permit, 3 certificates of occupancy and 12 inspections during the month of February. There are 17 total open permits to date. Surman questioned Building Permit #711 on tonight's report that indicates the mechanical inspection passed but yet also requires re-inspection at 230/240 South 6<sup>th</sup> Street. Hestermann said this is a report error and the mechanical did indeed pass inspection. The complete update for the Zoning Regulations is complete and in draft copy at this time. Hestermann has submitted the draft copy to the Board Chair, Planning Commission Chair and Village Attorney for review. A complaint was filed against the property owner at 305 South 5<sup>th</sup> Street due to the downed tree limb remaining on the roof of the house. Hestermann said he investigated the complaint and has since sent a letter to the property owner allowing for 60 days to come into compliance with the 2012 International Property Maintenance Code violation.

Open Forum – Larry Reynoldson (700 G St.) asked when brush chipping services will begin this year. Surman said brush chipping services begin the first Monday in April through the first Monday in October. Reynoldson inquired as to when the WWTP bond will expire. Surman said to the best of his recollection the bond will expire in 2026.

Discuss/possible action: Approve the donation of a pool pass to Eagle Vision for their annual Easter Egg Hunt on April 9, 2022 – Marcus Hochstein (625 S. 4<sup>th</sup> St.) asked how many pool passes Eagle Vision is requesting. Nystrom said he is unsure; last year, the Village Board donated a total of four individual pool passes for the event. Surman said he reads the agenda item as requesting a single pool pass and that item

cannot be amended tonight.

Motion by Caylor, second by Meier, to approve the donation of an individual pool pass to Eagle Vision for their annual Easter Egg Hunt on April 9, 2022. Voting: Ayes – 5. Motion carried.

Discuss/possible action: Consider hot mix asphalt patching proposal from Hein Construction in the amount of \$10,827.00 – Nystrom said the maintenance department identified the six locations in this proposal as areas in need of patching; the thought behind obtaining this proposal was that some of the money that was budgeted for crack sealing could instead be used for hot mix asphalt patching in areas in desperate need. Meier asked how much was budgeted for crack sealing. Nystrom said \$15,000.

Motion by Meier, second by Weyers, to approve Hein Construction's proposal for hot mix asphalt patching in the amount of \$10,827.00. Voting: Ayes – 5. Motion carried.

Motion by Moore, second by Meier, to introduce Ordinance 2022-01. Voting: Ayes – 5. Motion carried.

Chairperson Surman read Ordinance 2022-01 entitled:

#### **ORDINANCE 2022-01**

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: \$10.00

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 2022 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.

Motion by Moore, second by Weyers, to accept the first reading of Ordinance 2022-01. Voting: Ayes – 5. Motion carried.

Motion by Moore, second by Meier, to suspend the rules of three consecutive readings of Ordinance 2022-01. Voting: Ayes – 5. Motion carried.

Motion by Moore, second by Weyers, to adopt Ordinance 2022-01. Voting: Ayes – 5. Motion carried.

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

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

Approved Claims: Wages 13,133.34, Board Wages 1,000.00, ABC Termite & Pest Control 119.00, All Road Barricades 357.50, Allied Benefit Systems 3,537.56, Amazon Marketplace 322.37, American Exchange Bank 750.00, Black Hills Energy 876.01, BOK Financial 931.25, Brasch Homes 1,810.00, Bromm Lindahl Freeman-Caddy & Lausterer 697.50, Casey's 341.39, Cass Co. Sheriff's Dept 3,145.21, Company Care 104.00, Constellation Energy 567.66, Core & Main 3,845.10, Cornhusker Press 182.10, Custom Cooling & Heating 23.65, Dollar General 33.15,

Dunrite Homes 1,810.00, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 3,351.84, First Wireless 85.00, Google LLC 120.00, Hestermann, Rick 107.28, Home Depot Credit Srvc 68.99, J & A Traffic Products 2,701.33, John Hancock Investments 296.40, Keep Cass County Beautiful 1,000.00, Klabenes, Curtis 197.99, Knee Deep 3,250.00, Langfeldt Overhead Doors 3,505.00, League of NE Municipalities 370.00, Lincoln Winwater Works 1,200.00, Lovell Excavating 1,000.00, Matheson Tri-Gas 177.75, McKesson Medical 2,687.03, Menards-South 645.96, Midwest Labs 180.05, NE Dept of Env & Energy 150.00, NE Dept of Rev 1,556.94, NE Public Health Env Lab 774.00, Norland Pure 24.00, Nystrom, Taira 400.00, One Call Concepts 29.90, OPPD 4,447.21, Quick Med Claims 293.50, Quik Dump Refuse 931.40, Snyder & Associates 4,128.00, The Electronic Repair Shop 1,485.00, Tractor Supply 81.97, UNUM 654.27, US Postmaster 207.38, USA Bluebook 188.95, Verizon Wireless 586.76, Voice News 140.54, Windstream 624.77. Total of bills: **\$72,728.00.**

