

VILLAGE OF EAGLE  
BOARD OF TRUSTEES AGENDA  
MARCH 7, 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**

1. Report from Law Enforcement.
2. Report from Building & Zoning Administrator.
3. Open Forum.
4. Discuss/possible action: Consider options for the purchase of a Cummins Generator for the lift station at Hartland Estates from Nebraska Generator Service.
5. Discuss/possible action: Approve A&M Recycling providing a dumpster for scrap metal at no cost to the Village of Eagle.
6. Discuss/possible action: First reading of Ordinance 2023-01 – Establishing compensation for seasonal pool employees.
7. Discuss/possible action: First reading of Ordinance 2023-02 – Establishing compensation for the seasonal maintenance employee.
8. Discuss/possible action: First reading of Ordinance 2023-03 – Amendment of Village of Eagle water rates.
9. Discuss/possible action: Approve or deny minutes as typed for the previous meeting.
10. Discuss/possible action: Approve claims.
11. Report from Attorney.
12. 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.**

# Estimate

Village of Eagle  
727 s. 2nd Street, PO Box 130  
Eagle, NE 68347

Service Location  
Village of Eagle  
727 s. 2nd Street, PO Box 130  
Eagle, NE 68347



# NEBRASKA GENERATOR SERVICE LLC

(402)800-0748

www.nebraskageneratorservice.com  
accounting@nebraskageneratorservice.com

## Estimate No. 5523 Issued on Fri Jan 27, 2023

Qty	Name	Description	Rate	Amount	Tax
1	Generator	Cummins 36kW Liquid Cooled Generator Natural Gas / Propane Extreme Cold Weather Kit 240/120 vac single phase 175 amp breaker Tan aluminum enclosure 2 year warranty	\$15,841.97	\$15,841.97	TAX
1	Transfer Switch	Cummins 200amp Automatic Transfer Switch 240/120 vac single phase Nema 3R outdoor rated 2 year warranty	\$901.00	\$901.00	TAX
1	O-Battery G51	O-Battery G51	\$178.13	\$178.13	TAX
1	O-Start Up	Start Up of ATS and generator programming, equipment test, fuel pressure test, owner training.	\$950.00	\$950.00	NON
1	O - Freight	Freight	\$450.00	\$450.00	TAX

NOTE: Estimate for 36kW standby generator and 200A automatic transfer switch. Includes start up after install. Once start up has been conducted system test and owner training will be completed. 50% required for down payment, 50% required at the time of delivery. Does not include electrical, fuel installation or concrete pad.	<b>Subtotal</b>	<b>\$18,321.10</b>
	<b>Tax</b>	<b>\$1,129.12</b>
	<b>Total</b>	<b>\$19,450.22</b>

Signature:  
Signature Date:

# THANK YOU

 for considering Nebraska Generator Service

PO Box 922, 507 Front St  
Gibbon, NE 68840  
www.nebraskageneratorservice.com

If these items meet your approval, automatically [approve this estimate now!](#)

## TERMS & CONDITIONS

- We accept payment by check, cash and credit card. Please send checks to our main address or call with credit card info. All credit card transactions will be charged a 3% usage fee. A late payment of \$25 will be added to invoice for every 30 days past due.
- This quote is valid for a period of 30 days.
- Payment Terms – due upon receipt.
- This proposal is our interpretation of your requirement. It includes only the items listed on this quotation. Should there be other requirements or specifications, we will re-quote accordingly.
- Any damages, equipment failures or pre - existing conditions of the customers equipment during troubleshooting, repair, service or load bank testing is a form of failure of the equipment and responsible by the customer.
- Only those items outlined above will be included in this quotation. Any other items or materials added, regardless of specification, are subject to a price review by Nebraska Generator Service LLC.
- Units are shipped wet to include lube oil and 50/50 water and antifreeze mix unless otherwise noted in this quotation.
- All extended piping, wiring, or other than listed above is performed by “others”.
- Seller is not quoting, offloading, personnel instructions, or unit installation.
- Quoted prices include normal testing, packaging, and instructional literature.
- It is the distributor/purchaser and end user’s responsibility to ensure that this equipment is operated in accordance with all applicable local, state, and federal laws and regulations governing the use and operation of this equipment.
- Physical Anchoring, any associated electrical and/or mechanical labor is the responsibility of others.
- Installation cost, permitting, NDEQ permits, UL2085 Fuel Tanks (if required), conduit, or wiring are NOT included.
- NETA and Infrared testing not included.
- Only those items outlined above will be included in this quotation. Any other items or materials added, regardless of specification, are subject to a price review by Nebraska Generator Service LLC.
- Immediately after approval, all equipment is non - cancelable, non - returnable, non - refundable.

