

VILLAGE OF EAGLE
BOARD OF TRUSTEES AGENDA
MAY 16, 2022
EAGLE FIRE & RESCUE DEPARTMENT – 705 S 1st 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 bid from Eagle Automotive for two new tires for the Unit 11 Rescue Squad in the amount of \$1,038.88.
3. Open Forum.
4. Discuss/possible action: Consider proposals for new playground equipment on the west side of Eagle Municipal Park.
5. Discuss/possible action: Approve the following requests by Eagle Vision for Eagle Days on June 25, 2022:
 - a. Street closings, barricades, no parking signs and parade route.
 - b. Street dance and associated closures.
 - c. Waiver of vendor fees.
 - d. Fireworks display at the Eagle Community Park.
 - e. Location of car show.
 - f. Free admittance to the Eagle Pool.
 - g. Rental of seven portable toilets from Al's Johns (\$95.00 per unit).
6. Discuss/possible action: Approve Gordon Electric's proposal for electrical installation of booster pump for swimming pool slide.
7. Discuss/possible action: First reading of Ordinance 2022-04 – Amending Chapter 3, Article 1, Section 3-126 of the Eagle Municipal Code pertaining to the Adoption of a Drought Emergency Contingency Plan.
8. Report on Streets and Maintenance.
9. Report on Wells and Sewer.
10. Discuss/possible action: Approve or deny minutes as typed for the previous meeting.
11. Report from Committees and Boards.

The Agenda is readily available for inspection at the Village Clerk's Office located at 747 S. 2nd Street, Eagle, Nebraska during regular business hours.

Eagle Automotive LLC

420 south 5th
 PO Box 293
 Eagle, Ne 68347-0293
 402-781-2520

Invoice

Number: **9906**
 Date: **May 04, 2022**

Bill To:

Village of Eagle

Ship To:

Village of Eagle

Year	Make	Model	Odometer	Engine	License
2004 2011	Ford	Amulance F2250	082852	604	03725

Item#	Description	Unit <i>LL</i>	Quantity	Price	Tax 1	Tax 2	Amount
225/70R19.5	Tire		2.00	474.44			948.88
Bag	Ballance beads.		2.00	20.00			40.00
Labor	Dismount and mount		2.00	25.00			50.00
Tax Exempt							

Sub-Total \$1,038.88

State Tax 6.50% on 0.00 0.00

CC fee 2.00% on 0.00 0.00

Total \$1,038.88

We are not responsible for loss or damage to vehicles or articles left in vehicles due to theft, fire or any other cause.

Signature _____

Check#/credit card _____

0 - 30 days	31 - 60 days	61 - 90 days	> 90 days	Total
\$1,038.88	\$0.00	\$0.00	\$0.00	\$1,038.88

Hello Nick,

Good morning! Attached are the final quotes from American Playground and AAA State of Play. Here is some additional information based on some questions I received during the last Village Board meeting:

Grading cost:

American Playground- no grading cost

AAA State of Play- included in quote / could potentially be \$700 more if they need a bucket on site to rent

Removal of equipment:

Both quotes include removal of equipment

Bond:

Neither company provides a bond; however, timeframes are 3-4 months out on installation for both quotes. They have both confirmed that they try to be as transparent as possible regarding any constraints or updates.

There is also the concept design included in the attachments as well as two quotes from Black Diamond, one for pea gravel and one for road gravel.

Elizabeth Umshler, Park & Recreation Commission



Quote #785404

Customer ID: 28213

NVB Playgrounds
d/b/a AAA State of Play
10859 E Washington St. Ste 100
Indianapolis, IN 46229
Phone: (877) 826-2776
Local: (317) 826-2777
Fax: (317) 245-2375

Ship Via: Freight
Request By: William
Quote Out: 4/19/2022
Tax Exempt #: TAXCERT

Visit:
www.AAASTATEOFPLAY.com
for more great deals

Bill To

Village of Eagle
Elizabeth Umshler
PO Box 130
Eagle, NE 68347 USA
umshler77@gmail.com
Ph: (402) 309-3508
Fax:

Ship To:

Elizabeth Umshler
Eagle, NE 68347 USA
Ph: (402) 309-3508

Table with 7 columns: Product ID, Description, Weight, Qty, Price, Discount, Amount. Rows include PGS028, PFB006, PFS021, PFB008, PCR013P, PMC003P, PMC001P, PFS059.

Subtotal: \$11,679.90

Shipping: \$2,040.00

QUOTE ONLY
VALID FOR 30 DAYS FROM DATE OF ISSUE

If submitting a PO: Please CC orders@aaastateofplay.com and your sales person with reference to your quote number in the subject line. POS ONLY ACCEPTED FROM GOVERNMENT ENTITIES UNLESS OTHERWISE APPROVED.

