

VILLAGE OF EAGLE

April 6, 2021

The Village Board of Trustees met in regular session at 7:00 p.m. on April 6, 2021 with Surman, Meier, Moore and Caylor present. Weyers 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.

Chairperson Surman opened the public hearing at 7:00 p.m. of the Village of Eagle Board of Trustees, sitting as the Board of Equalization and Assessment, with regard to the assessment schedule on Sidewalk Construction and Repair – F Street between 3rd Street and 4th Street. Surman asked if there were any comments or questions from the public. There were no comments or questions from the public.

The public hearing was closed at 7:01 p.m.

Motion by Meier to introduce Resolution 2021-03.

Chairperson Surman read Resolution 2021-03 entitled:

RESOLUTION 2021-03

WHEREAS, the Board of Trustees of the Village of Eagle, Nebraska, provided notice to the owners of those properties adjacent to the sidewalk on F Street located between 3rd Street and 4th Street and a portion of the sidewalk on the north side of F Street along 3rd Street and a portion of the sidewalk on the south side of F Street along 3rd Street, no less than 10 days after the publication of a Notice of Sidewalk Construction and Repair, as provided by Neb. Rev. Stat. § 17-522, indicating that it was the intention of the Village to assess the cost of said construction and repair to the properties adjacent thereto after construction and repair is completed, and

WHEREAS, said Notice of Sidewalk Construction and Repair was published in the Voice News on or about May 21, 2020, and

WHEREAS, the construction, pursuant to public bidding and letting requirements, was conducted and has been completed and an assessment schedule produced by the Villages Engineer for this project, and

WHEREAS, a public hearing was noticed and published 4 consecutive weeks in the Voice News, setting forth that it was to be held to levy the assessments for the properties set forth above, on April 6 2021 at 7:00 p.m. at the Eagle Fire & Rescue Department located at

705 South 1st Street, Eagle, Nebraska, and all persons required to be provided a copy of said notice were provided notice by certified mail, return receipt requested; and

WHEREAS, the public hearing was held at the time and place published, pursuant to the Nebraska Open Meetings Act, and the public was permitted to participate in said hearing, and

WHEREAS, the Board of Trustees has the power to levy assessments on the lots and parcels of land upon which sidewalk improvements have been made and the same shall be known as special assessments for improvements,

BE IT RESOLVED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF EAGLE, NEBRASKA AS FOLLOWS:

1. The Chairman and Board of Trustees hereby incorporate the findings set forth above and, additionally, find and determine the following:

2. The Board determines the following adjacent or abutting properties have benefitted by the improvements and are assessed in the specific amounts set forth in Exhibit A attached hereto. The assessment on each property shall be known as a special assessment for improvements upon the property.

3. Each assessment shall be a lien upon the property on which it is levied from the date it is levied in this Resolution until paid.

4. The assessment of said special tax or assessment on each respective property set forth in Exhibit A shall be levied and shall become delinquent as follows:

Payments shall be divided into seven even payments.

One-seventh shall be due and delinquent on July 1, 2021; and each additional principal payment due and delinquent each year thereafter on July 1. The installments shall not draw interest from the time of levy until the same shall become delinquent; however, in the event an installment becomes delinquent, said installment shall draw interest at the rate of 14.0 % per annum, as provided in Neb. Rev. Stat. §45-104.01, and shall be paid thereon as in the case of other special taxes. Should there be three or more installments delinquent and unpaid on the same property, the Board of Trustees may by resolution declare all future installments on such delinquent property to be due on a fixed future date, and if the same are not paid, then foreclose on the all installments and interest due.

5. That this Resolution shall be certified by the Village Clerk and filed in the Office of the Cass County Register of Deeds, Cass County, Nebraska and shall be a lien upon each property indicated. Payments shall be collected directly by the Village Treasurer.

6. The Village Clerk is directed to send a copy of this Resolution by certified mail, postage prepaid, to each assessed property owner after filing the Resolution with the Cass County Register of Deeds.

Motion by Caylor, second by Meier, to adopt Resolution 2021-03. Voting: Ayes – 4. Motion carried.

Open Forum – Terry Caddy provided the Village Board with a document titled, “Have we yet? The Highway Map to Progress April, 2021”, which reviews seven months of board meetings and provides questions and updates on projects and other ongoing affairs. Surman recommended the Village Board take time to review the document in full and decide if there are specific topics individual committees need to prioritize.

Motion by Moore, second by Meier, to approve a \$5,000 donation to Alvo/Eagle Recreation for local youth baseball and softball programs with \$3,000 of funding coming from the Keno Account. Voting: Ayes – 4. Motion carried.

Motion by Caylor, second by Meier, to approve Alvo/Eagle Recreation’s 2021 Fireworks Permit Application at 800 South 1st Street. Voting: Ayes – 4. Motion carried.

Motion by Surman, second by Meier, to approve Crazy Cracker’s 2021 Fireworks Permit Application at 510 Highway 34. Voting: Ayes – 4. Motion carried.

Motion by Caylor, second by Meier, to approve Patriot Pete’s 2021 Fireworks Permit Application at 340 Highway 34. Voting: Ayes – 4. Motion carried.

Motion by Moore, second by Caylor, to approve an internet speed upgrade to 50 Mbps with Windstream in the amount of \$114.99 per month. Voting: Ayes – 4. Motion carried.