Approved Park Claims: Black Hills Energy 38.41, NE Dept of Env & Energy 40.00, OPPD 92.13. Total of bills: **\$170.54.**

Approved Keno Claims: Tennis Courts Unlimited 6,440.00. Total of bills: **\$6,440.00.**

Report from Attorney – Freeman-Caddy said her main priority this month is reviewing the updated Zoning Regulations and providing responses and recommendations. A residential subdivision application was received for a parcel of land west of Eagle's corporate limits that will be reviewed upon receiving responses from the Village Engineer.

Report from Clerk/Treasurer – Nystrom said the 2021 NMPP Energy Typical Bill Survey results for water and sewer fees was received. Out of 131 respondents, Eagle ranked as the 8<sup>th</sup> most affordable water service provider and out of 127 respondents, Eagle ranked as the 89<sup>th</sup> most affordable sewer service provider. Nystrom and Klabenes continue to work on the NPDES Permit renewal for the WWTP that is due March 31, 2022. The Low Income Household Water Assistance Program (LIHWAP) is now available through DHHS for individuals to request and apply for services. Nystrom reported that six off-road vehicles have been licensed for the year to date. COVID-19 test kits are available at the office at no cost as provided by the Sarpy/Cass Health Department (limit of 6 per household). Nystrom said the total monthly income ending February 28, 2022 was \$86,726.44.

Motion by Moore, second by Weyers, to go into executive session at 7:28 p.m. to discuss Polly Frye's annual employee evaluation and to protect the reputation of the employee. Voting: Ayes – 5. Motion carried.

Chairperson Surman said the board has come out of executive session at 7:34 p.m. after discussing Polly Frye's annual employee evaluation.

Motion by Moore, second by Weyers, to increase Polly Frye's wage to \$15.75 per hour. Voting: Ayes – 5. Motion carried.

The meeting was adjourned at 7:35 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 1, 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

# **MAINTENANCE SUPERVISOR**

## **Purpose Statement**

The job of maintenance supervisor is best described as overseeing the repairs and keeping our village infrastructure and buildings in good condition. This will include obtaining quotes from our vendors for repairs that the village staff cannot complete and making them available to the Village Board for possible approval by fully utilizing the skills and abilities of our entire maintenance staff. The position is a full time position that is compensated on an hourly basis and is accountable to the Village Board.

## **Qualifications**

- Must have a high school education with two to three years' experience, or a combination of educational classes and experience, to operate a municipal water and wastewater system. Licenses for both water and wastewater are desirable, or in lieu thereof, the individual must have the ability to acquire both within the first year of hire.
- Must have one year of basic experience in building and mechanical equipment maintenance and commercial repair to plumbing, electrical, and heating or cooling systems.
- Must have a working knowledge of basic computer programs.
- Should have supervisory skills or a willingness to acquire them and the knowledge of scheduling work and budgeting for the same.
- Must have strong, effective communication skills and the ability to maintain interactive relationships with all village employees, village residents and Village Board members.
- Must be able to satisfactorily perform each of the essential functions listed below for our maintenance staff which is representative of the knowledge, skill, and/or ability required within this department.
- Must have a valid Nebraska driver's license.

## **Essential Functions**

- Oversee and assist as necessary the following: equipment repair, infrastructure repair, ordering parts, and keeping records to ensure state deadlines are met on out water and wastewater systems.



- Oversee and coordinate safety checks of all property and equipment.
- Assist the Village Board with interviews, appraisals and corrective action decisions. Terminations are still at the board's discretion.
- Be able to operate the village water and wastewater systems.
- Be responsible for the general repair and preventative maintenance of village equipment with either direct repairs or scheduling vendors to perform the required work.
- Perform conversion of all units of measure and have the ability to solve or analyze math problems to properly operate the department.
- Inform the board of the status of all equipment and possible repair costs. Such costs must be reported to the Village Board during village meetings whenever necessary so that the public keeps informed of our operating and/or capital infrastructure costs. Advance notice should always be given when at all possible so the board can make well-informed decisions or answer questions during board meetings.
- Respond to emergency repairs and/or situations during and after hours to restore operations to our residents. Employees must respond to emergency repairs and/or situations within one (1) hour of being notified of the incident.
- Ensure employees have documented daily and weekly tasks and labor hours so the Village Clerk can properly document which budgetary account the labor is to be billed against.