Sales Tax: \$0.00
Total Weight: 645 lbs
Installation: \$12,798.00
Total: \$26,517.90

Due to supply chain issues industry wide, we are currently experiencing longer than average lead times from most

Product ID	Description	Weight	Qty	Price	Discount	Amount
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manufacturers.

It is the customer's responsibility to provide a valid phone number for deliveries. In the event that a courier cannot reach you, or changes are made to delivery services, all additional fees will be paid by the customer.

Notes

Ships via freight by appointment from Indiana
Customer responsible for receiving and unloading material
Current estimated lead time 14-20 weeks typical

****Lead times are very fluid right now in the wake of Covid****

PLEASE NOTE: Safety surfacing is required for playground equipment used in commercial settings in accordance with CPSC guidelines for Public Playground Safety. It is not included in this quote.

Installation

Quote assumes free and clear access to job site and job site is flat open space. Quote includes removal of merry go round and teeter totter. Quote does not include removal or installation of any items other than the items included on this quote. Price subject to change based on job site realities.

PLEASE NOTE: NVB Playgrounds, Inc. has an installation contract which must be signed by Owner prior to sending Installer to job site.

It is the customer's responsibility to ensure that all equipment is inventoried (shortages & shipping damages), accounted for and placed no further than 100' from the area where the work is to be performed. The path between the equipment and the job site must be unobstructed and accessible. This is up to the installer's discretion.

Installation to include labor, tools, and materials required for installing above quoted item(s). The installation quoted assumes site has normal soil conditions*. It does not include the removal of structures or clearing of site, nor does it include relocation of utilities, fencing, or landscaping. Installation does not include drainage. **This quote does not include safety surfacing or border timbers. In accordance with CPSC guidelines for Public Playground Safety, safety surfacing is required for any commercial playground equipment with a fall height. Owner is responsible to furnish surfacing in accordance with CPSC guidelines for any qualifying equipment.**

Please be aware, use zone dimensions provided above indicates the amount of room children need to play safely around the equipment per federal guidelines. This area must be free from any other objects, including trees/landscaping and other play equipment.

Product ID	Description	Weight	Qty	Price	Discount	Amount
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PLEASE NOTE, EQUIPMENT WILL BE ORDERED AT TIME OF PURCHASE. Equipment shipping from different locations will have different lead times and delivery dates. It is the Owner's responsibility to accept, inventory, and store equipment in a safe location until the Installer arrives. Customer responsible to unload material and ensure it is within 100 feet of the playground at time of installation.

Area must be accessible to a Bobcat. A 10-yard minimum dumpster is required to be onsite at time of basic installation. If removal of existing equipment is included in quote, a 40-yard dumpster is recommended. Please note, customer is responsible for additional dump fees. Dumpster must be free of debris so that Installer can dispose of refuse from install. If dumpster does not meet these requirements, Installer will leave empty crate(s), packing cartons, and other refuse and Owner will be responsible for disposal.

Installer must have access to water and electricity for installation purposes. If water access is not readily available, an additional \$150 fee will apply.

Site and prep work required of Owner must be completed prior to installation. If Installer arrives to the project site and is unable to perform the work due to incomplete site work or abnormal soil conditions, a minimum charge of \$1,700.00 will be charged. This charge will offset travel and other expenses incurred by Installer.

Security is not provided. If it is determined that security will be required to complete installation, the Owner will be responsible to furnish security.

* In the event unforeseen excavation is required, additional charges will be incurred.



Date: 3/22/22

Attn: Village of Eagle 245 S 5th St Eagle, Nebraska 68347 Elizabeth Umshler
elizabeth.umshler@doane.edu (402) 309-3508

Project: Playground Supply and Install

Project Scope Information:

1. Provide all nine items from playgroundequipment.com as shown in customer's exhibition
2. Provide 40 border timbers with stake 4'x12"
3. Delivery included
4. Surcharges included
5. Install playground equipment, borders and pea gravel/sand
6. Allow 16-24 weeks lead time
7. Does not include applicable taxes
8. **Customer supplies sand or pea gravel**

If not listed herein, it is not included. Advise, prior to acceptance of required additional items. Manufacturing and delivery lead times are constantly changing. We ask our customers to be patient and plan accordingly.

Project Pricing: \$25,725.00

Signature of Customer:

Unless otherwise stated, pricing subject to change after 10 days of date of proposal. This proposal is not binding unless signature is affixed to page two. Do not sign and return this sheet without signed second page.