Motion by Moore, second by Caylor, to approve labor and materials to rock Village alleyways in an amount not to exceed \$2,500.00. Voting: Ayes – 4. Motion carried.

Motion by Meier to introduce Resolution 2021-04.

Chairperson Surman read Resolution 2021-04 entitled:

RESOLUTION NO. 2021-04

WHEREAS, the Municipal Code of the Village of Eagle, Nebraska, and in particular Ordinance §3-223, provides the following:

The sum of \$4.00 shall be charged for each 1000 gallons of water used based upon the average amount of water metered for the premises, occupied by the current

occupant or tenant, per month during the preceding winter quarter (January, February, and March). If there is no established usage for the previous January, February and March period for the premises occupied by the current occupant or tenant, **then a flat monthly rate set by resolution by the Governing Body, annually, shall be charged, until a January, February and March water usage average can be established.**

WHEREAS, the Chair and Board of Trustees of the Village of Eagle, Nebraska deem it in the best interests of the citizens of the Village of Eagle, Nebraska, that said flat monthly rate be established for the period this Resolution is passed, until the anniversary of passage,

NOW, THEREFORE, be it resolved by the Chair and Board of Trustees of the Village of Eagle, Nebraska, as follows:

- 1 That the findings here and above made should be and are hereby made a part of this Resolution as fully as if set out at length herein.
- 2 That the flat monthly rate required by the Ordinance set forth above shall be the amount of \$20.00 per month.
- 3 That the effective date of this rate shall be May 1, 2021 and shall expire on April 30, 2022.

Motion by Moore, second by Meier, to adopt Resolution 2021-04. Voting: Ayes – 4. Motion carried.

Motion by Caylor, second by Meier, to introduce Ordinance 2021-05. Voting: Ayes – 4. Motion carried.

Chairperson Surman read Ordinance 2021-05 entitled:

ORDINANCE 2021-05

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 Meier, second by Surman, to accept the first reading of Ordinance 2021-05. Voting: Ayes – 4. Motion carried.

Motion by Meier, second by Caylor, to suspend the rules of three consecutive readings of Ordinance 2021-05. Voting: Ayes – Caylor, Meier, Surman. Nays – Moore. Motion failed.

Motion by Moore, second by Caylor, to approve Curtis Klabenes attending Aquachem's Certified Pool Operator Course from April 7-9, 2021 at a cost of \$175.00. Voting: Ayes – 4. Motion carried.

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

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

Approved Claims: Wages 9,514.99, Board Wages 1,000.00, ABC Termite & Pest Control 119.00, Allied 100 254.54, Allied Benefit Systems 3,277.26, Amazon Marketplace 383.85, American Exchange Bank 750.00, Bauer Underground 6,815.90, Black Hills Energy 481.90, Bound Tree Medical 2,360.39, Bromm Lindahl Freeman-Caddy & Lausterer 682.00, Terry Caddy 71.55, Capital Business Systems 484.31, Casey's 476.68, Cass Co. Sheriff's Dept 3,145.21, Core & Main 7,847.09, Cornhusker Press 171.45, Davidson Plumbing & Welding 7,288.00, Dollar General 52.00, Eagle Automotive 20.00, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 2,476.88, ESO Solutions 3,567.97, Ford Hall Company 600.93, Frontier Cooperative 46.00, Polly Frye 49.88, Luke & Kayla Gentrup 300.00, Google LLC 120.00, Rick Hestermann 8,770.37, HOA Solutions 643.10, John Hancock Investments 249.60, Jerrod Kurtenbach 500.00, Lincoln Winwater Works 720.74, Lovell Excavating 600.00, Maguire Iron 3,230.00, Christopher Marker 100.00, Matheson Tri-Gas 126.69, Menards-South 173.92, Mierau & Co. P.C. 4,200.00, NE Dept of Rev 2,926.27, NE Public Health Env Lab 60.00, NE Snow Equipment 811.20, NE UC Fund 33.71, Norland Pure 30.00, Olsson 3,344.36, Oncenter Construction 1,810.00, One Call Concepts 48.81, One Source Background Checks 19.00, OPPD 4,260.02, O'Reilly Auto Parts 67.41, People Service 5,496.00, Power Tech 2,236.87, Quick Med Claims 545.01, Rock Creek Refuse 200.00, School District 145 200.00, Southeast Area Clerks Assn 40.00, The Electronic Repair Shop 264.00, UNUM 175.70, US Postmaster 205.80, Verizon 68.85, Verizon Wireless 530.45, Vermeer High Plains 217.87, Voice News 235.66, West-E-Con 1,744.00, Windstream 392.22. Total of bills: **\$99,127.41**.

Approved Park Claims: Aqua-Chem 175.00, Black Hills Energy 33.33, Gordon Electric 75.00, Husker Electric Supply 62.08, Menards-South 559.55, OPPD 90.72. Total of bills: **\$995.68**.

Motion by Moore, second by Surman, to go into executive session at 8:54 p.m. for the purpose of threatened litigation. Voting: Ayes – 4. Motion carried.

Chairperson Surman said the board has come out of executive session at 9:18 p.m. after discussing threatened litigation. No action taken.

The meeting was adjourned at 9:19 p.m.

Nick Nystrom
Village Clerk

John Surman
Chairperson