# Estimate

Village of Eagle  
727 s. 2nd Street, PO Box 130  
Eagle, NE 68347

Service Location  
Village of Eagle  
727 s. 2nd Street, PO Box 130  
Eagle, NE 68347



# NEBRASKA GENERATOR SERVICE LLC

(402)800-0748

www.nebraskageneratorservice.com  
accounting@nebraskageneratorservice.com

## Estimate No. 5769 Issued on Thu Mar 2, 2023

Qty	Name	Description	Rate	Amount	Tax
1	Generator	Cummins 25kW Liquid Cooled Generator Natural Gas / Propane Extreme Cold Weather Kit 240/120 vac single phase 125 amp breaker Tan aluminum enclosure 2 year warranty	\$14,126.65	\$14,126.65	TAX
1	Transfer Switch	Cummins 200amp Automatic Transfer Switch 240/120 vac single phase Nema 3R outdoor rated 2 year warranty	\$901.00	\$901.00	TAX
1	O-Battery G51	O-Battery G51	\$178.13	\$178.13	TAX
1	O-Start Up	Start Up of ATS and generator programming, equipment test, fuel pressure test, owner training.	\$950.00	\$950.00	NON
1	O - Freight	Freight	\$450.00	\$450.00	TAX

NOTE: Estimate for 25kW standby generator and 200A automatic transfer switch. Includes start up after install. Once start up has been conducted system test and owner training will be completed. 50% required for down payment, 50% required at the time of delivery. Does not include electrical, fuel installation or concrete pad.

Subtotal	\$16,605.78
Tax	\$1,017.63
Total	\$17,623.41

Signature:  
Signature Date:

# THANK YOU

for considering Nebraska Generator Service

PO Box 922, 507 Front St  
Gibbon, NE 68840  
www.nebraskageneratorservice.com

If these items meet your approval, automatically [approve this estimate now!](#)

## TERMS & CONDITIONS

- We accept payment by check, cash and credit card. Please send checks to our main address or call with credit card info. All credit card transactions will be charged a 3% usage fee. A late payment of \$25 will be added to invoice for every 30 days past due.
- This quote is valid for a period of 30 days.
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- Any damages, equipment failures or pre - existing conditions of the customers equipment during troubleshooting, repair, service or load bank testing is a form of failure of the equipment and responsible by the customer.
- Only those items outlined above will be included in this quotation. Any other items or materials added, regardless of specification, are subject to a price review by Nebraska Generator Service LLC.
- Units are shipped wet to include lube oil and 50/50 water and antifreeze mix unless otherwise noted in this quotation.
- All extended piping, wiring, or other than listed above is performed by “others”.
- Seller is not quoting, offloading, personnel instructions, or unit installation.
- Quoted prices include normal testing, packaging, and instructional literature.
- It is the distributor/purchaser and end user’s responsibility to ensure that this equipment is operated in accordance with all applicable local, state, and federal laws and regulations governing the use and operation of this equipment.
- Physical Anchoring, any associated electrical and/or mechanical labor is the responsibility of others.
- Installation cost, permitting, NDEQ permits, UL2085 Fuel Tanks (if required), conduit, or wiring are NOT included.
- NETA and Infrared testing not included.
- Only those items outlined above will be included in this quotation. Any other items or materials added, regardless of specification, are subject to a price review by Nebraska Generator Service LLC.
- Immediately after approval, all equipment is non - cancelable, non - returnable, non - refundable.