Contact Information: Loren Block 605-419-1384 l.block@theamericanplayground.com

Standard Notes & Exclusions: Unless otherwise noted:

1. 1 mobilization is included for the installation of the fencing or playground.
2. Block-out(s) in concrete / masonry for fence by others. No core drilling included.
3. No surveying and/or staking included. Fence, playground and surfacing lines and elevations to be staked by others.
4. Private utilities to be located by others in accordance with State's One Call System standards. In the event these utilities are damaged as a result of improper locating, AFC will not be responsible for damages and associated costs.
5. Fences and playgrounds to be staked clear of utilities. No excavation included for digging within 18" of utilities but at additional expense. Hand excavation due to interference with utilities at \$55.00 per post hole.
6. No permits, bonds, dues, completed operations, or primary-none contributory included.
7. No project specific employee background, drug screen or DMV history included. Add \$65.00 per employee if required.
8. No removals, grading, grubbing, and/or demolition are included.
9. No electrical wire, wiring, grounding, conduit, connections, and/or initial electrical/controls set-up. Only after electrician has confirmed connections and operations, AFC will review installation.
10. AFC will not be subject to liquidated damages or back charges as a result of delays.
11. Material fabricated per plans. No field verification, engineering, delegated design included.
12. Accounts not paid within thirty days will be charged eighteen percent (18%) per annum. No retention to be withheld.
13. No prevailing, union or Davis – Bacon wages included.
14. No participation in billing processing programs, Textura. Participation fee to be added to contract if required.
15. Not responsible for any sprinkler repairs.
16. Not responsible for unforeseen digging conditions such as rock, excessive concrete, unmarked utilities, or other conditions

that

require additional labor, materials or equipment. Additional costs will be assessed and the responsibility of the customer.

Terms and Conditions

By signing this proposal, the customer has completely reviewed and agreed with the prices, specifications and conditions as stated herein. Furthermore, the customer is authorizing American Fence Company / AmeriFence Corporation to complete the work. Unless stated, the fence does not include a warranty. Customer is financially responsible for cancellation fees and costs of special-order materials if the customer elects to cancel the contract. TERMS: 60% Down. Balance due on date of completion. No retention to be withheld. If withheld without approval, the contract amount will be 5% more than what is shown on the proposal. Service and handling charge of 1.5% per month-18% per annum applies to delinquent accounts not paid within 5 days of completion. Customer assumes full responsibility for location of property pins, staking of fence, and inaccurately placed pins and stakes. Customer understands that American Fence Co. may stake the fence based on the proposal and/or in consideration of existing utilities that do not reflect the actual location of customer's property. Customer agrees to defend, hold harmless and indemnify American Fence Co. against claims, liabilities and expenses for trespass and damage arising out of location of said fence. Customer assumes full responsibility for damage to marked and unmarked underground utility, telephone, T.V., cable or sprinkler systems. Customer requests, agrees or allows American Fence Co. to locate the fence within 18 inches of any buried utilities; customer agrees to defend, hold harmless and indemnify American Fence Co. against all claims, liabilities and expenses as a result of damage to these utilities and property. If the contract price is not paid when due, customer agrees to allow American Fence Co. to trespass on to their property and remove fence at the company's discretion. Furthermore, customer agrees to indemnify and hold harmless American Fence Co. for any damage done to the property as a result of removal of the fence, playground or surfacing. All modifications shall be in writing and shall be affixed to the original bid. This agreement and subsequent modifications shall be contingent upon strikes, accidents, shortages or delays beyond the control of American Fence Co. Time stated for installation is purely estimated. Customer agrees and accepts that AFC will not extend discounts or credits for any delays or be held responsible for interest charges on any payments made by customer. Changes to the fence due to varying ground conditions are not the responsibility of American Fence Co. Customer to carry fire, tornado and other necessary insurance. This proposal cannot be withdrawn by customer after acceptance of proposal. American Fence Co. has the right to reject any bid. Legal and related fees accrued in an effort to collect on this account for whatever reason will be the responsibility of the customer. By signing this proposal, customer has completely reviewed and agreed with the prices, specifications and conditions as stated herein. Furthermore, customer is authorizing American Fence Co. to complete the work. The customer is financially responsible for cancellation fees and costs of special order materials in the event the customer elects to cancel the contract. TERMS: 60% Down. Balance due on substantial completion. Service and handling charge of 5% per month-60% per annum will apply to delinquent accounts past 10 days. Customer acknowledges that this is page two of two and has received page one.

By signing below, I acknowledge and agree with all stated herein inclusive of both pages one and two of this proposal.

Customer signature: _____ Date: _____

Customer printed name: _____ Date: _____

Customer invoicing email address: _____

Remit payment to: American Playground Company 47061 Charlotte Court. Sioux Falls, SD 57108

Please fill out this online form when placing your order or contact Loren Block for assistance:

<https://form.jotform.com/91645645723160>

Black Diamond Enterprises Inc.

