

VILLAGE OF EAGLE

December 1, 2020

The Village Board of Trustees met in regular session at 7:00 p.m. on December 1, 2020 with Moore, Meier, Schukei, Surman and Weyers present. The Agenda items listed thereon were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. The Chairperson, at the beginning of the meeting, informed the public about the location of the posted current copy of the Open Meetings Act. Chairperson Moore named the three (3) areas where the agenda was posted as follows: Eagle Municipal Building, Eagle Fire & Rescue Department and Eagle Municipal Park.

Open Forum – Terry Caddy asked if a minimum bid has been established on the 540 C Street property that will be up for auction on December 4, 2020. Moore said a minimum bid was never determined although there are a number of conditions in place for the potential buyer. On behalf of the Human Resources Committee, Surman recognized Nick Nystrom for his 10 years of service with the Village of Eagle and presented him with a gift certificate to Valentino's; no taxpayer dollars were spent on the gift certificate. Weyers discussed the installation of fencing as part of the new Casey's General Store construction project; conversations in the beginning of the project included an 8' concrete fence, a 2' retaining wall under a 6' concrete fence and planting of trees to dim the brightness of lights. Weyers said now that the 6' concrete fence has been installed, there are areas where the fence does not meet the ground; additionally, from her recollection, the concrete fence was to go north in order to allow dumpsters and/or recycle containers to be stored more discreetly. Hestermann provided copies of the final design plan which do not indicate a design differently than what has been constructed. Moore said if the Village Board desires the fence to go north in the future they could entertain that idea at a later date.

Moore read Ordinance 2020-06 entitled:

ORDINANCE NO. 2020-06

AN ORDINANCE OF THE VILLAGE OF EAGLE, CASS COUNTY, NEBRASKA, TO AMEND CHAPTER 2, ARTICLE 1, SECTION 2-101, OF THE MUNICIPAL CODE OF THE VILLAGE OF EAGLE, NEBRASKA AS THE SAME RELATES TO STANDING COMMITTEES OF THE VILLAGE OF EAGLE BOARD OF TRUSTEES; 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.

Motion by Moore, second by Meier, to accept the second reading of Ordinance 2020-06. Voting: Ayes – Moore. Nays – Meier, Schukei, Weyers, Surman. Motion did not carry.

Motion by Surman, second by Meier, to introduce Resolution 2020-11. Voting: Ayes – 5. Motion carried.

Chairperson Moore read Resolution 2020-11 entitled:

RESOLUTION NO. 2020-11

SIGNING OF THE YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT 2020

Whereas: State of Nebraska Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment; and

Whereas: The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31st of each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent; and

Whereas: The NDOT requires that such certification shall also include a copy of the documentation of the city street superintendent's appointment, i.e., meeting minutes; showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number and Class of License (if applicable), and type of appointment, i.e., employed, contract (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and

Whereas: The NDOT also requires that such Year-End Certification of City Street Superintendent shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent by the Mayor or Village Board Chairperson.

Be it resolved that the Village Board Chairperson of the Village of Eagle is hereby authorized to sign the attached Year-End Certification of City Street Superintendent.

Motion by Surman, second by Meier, to adopt Resolution 2020-11. Voting: Ayes – 5. Motion carried.

Motion by Surman, second by Weyers, to approve Certificate of Payment No. 2 to Cather & Sons Construction in the amount of \$4,427.93 for the Eagle Mill and Overlay Applewood & F Street Project. Voting: Ayes – 5. Motion carried.

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

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

Approved Claims: Wages 9,834.32, Board Wages 1,000.00, ABC Termite & Pest Control 55.00, Allied Benefit Systems 2,639.10, Amazon Marketplace 182.63, American Exchange Bank 750.00, Bauer Underground 37,103.05, Beatrice Ready Mixed 292.00, Black Hills Energy 385.25, BOK Financial 117,018.00, Bromm Lindahl Freeman-Caddy & Lausterer 988.50, Casey's 157.85, Cass Co. Sheriff's Dept 3,145.21, Commonwealth Electric 985.00, Dunrite Homes 1,810.00, Eagle Automotive 40.00, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 2,440.20, First Wireless 297.14, Frontier Coop 219.72, Gabel Construction 1,700.00, Google LLC 108.00, Rick Hestermann 5,541.34, Home Depot 308.97, John Hancock Investments 129.60, Lincoln Winwater Works 330.61, Maguire Iron 3,230.00, Matheson Tri-Gas 113.99, Menards-South 449.06, NE Dept of Rev 1,832.42, NE Municipal Power Pool 2,013.00, NE Public Health Env Lab 30.00, Norland Pure 18.00, Olsson 6,466.78, O'Neill Electric Motor Svc 2,332.00, One Call Concepts 30.36, OPPD 3,793.29, Paper Tiger Shredding 35.00, People Service 5,496.00, Quick Med Claims 311.09, Stryker Medical 598.00, Tractor Supply 139.99, UNUM 242.88, US Postmaster 140.00, USA Bluebook 203.36, Verizon 413.10, Verizon Wireless 1,428.56, Voice News 124.98, Windstream 392.45. Total of bills: **\$218,787.80**.