## ORDINANCE 2023-01

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 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

**ORDINANCE 2023-02**

AN ORDINANCE TO ESTABLISH COMPENSATION FOR SEASONAL MAINTENANCE PERSONNEL FOR THE VILLAGE OF EAGLE, NEBRASKA; 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.

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

Section 1. That the following shall be the wages and salaries for the specified seasonal maintenance employee of the Village of Eagle, Nebraska, to wit:

<b>POSITION</b>	<b>WAGES OR SALARY</b>
<b>Paul Nystrom Seasonal Maintenance</b>	<b>\$16.50 Per Hour</b>

Section 2. The above schedule of compensation shall run until modified by the Village Board of Trustees.

Section 3. The Board of Trustees of the Village of Eagle, Nebraska, has the authority to award a bonus or merit pay increase to employees as they determine.

Section 4. That the Chairperson of the Board of Trustees of the Village of Eagle, Nebraska, and its Clerk, 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 this Ordinance shall be published within the first fifteen (15) days after its passage and approval in pamphlet form, and shall be effective the 15<sup>th</sup> day from and after its passage, approval, and publication as provided herein.



Section 7. 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

**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)

## VILLAGE OF EAGLE

February 21, 2023

The Village Board of Trustees met in regular session at 7:00 p.m. on February 21, 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.

Motion by Meier, second by Hochstein, to table the approval of the 2023 Annual Investment with Cass County Economic Development Council until the March 20, 2023 meeting. Voting: Ayes – 4. Motion carried.

Open Forum – John Surman (450 Eagle Dr.) said a contractor was performing sewer repairs at 1000 Wulf Drive yesterday when the office was closed for Presidents' Day; his suggestion is members of the Village Board share which internal committees they serve on and their contact information to the Village website so residents are able to easily determine who they can contact with questions or concerns. Nystrom said he will update the website with this information. Meier said he spoke with the new Cass County Sheriff this weekend and invited him to attend a meeting to discuss various issues around town and allow the Village Board an opportunity to provide guidance as to what is expected from law enforcement while on patrol.

Motion by Hochstein, second by Todd, to approve the donation of two Individual Pool Passes to Eagle Vision for the annual Easter Egg Hunt on April 1, 2023. Voting: Ayes – 4. Motion carried.

Motion by Todd, second by Hochstein, to approve Eagle Vision's request for an outdoor movie event at the Eagle Municipal Park on May 5, 2023. Voting: Ayes – 4. Motion carried.

Motion by Todd, second by Hochstein, to approve Eagle Vision's requests for Items A, B, C, D and F as presented for Eagle Days and up to \$5,000 for the fireworks display at the Eagle Community Park. Voting: Ayes – 4. Motion carried.

Motion by Hochstein, second by Meier, to approve the Culvert Agreement between Susana Frias and the Village of Eagle at 435 B Street. Voting: Ayes – 4. Motion carried.

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

Motion by Hochstein, second by Meier, to hire Paul Nystrom as the Seasonal Maintenance employee. Voting: Ayes – 4. Motion carried.

Motion by Todd, second by Dobbins, to approve hiring Terry Caddy for the Deputy Clerk Treasurer position effective April 1, 2023. Voting: Ayes – Hochstein, Dobbins, Todd. Nays – Meier. Motion carried.

The meeting was adjourned at 8:26 p.m.

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Nick Nystrom  
Village Clerk

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Terri Todd  
Chairperson

## VILLAGE OF EAGLE

February 21, 2023

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Report from Fire & Rescue – Meier said the annual Eagle Fire & Rescue Soup Supper was a success with nearly 300 people showing up for the event.