5810 S. 162nd ST.
Walton, NE 68461

Date	Estimate #
5/2/2022	556

Name / Address
Elizabeth Umshler N. 6th St. Eagle, Ne. 68347

			Project
Description	Qty	Cost	Total
Provide Pea gravel for playground area on West side of park in Eagle Nebraska			
Quote is for an area approximately : 100ft x 60 ft. = 6000 square ft. total			
coverage of approximately 100 square feet per ton 60 tons of material would be needed.			
Pea Gravel 60 tons of pea gravel	60	80.00	4,800.00T
Fuel charge / Delivery charge stock pile material at shop - reload into smaller / single axle dump trucks to allow for placement into park area off of "F" St. - 10 tons each load.	6	75.00	450.00T
bobcat grading -- bucket etc. compact track loader used to spread / place material within the playground area	4	165.00	660.00
Hand labor raking / shoveling	6	70.00	420.00
Move equipment to job site	1	150.00	150.00
Estimate only - any labor or materials needed in excess of estimate will be in addition to the above		Subtotal	\$6,480.00
		Sales Tax (5.5%)	\$288.75
		Total	\$6,768.75

Black Diamond Enterprises Inc.

5810 S. 162nd ST.
Walton, NE 68461

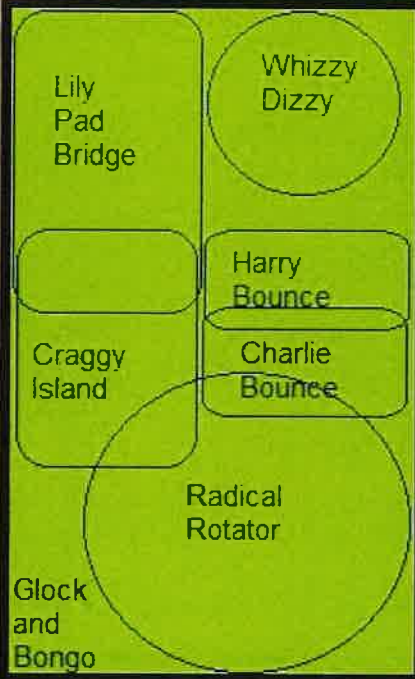
Date	Estimate #
5/2/2022	557

Name / Address
Elizabeth Umshler N. 6th St. Eagle, Ne. 68347

Description	Qty	Cost	Project
			Total
Provide 47b sand and gravel for playground area on West side of park in Eagle Nebraska			
Quote is for an area approximately: 100ft x 60 ft. = 6000 square ft. total			
coverage of approximately 100 square feet per ton 60 tons of material would be needed.			
47B Sand and Gravel	60	35.00	2,100.00T
60 tons of road gravel			
Fuel charge / Delivery charge	6	75.00	450.00T
Stockpile material at shop and reload into smaller / single axle dump trucks for placement into playground off of "F" St. 10 tons each load			
bobcat grading -- bucket etc.	4	165.00	660.00
compact track loader used to spread / place material within the playground area.			
Hand labor	6	70.00	420.00
raking / shoveling			
Move equipment to job site	1	150.00	150.00
Estimate only - any labor or materials needed in excess of estimate will be in addition to the above			
Subtotal			\$3,780.00
Sales Tax (5.5%)			\$140.25
Total			\$3,920.25



25'



35'

ORDINANCE NO. 2022-04

AN ORDINANCE OF THE VILLAGE OF EAGLE, NEBRASKA, TO AMEND CHAPTER 3, ARTICLE 1, SECTION 3-126 OF THE MUNICIPAL CODE OF THE VILLAGE OF EAGLE, NEBRASKA, PERTAINING TO THE ADOPTION OF A DROUGHT EMERGENCY CONTINGENCY PLAN; 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 3-126 of the Municipal Code of the Village of Eagle, Nebraska, addresses any short-term water shortage problems through a series of stages based on conditions of supply and demand with accompanying triggers, goals, and actions.

WHEREAS, the demand to provide 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 drought emergency contingency plan after analyzing current and projected water usage data.

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 3-126 of the Municipal Code of the Village of Eagle, Nebraska, shall be amended to read as follows:

§3-126 ADOPTION OF DROUGHT EMERGENCY CONTINGENCY PLAN

The Municipality of Eagle shall address any short-term water shortage problems through a series of stages based on conditions of supply and demand with accompanying triggers, goals, and actions. Each stage is more stringent in water use than the previous stage since there will be a greater deterioration in water supply conditions. The Chairperson of the

Board, or Mayor, is hereby authorized to implement the appropriate conservation measures as set forth in this section, when any of the conditions have been reached which would qualify for any of the specific stages. The Chairperson, or Mayor, is given discretion to declare each particular stage as deemed appropriate by the Chairperson, or Mayor, by reviewing the severity of the trigger conditions and other additional information, and is further authorized to implement conservation measures within the guidelines provided for each particular stage.

STAGE ONE: WATER WATCH

This stage is triggered by any one of the following conditions:

1. Ground water levels have fallen five feet below normal seasonal levels.
2. Demand is in excess of ~~475,000~~ 200,000 gallons per day for 3-consecutive days.