Approved Park Claims: Black Hills Energy 34.34, OPPD 94.33. Total of bills: **\$128.67**.

Approve Keno Claims: Fry & Associates 11,125.00. Total of bills: **\$11,125.00**.

Motion by Meier, second by Schukei, to approve \$100.00 Christmas bonuses for Village of Eagle employees. Voting: Ayes – 5. Motion carried.

“Retiring Board adjourned Sine Die”

The Village Board thanked Gayle Schukei for his service as a member of the Village of Eagle Board of Trustees.

Travis Moore, Dan Meier and Jenn Caylor were sworn in as members of the Village of Eagle Board of Trustees.

Motion by Surman, second by Meier, to appoint the Village Clerk as Chairperson Pro Tempore. Voting: Ayes – 5. Motion carried.

Nick Nystrom, as acting Chairperson Pro Tempore, called for nominations for Chairperson.

Meier nominated Surman and Moore nominated Meier for Chairperson.

Meier said he respectfully declines his nomination for Chairperson.

Motion by Caylor, second by Meier, to cease nominations for Chairperson. Voting: Ayes – Weyers, Meier, Caylor. Nays – Moore. Surman abstained. Motion carried.

Surman was elected Chairperson by acclamation.

Chairperson Surman called for nominations for Chairperson Pro Tempore.

Weyers nominated Meier and Moore nominated Weyers for Chairperson Pro Tempore.

Weyers said she respectfully declines her nomination for Chairperson Pro Tempore.

Motion by Surman, second by Caylor, to cease nominations for Chairperson Pro Tempore. Voting: Ayes – Moore, Weyers, Caylor Surman. Meier abstained. Motion carried.

Meier was elected Chairperson Pro Tempore by acclamation.

Motion by Meier, second by Caylor, to approve the following appointments: Attorney – Maureen Freeman-Caddy; Maintenance Superintendent – None; Clerk – Nick Nystrom; Treasurer – Nick Nystrom; Legal Newspaper – The Voice News; Accountant – Mierau & Company; Building Inspector/Zoning Administrator – Rick Hestermann; and Nuisance Hearing Officer – Sandy Weyers. Voting: Ayes – 5. Motion carried.

Motion by Caylor, second by Meier, to appoint Schemmer as the Village Engineer. Voting: Ayes – Weyers, Meier, Caylor, Surman. Nays – Moore. Motion carried.

Motion by Weyers, second by Meier, to approve the following individuals serving on the internal boards of the Village of Eagle: Board of Health – Surman, Caylor, Captain Lamprecht; Streets – Meier, Weyers; Water – Surman, Meier; Sewer – Surman, Meier; Buildings & Grounds – Moore, Weyers; NRD – Office, Caylor; Keno – None; Technology & Telecommunications –Office, Moore, Weyers; Safety – Surman, Meier, Village Employees; Park – Meier, Caylor, Human Resources & Personnel – Moore, Weyers; and Emergency Services – Moore, Caylor. Voting: Ayes – 5. Motion carried.

Motion by Weyers, second by Meier, to approve and authorize the Retainer Agreement with the law offices of Bromm, Lindahl, Freeman-Caddy & Lausterer. Voting: Ayes – 5. Motion carried.

Motion by Moore, second by Meier, to designate the three public posting areas as a method of giving reasonable advanced notice for the Village of Eagle as the Eagle Municipal Building, Eagle Fire & Rescue Department and Eagle Municipal Park. Voting: Ayes – 5. Motion carried.

Motion by Weyers, second by Meier, to allow emergency vehicles to leave the corporate limits. Voting: Ayes – 5. Motion carried.

Motion by Meier, second by Caylor, to introduce Ordinance 2020-07. Voting: Ayes – 5.

Chairperson Surman read Ordinance 2020-07 entitled:

ORDINANCE NO. 2020-07

AN ORDINANCE OF THE VILLAGE OF EAGLE, CASS COUNTY, NEBRASKA, TO NAME THE STREETS PLATTED AND DEDICATED TO THE PUBLIC IN THE CASEY'S ADDITION TO EAGLE; 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 ACCORDING TO LAW, AND SHALL BE IN FULL FORCE AND TAKE AFFECT 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 NOT BE MADE A PART OF THE MUNICIPAL CODE OF THE VILLAGE OF EAGLE, NEBRASKA.

Motion by Meier, second by Weyers, to accept the first reading of Ordinance 2020-07. Voting: Ayes – 5. Motion carried.

Motion by Weyers, second by Caylor, to suspend the rules of three consecutive readings of Ordinance 2020-07. Voting: Ayes – 5. Motion carried.

Motion by Meier, second by Weyers, to adopt Ordinance 2020-07. Voting: Ayes – 5. Motion carried.

Motion by Weyers, second by Moore, to approve Curtis Klabenes and Nick Nystrom attending a Grade IV Water Operator continuing education course in Wahoo on December 15, 2020 contingent upon weather. Voting: Ayes – 5. Motion carried.

The meeting was adjourned at 9:23 p.m.

Nick Nystrom
Village Clerk

John Surman
Chairperson