Discuss/possible action: Approve the 2023 Annual Investment with Cass County Nebraska Economic Development Council in the amount of \$2,000 – Josh Charvat was present and introduced himself as the new Executive Director for Cass County Nebraska Economic Development Council (CCNEDC). Prior to his appointment, Charvat served as the Business & Government Relations Manager/Interim Director of Grow Sarpy where he led their Business Retention & Expansion Program. Charvat said his focus with CCNEDC will be on retaining existing businesses, attracting new businesses, creating new jobs and expanding current business and industry in Cass County. Todd asked why CCNEDC is located in Omaha if they are geared toward servicing Cass County. Charvat said Cass County is one of several counties that make up the Greater Omaha Economic Development Partnership; this partnership creates a single source for information on business, investment and employment opportunities. Charvat said his intent is to be present in Cass County at least three days a week to visit its communities. Nystrom said the prior Executive Director of CCNEDC was tasked with building a relationship and engaging with the Lincoln Partnership for Economic Development due to Eagle's geographical location on the western edge of Cass County. Charvat said he has history working with the Lincoln partnership and would be happy to continue being involved on behalf of Eagle and Cass County. Nystrom said he and Charvat have a meeting scheduled for March 9, 2023 to discuss the current and projected happenings in and around Eagle. Todd asked if the Village Board would like to entertain the investment opportunity tonight or wait until after the meeting between Nystrom and Charvat next month.

Motion by Meier, second by Hochstein, to table the approval of the 2023 Annual Investment with Cass County Economic Development Council until the March 20, 2023 meeting. Voting: Ayes – 4. Motion carried.

Discussion: Windstream's proposal to submit an application to the Nebraska Public Service Commission's Capital Projects Fund Program to expand fiber broadband

service in Eagle – Dean Busch (Local Operations Manager) was present on behalf of Windstream and provided the Village Board with information on the proposed broadband deployment project. The project area consists of approximately 265 underserved locations in and around the boundaries of Windstream's exchange in Eagle. Busch said the project would be fully funded by a grant from the 2023 Nebraska Capital Projects Fund Program. Windstream expects the project to cost approximately \$4.5 Million. The project will bring 1 Gig symmetrical speeds to the households in the area, surpassing the program requirement of 100 Mbps download/100 Mbps upload, and positioning the area for future speed upgrades ranging from 2.5-10 Gigs. Busch said a good portion of the underserved areas shown on the site map are located in Eagle's extraterritorial jurisdiction and Windstream would appreciate the community advocating for these small acreage owners. The Community Feedback Form must be submitted to the Public Service Commission by no later than April 24, 2023. Busch said the Public Service Commission will announce if Windstream is awarded the grant in June; from there, Windstream will have 18 months to build, with a possible 6-month extension based on delays. Nystrom offered to leave copies of the Community Feedback Form at the Village office for those interesting in submitting one to the Public Service Commission. Busch was thanked for his time.

Open Forum – John Surman (450 Eagle Dr.) said a contractor was performing sewer repairs at 1000 Wulf Drive yesterday when the office was closed for Presidents' Day; his suggestion is members of the Village Board share which internal committees they serve on and their contact information to the Village website so residents are able to easily determine who they can contact with questions or concerns. Nystrom said he will update the website with this information. Meier said he spoke with the new Cass County Sheriff this weekend and invited him to attend a meeting to discuss various issues around town and allow the Village Board an opportunity to provide guidance as to what is expected from law enforcement while on patrol.

Motion by Hochstein, second by Todd, to approve the donation of two Individual Pool Passes to Eagle Vision for the annual Easter Egg Hunt on April 1, 2023. Voting: Ayes – 4. Motion carried.

Motion by Todd, second by Hochstein, to approve Eagle Vision's request for an outdoor movie event at the Eagle Municipal Park on May 5, 2023. Voting: Ayes – 4. Motion carried.

Discuss/possible action: Approve the following requests by Eagle Vision for Eagle Days on June 24, 2023 – Cassidi Denton and Justin Davison were present on behalf of Eagle Vision.