GOALS:

The goals of this stage are to heighten awareness of the public of the water conditions and to maintain the integrity of the system.

MANAGEMENT ACTIONS:

1. Leaks will be repaired within 48 hours of detection.
2. The Municipality will monitor its use of water and will curtail activities such as hydrant flushing and/or street cleaning.

REGULATION ACTIONS:

The public will be informed through the local media of the water watch and be asked to voluntarily reduce outdoor water use and to efficiently use water for indoor purposes; for example, washing full loads of clothing and/or dishes, limiting the length and frequency of showers, or checking for water leaks and dripping of faucets to prevent any unnecessary use of water.

STAGE TWO: WATER WARNING

This stage is triggered by any one of the following conditions:

1. Ground water levels have fallen ten feet below normal seasonal levels.
2. Demand is in excess of ~~475,000~~ 200,000 gallons per day for 7-consecutive days.

GOALS:

The goals of this stage are to reduce peak demands by 20% and to reduce overall weekly consumption by 10%.

MANAGEMENT ACTIONS:

1. The water tower supply will be monitored daily in addition to the amounts pumped from each well.
2. Leaks will be repaired within 48 hours of detection.
3. Water height in the water tower dictates our water pressure. The amount pumped from each well is dictated by that level.
4. The Municipality will curtail its water usage, including watering of any Municipal grounds and/or the washing of vehicles.

REGULATION ACTIONS:

In addition to the regulation actions under Stage One, the following regulatory authority may be exercised by the Chairperson of the Board, or Mayor:

1. An odd/even lawn watering system will be imposed on Municipal residents.
Residents with odd-numbered houses will water on odd days defined as Tuesday, Thursday, and Saturday; and even-numbered houses will water on even days defined as Wednesday, Friday and Sunday.
2. Outdoor water use, including lawn watering and car washing will be restricted to before 10:00 a.m. and after 9:00 p.m. on the above days.
3. Refilling of private swimming pools will be limited to one day a week and only after sunset.
4. Waste of water will be prohibited.

STAGE THREE: WATER EMERGENCY

This stage is triggered by any one of the following conditions:

1. Ground water levels have fallen 10 feet below normal seasonal levels.
2. Pumping lowers water levels to within five feet of the top of the well screens.
3. Demand is in excess of ~~175,000~~ 200,000 gallons per day for 12-consecutive days.

GOALS:

The goals of this stage are to reduce peak demands by 50% and to reduce overall consumption by 25%.

EDUCATION ACTIONS:

1. The Municipality will make news releases to local media describing current conditions and indicate the water supply outlook for the Municipality.
2. The Municipality will hold public meeting(s) to discuss the emergency and the status of the water supply outlook.

MANAGEMENT ACTIONS:

1. The water supplies in the Municipal water tower will be monitored daily as well as the amounts pumped from each well.
2. Leaks will be repaired within 24 hours of detection.
3. We shall regulate pumping from each well to insure that the water levels remain over the well screens.
4. The Municipality shall contact Rural Water as a possible cross-connection hook-up for an emergency contingency plan.

REGULATION ACTIONS:

In addition to the regulation actions available under Stage Two, the following regulatory authority may be exercised by the Chairperson of the Board, or Mayor:

1. Outdoor water use will be banned, except for businesses which require outdoor water use to operate.
2. Waste of water will be prohibited.

ENFORCEMENT - PENALTY:

In the event that any water consumer fails to comply with the regulatory action taken by the Municipality, the Chairperson, or Mayor, may direct the immediate discontinuance of water

service to the location which is not in compliance with the imposed restrictions. Water service may be resumed once the Chairperson, or Mayor, has been provided adequate evidence to show that compliance has been instituted and that compliance will continue under the imposed restrictions.

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 15th 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)

VILLAGE OF EAGLE

May 3, 2022

The Village Board of Trustees met in regular session at 7:00 p.m. on May 3, 2022 with Surman, Meier, Moore and Weyers 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 Surman named the three (3) areas where the agenda was posted as follows: Eagle Municipal Building, Eagle Fire & Rescue Department and Eagle Municipal Park. The Pledge of Allegiance was recited.

Chairperson Surman opened the public hearing at 7:00 p.m. for the purpose of hearing testimony concerning a zoning change and amendment of the Eagle Zoning Map from AG (Agricultural) to RS (Residential Suburban) for ± 33.798 acres located in Tax Lot 36, located in part of Tax Lot 22, in the East Half of Section 19, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska. Joe Flaxbeard (Lamp Rynearson) introduced himself and said he is attending tonight's meeting on behalf of the developer and is willing to answer any questions. Maureen Freeman-Caddy said if the Village Board decides to accept the zoning change tonight her recommendation is to make the change contingent upon approval of the Final Plat at a later date. 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 7:03 p.m.