- a.) Street closings, barricades, no parking signs and parade route – Denton said the parade route will be the same as last year but asked if it would be possible to get larger barricades to help prevent people from moving them as easily. Nystrom said he will look into borrowing barricades for the event. Denton



asked if the parking lot at the park can be closed to the public during the event. Nystrom said he will look into options to ban parking at the park the night before and the day of the event.

- b.) Street dance and associated closures – Denton said there will be no changes from last year.
- c.) Waiver of vendor fees – Davison said the request is to waive fees for food and craft vendors.
- d.) Fireworks display at the Eagle Community Park – Denton said Eagle Vision asked the Village Board during the budget meeting to cover the costs of the fireworks display this year. Nystrom said \$5,000 was budgeted this year for the fireworks display.
- e.) Location of car show – Davison said there is some interest in moving the car show this year to Main Street. Denton said the car show event would be over prior to the beginning of the parade. The challenge of keeping pedestrian vehicles from parking on Main Street was discussed. No final decision has been made at this time.
- f.) Free admittance to the Eagle Pool – Davison said this is the same request as last year. Denton said the thought is to again have the pool closed for an hour during the parade.

Further discussion: Hochstein said an additional event is being considered this year known as a Ping Pong Ball Drop Flyover; this is where an airplane would fly over town and drop ping pong balls down on Main Street. Hochstein said there are pilots that will accommodate the event at no cost to obtain hours for their licensing. The potential for legal, liability and environmental concerns was discussed and will be addressed with the Village Attorney and insurance agency.

Motion by Todd, second by Hochstein, to approve Eagle Vision's requests for Items A, B, C, D and F as presented for Eagle Days and up to \$5,000 for the fireworks display at the Eagle Community Park. Voting: Ayes – 4. Motion carried.

Motion by Hochstein, second by Meier, to approve the Culvert Agreement between Susana Frias and the Village of Eagle at 435 B Street. Voting: Ayes – 4. Motion carried.

Discussion: Update on community recycling program –Willia DiCostanzo (City of Lincoln-Waste Diversion Coordinator) was present to discuss the recycling industry and answer any questions the Village Board may have. Nystrom provided the Village Board with a monthly disposal fee comparison study from February, 2022 to February, 2023. DiCostanzo said recycling is based upon a commodity market with no backed subsidy behind it; when there is an uptick or downtick in the economy, the

cost to recycle will fluctuate (i.e. tipping fees). Nystrom said Eagle has had a lot of success with recycling; however, when it comes to complaints, the most common one he hears is that it isn't fair for local taxpayers to cover the costs of recycling for those individuals and businesses that aren't located in the community. DiCostanzo said there isn't really an effective way to address this issue unless a municipality is contracted with a waste hauler to provide each individual with curbside service. Nystrom said the idea of curbside recycling service was discussed by the Village Board in the past but never came to fruition. John Surman asked if it can be publicly stated what the difference in cost has been over the course of the last year to provide recycling to the community. Hochstein said the total cost for recycling in February, 2022 was \$672.90 (3 hauls) compared to \$2,219.40 (8 hauls) in February, 2023. Dobbins said he imagines the cost will decrease now that the holiday season is over. Nystrom said a couple of items worth noting are the hauling fee increased by 9.10% effective December 1, 2022 and cardboard recycling will now cost an additional \$20.00 per ton effective March 14, 2023. Hochstein asked what was budgeted for recycling this year. Nystrom said \$15,000; fiscal year-to-date the Village has paid \$6,736.81. Dobbins said it is reasonable to believe the Village will stay at or under budget by the time Cass County provides its \$1,500 interlocal cost-share for providing recycling to the community. DiCostanzo said there are opportunities for future grant funding available that she will locate and share with the Village Clerk. Surman said the Village Board was warned by its recycling hauler that the City of Waverly had to abandon its recycling center due in part to the sheer volume of individuals utilizing the service that did not reside in the community; this same issue has been affecting Eagle at an increasing rate and it needs to be addressed somehow. DiCostanzo said it is inevitable that individuals living outside of the community will utilize recycling services; it is a misconception that recycling is free and what recycling is all about is limiting the amount of material going to the landfill and reducing the waste footprint. Surman said he understands these points but it is imperative that the Village Board stays within its budget and determines what the future limit on recycling costs might be. DiCostanzo asked if the Village is under contract with its recycling hauler. Nystrom said yes; either party can terminate the existing contract upon sixty (60) days' written notice. Dobbins said if the current recycling system becomes too expensive or too much of a hassle he would support looking into curbside service in the future. The Village Board generally agreed to revisit the community recycling program discussion at the March 20, 2023 meeting.