Chairperson Surman opened the public hearing at 7:04 p.m. for the purpose of hearing testimony concerning a Preliminary Plat / Subdivision Agreement for property consisting of ± 33.798 acres located in Tax Lot 36, located in part of Tax Lot 22, in the East Half of Section 19, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska. Joe Flaxbeard (Lamp Rynearson) provided a brief introduction of the proposed project which includes 92 residential suburban (RS) zoned parcels just west of Eagle's corporate limits. Flaxbeard said part of the conversation with the Planning Commission at the April 27, 2022 meeting was in regards to cost-sharing infrastructure upgrades; the Planning Commission members felt a reasonable cost share for looping the water system and upgrading the existing lift station should be 80% developer cost and 20% Village cost. Flaxbeard said the developer informed him the additional cost would be too much to take on at this time; however, a \$200,000 maximum contribution would likely be acceptable if they are able to obtain additional property to the west for project expansion. Flaxbeard said the developer is excited about this property, and if the cost-share is not agreeable, he may consider an acreage development whereby Cass County Rural Water would furnish water service and septic sewer would be utilized. Surman asked if there were any comments or questions from the public. Ray Althouse (1120 N. 202nd St.) said his

only concern with the project is the potential for water runoff; he owns 87 acres to the north which is where the water will drain.

The public hearing was closed at 7:09 p.m.

Motion by Moore, second by Surman, to approve the zoning change and amendment of the Eagle Zoning Map from AG (Agricultural) to RS (Residential Suburban) for ± 33.798 acres located in Tax Lot 36, located in part of Tax Lot 22, in the East Half of Section 19, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska, contingent upon the approval of a Final Plat. Voting: Ayes – Meier, Moore, Surman. Nays – Weyers. Motion carried.

Motion by Moore, second by Meier, to approve Eagle's Landing Subdivision's waiver request for the maximum block length of 1,200 feet for the south block along the MoPac Trail as all three criteria have been met to grant said request. Voting: Ayes – 4. Motion carried.

Motion by Moore, second by Surman, to approve Eagle's Landing Subdivision's waiver request of requiring two entrances into the development as all three criteria have been met to grant said request. Voting: Ayes – Meier, Moore, Surman. Nays – Weyers. Motion carried.

Motion by Weyers, second by Meier, to table the approval of a Preliminary Plat / Subdivision Agreement for property consisting of ± 33.798 acres located in Tax Lot 36, located in part of Tax Lot 22, in the East Half of Section 19, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska, until which time the developer re-approaches the Village Board. Voting: Ayes – 4. Motion carried.

Open Forum – Mary Schukei (820 Applewood Dr.) announced her support of Eagle reorganizing as a city of the second class and stated she would have liked to speak to a member of the Village Board who is absent tonight about some of the political signs being put up around town. Marcus Hochstein (625 S. 4th St.) asked what the concerns are with some of the political signs. Schukei said the board member supporting the anti-city campaign cannot back up her facts. Moore said this is a topic that can be addressed with the Village Clerk or Attorney, specifically the signs that state your taxes will go up if you become a city; there is nothing in State Statute that says your taxes will go up by becoming a city; the tax rate is set by the governing body during a public hearing where everyone has the opportunity to participate. James Dobbins (745 G St.) read a prepared statement supporting the reorganization of Eagle as a city of the second class; including, thanking the Village Board for voting unanimously in favor of letting the citizens decide on the issue; the increased efficiency of a city government in daily operations; the roles and responsibilities of a mayor and city council; the attractiveness of a city designation in economic development; the fact that taxes do not go up just by becoming a city, despite the misinformation being passed around by citizens, and even certain board members; future development will continue regardless of whether the community remains a

village; and as a city, you have the ability to partner with the school district for new buildings and facilities, whereas a village you do not. Dobbins said he has put in over 40 hours of research into this issue and he cares how the community grows, about the safety and wellbeing of its citizens, about where the tax dollars go, and in order to do this, he has to care about the false information being presented as well; he plans to live out his years in this community and with that comes responsibility to ensure its stability; he encourages the rest of the citizens to do the same.

Motion by Moore, second by Weyers, to approve the donation of two 2022 Family Pool Passes to Eagle PTE for Eagle Fun Night on May 13, 2022. Voting: Ayes – 4. Motion carried.

Motion by Weyers, second by Meier, to direct the Village Clerk and Attorney to amend the building permit fees ordinance by increasing the base fee by \$500.00. Voting: Ayes – 4. Motion carried.

Motion by Moore, second by Meier, to set May 28, 2022 as the opening date for the swimming pool contingent upon completion of necessary repairs. Voting: Ayes – 4. Motion carried.

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

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

Approved Claims: Wages 17,370.06, Board Wages 900.00, ABC Termite & Pest Control 301.00, Allied Benefit Systems 5,306.34, Amazon Marketplace 191.08, American Exchange Bank 1,125.00, Black Hills Energy 584.64, Bromm Lindahl Freeman-Caddy & Lausterer 1,534.50, Casey's 631.03, Cass Co. Sheriff's Dept 3,145.21, Constellation Energy 443.86, Dollar General 14.20, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 4,345.48, First Wireless 110.00, Frye, Polly 47.23, General Fire & Safety 1,056.95, Google LLC 120.00, Hestermann, Rick 843.33, Hotsy Equipment Co. 135.00, John Deere Financial 115.44, John Hancock Investments 388.95, Knee Deep 1,400.00, Matheson Tri-Gas 191.99, Menards-South 435.87, Mid-American Research Chemical 1,568.50, Midwest Labs 627.13, NE Dept of Rev 2,277.88, NE Medicine 277.18, NE Municipal Power Pool 1,180.87, NE Public Health Env Lab 60.00, Norland Pure 26.00, Nystrom, Taira 400.00, One Call Concepts 33.02, OPPD 4,337.98, Quick Med Claims 119.86, Quik Dump Refuse 923.30, Riverstone Bank 46,547.29, Snyder & Associates 24,874.50, Todd Rose Decorative Concrete 420.00, UNUM 870.10, US Postmaster 522.00, Verizon Wireless 586.44, Voice News 183.89, Warren, Jay & Jessica 300.00, Windstream 569.80. Total of bills: **\$128,934.90.**

Approved Park Claims: Aqua Chem 8,894.66, Black Hills Energy 38.41, Cornhusker
Winnelson 394.02, Gordon Electric 1,034.91, OPPD 104.40. Total of bills:
\$10,466.40.

The meeting was adjourned at 10:03 p.m.

Nick Nystrom
Village Clerk

John Surman
Chairperson

VILLAGE OF EAGLE

May 3, 2022

The Village Board of Trustees met in regular session at 7:00 p.m. on May 3, 2022 with Surman, Meier, Moore and Weyers 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 Surman named the three (3) areas where the agenda was posted as follows: Eagle Municipal Building, Eagle Fire & Rescue Department and Eagle Municipal Park. The Pledge of Allegiance was recited.

Chairperson Surman opened the public hearing at 7:00 p.m. for the purpose of hearing testimony concerning a zoning change and amendment of the Eagle Zoning Map from AG (Agricultural) to RS (Residential Suburban) for ± 33.798 acres located in Tax Lot 36, located in part of Tax Lot 22, in the East Half of Section 19, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska. Joe Flaxbeard (Lamp Rynearson) introduced himself and said he is attending tonight's meeting on behalf of the developer and is willing to answer any questions. Maureen Freeman-Caddy said if the Village Board decides to accept the zoning change tonight her recommendation is to make the change contingent upon approval of the Final Plat at a later date. 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 7:03 p.m.

Chairperson Surman opened the public hearing at 7:04 p.m. for the purpose of hearing testimony concerning a Preliminary Plat / Subdivision Agreement for property consisting of ± 33.798 acres located in Tax Lot 36, located in part of Tax Lot 22, in the East Half of Section 19, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska. Joe Flaxbeard (Lamp Rynearson) provided a brief introduction of the proposed project which includes 92 residential suburban (RS) zoned parcels just west of Eagle's corporate limits. Flaxbeard said part of the conversation with the Planning Commission at the April 27, 2022 meeting was in regards to cost-sharing infrastructure upgrades; the Planning Commission members felt a reasonable cost share for looping the water system and upgrading the existing lift station should be 80% developer cost and 20% Village cost. Flaxbeard said the developer informed him the additional cost would be too much to take on at this time; however, a \$200,000 maximum contribution would likely be acceptable if they are able to obtain additional property to the west for project expansion. Flaxbeard said the developer is excited about this property, and if the cost-share is not agreeable, he may consider an acreage development whereby Cass County Rural Water would furnish water service and septic sewer would be utilized. Surman asked if there were any comments or questions from the public. Ray Althouse (1120 N. 202nd St.) said his

only concern with the project is the potential for water runoff; he owns 87 acres to the north which is where the water will drain.

The public hearing was closed at 7:09 p.m.

Discuss/possible action: Approval of a zoning change and amendment of the Eagle Zoning Map from AG (Agricultural) to RS (Residential Suburban) for ± 33.798 acres located in Tax Lot 36, located in part of Tax Lot 22, in the East Half of Section 19, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska – Weyers asked if the streets in the proposed Eagle's Landing subdivision are wide enough for emergency vehicles to pass through if residential vehicles are parked on both sides of the street. Freeman-Caddy said the Village's design standards allow for the width of street being presented tonight; the Village Board would also have the ability to make one side of the street "no parking" once the property is annexed into the corporate limits. Flaxbeard said the preliminary plat has been laid out and designed to follow the Village of Eagle's Subdivision Regulations regarding the width of streets, sidewalks, rights-of-way, etc.; the developer did accommodate a wider entrance into the subdivision due to the single access off of 202nd Street. Flaxbeard said often with this developer no parking is instituted on one side of the street per resident request; additionally, he has heard the developer say long-term parking of campers, boats, etc. are not allowed on private property which allows for more vehicular parking off street. Flaxbeard addressed the drainage concern presented by Ray Althouse during the public hearing, as follows: The Village of Eagle's requirement is for no net increase of peak storm flow leaving the site in a 100-year storm event; the run-off leaving the agricultural field will be engineered to meet this requirement.