Report on Streets and Maintenance – Maintenance personnel not present. Dobbins asked if CC Contracting assisted the Village in snow removal efforts during the last storm event. Nystrom said yes. Meier said the snow was not pushed to the curb in many places and spoke to the contractor about this concern; this information still needs to be shared with the maintenance staff. Nystrom said the Village Engineer received core samples for D Street and will begin finalizing the bid documents for the mill and overlay projects on Parkview Avenue and D Street; the opinion of probable cost for both projects is \$121,141.00. Surman asked if the 1 & 6 Year Street Plan will be discussed this year. Nystrom said changes were made to the program the last couple of years but he will follow up with the Village Engineer on this matter. Surman

said there continues to be heavy truck traffic entering the driveway north of the school resulting in cracked sidewalks; these types of instances need to be taken into consideration in the future when new projects are brought before the Planning Commission and Village Board. Surman reported that when large pickup trucks park along Main Street they stick out almost 2½' of the center line when there is snow at the curb; a car has been parked along 6<sup>th</sup> & D Street since before the snow storm and needs to be tagged. Nystrom said issuing parking notices or citations is one thing that needs to be discussed with the new Cass County Sheriff. Surman said he continues to see unlicensed off-road vehicles picking up children after school and operating on public streets. Meier said he briefly discussed this concern with the Cass County Sheriff over the weekend. Surman asked if the Village Board is considering armor coating any streets this year that are in need of repair. Meier said he had a discussion with Pavers and they may be willing to assist the Village in this type of work.

Report on Wells and Sewer – Nystrom said a water leak at 240 South 4<sup>th</sup> Street was repaired by Lovell Excavating. The Village Engineer submitted an addendum to the original Preliminary Engineering Report to NDEE for Eagle's water system. Surman inquired as to whether any ARPA funds have been spent or assigned to a project. Nystrom said no; however, funding must be obligated by December 31, 2024 and expended by December 31, 2026.

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

Report from Committees and Boards – Meier asked if OPPD has provided comments yet on the Village's inquiry to install an additional light pole at the sand volleyball courts. Nystrom said no. Meier asked if any applications have been received this year for swimming pool staff. Nystrom said he has only received a couple of applications for pool office staff at this time; there have been no lifeguard applicants yet. Meier said he had heard there were significant ruts at the pool ballfield from vehicle tires.

Motion by Hochstein, second by Meier, to hire Paul Nystrom as the Seasonal Maintenance employee. Voting: Ayes – 4. Motion carried.

Discuss/possible action: Hiring for the Deputy Clerk Treasurer position – Dobbins asked where the vacancy notice was publicly posted. Nystrom said at the three public posting locations per the Village Board's discussion at the last meeting. Hochstein said he had one individual express concern that the vacancy notice wasn't posted long enough or in enough public locations.

Motion by Todd, second by Dobbins, to approve hiring Terry Caddy for the Deputy Clerk Treasurer position effective April 1, 2023. Voting: Ayes – Hochstein, Dobbins, Todd. Nays – Meier. Motion carried.

The meeting was adjourned at 8:26 p.m.

I, the undersigned Village Clerk for the Village of Eagle, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Chair and Board of Trustees on February 21, 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