Motion by Moore, second by Surman, to approve the zoning change and amendment of the Eagle Zoning Map from AG (Agricultural) to RS (Residential Suburban) for ± 33.798 acres located in Tax Lot 36, located in part of Tax Lot 22, in the East Half of Section 19, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska, contingent upon the approval of a Final Plat. Voting: Ayes – Meier, Moore, Surman. Nays – Weyers. Motion carried.

Discuss/possible action: Approval of a Preliminary Plat / Subdivision Agreement for property consisting of ± 33.798 acres located in Tax Lot 36, located in part of Tax Lot 22, in the East Half of Section 19, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska – Surman said there were two options for providing water service to the development discussed during the last Planning Commission meeting; a single connection from the fire hydrant at 202nd & Olivia Drive and the creation of a looping system beginning at 5th & A Street that would meet the single connection from Olivia Drive. Terry Caddy said two advantages of a looping system is that it allows Eagle to maintain minimum pressure requirements for firefighting purposes and the water line coming from 5th & A Street can be tapped in the future for development on the north side of town. Freeman-Caddy said there are two waiver requests before the Village Board tonight; the waiver of two entrances into the development off of 202nd Street due to limited road frontage and the waiver of the max block length of 1,200

feet along the block that backs to the MoPac Trail. Freeman-Caddy said the Village Board may grant waivers, but only after determining the following three criteria are met; there are unique circumstances or conditions affecting the property that are not the result of actions by the subdivider; the waivers are necessary for the reasonable and acceptable development of the property in question; and the granting of the waivers will not be detrimental to the public or injurious to adjacent and nearby properties. The Planning Commission recommended the approval of both waivers at their April 27, 2022 meeting.

Motion by Moore, second by Meier, to approve Eagle's Landing Subdivision's waiver request for the maximum block length of 1,200 feet for the south block along the MoPac Trail as all three criteria have been met to grant said request. Voting: Ayes – 4. Motion carried.

Discussion: Caddy said he has spoken with the property owner to the north of this proposed subdivision that indicated at some point he would likely be interested in a residential development; in the future, this new subdivision would grant an additional entrance from 202nd Street. Weyers expressed concern with the future abutting subdivision based on a similar situation that occurred in Cass County; in this particular case, although there was an agreement that these two subdivisions would be connected in the future, people that bought lots in the latest subdivision did not want increased traffic which caused the subdivisions to never be merged. Caddy said since both of these subdivisions in Eagle's case are within the extraterritorial zoning jurisdiction, the Planning Commission and Village Board would have control over what will be allowed. Freeman-Caddy said issues like the one Weyers referenced typically only occur when there are private streets that are not dedicated to the public. Moore questioned how the proposed development will look if an agreeable cost-share cannot be met. Flaxbeard discussed the potential of utilizing Cass County Rural Water (CCRW) to service residential acreages. Freeman-Caddy said the problem with CCRW is they likely will not be able to provide fire suppression service. Flaxbeard said he has had that discussion with CCRW who informed him the fire department will have the ability to use their hydrants for water even though they cannot hook-up a pumper truck directly. Freeman-Caddy said having an acreage development that close to Eagle would make it more challenging for the municipality to annex the subdivision down the road or expand its borders in the future. Caddy asked what the plan would be for sanitary sewer. Flaxbeard said each property would be served by individual septic sewer; however, this is just a preliminary idea but his understanding is the future land use for Eagle is for residential use on this parcel. Freeman-Caddy said the future land use for this area is actually for agricultural use at this time.

Motion by Moore, second by Surman, to approve Eagle's Landing Subdivision's waiver request of requiring two entrances into the development as all three criteria have been met to grant said request. Voting: Ayes – Meier, Moore, Surman. Nays – Weyers. Motion carried.

Discussion: Surman said there are several additional costs involved with this proposed subdivision; an estimated \$180,000-\$200,000 would be required to install a water line from the fire hydrant at 202nd & Olivia Drive north to Eagle's Landing; an estimated \$598,800 for a potential water main extension from 5th & A Street to Eagle's Landing; and an estimated \$530,000 to construct a new lift station with associated upgrades at 11th & Wulf Drive to accommodate the additional flow of sewer. As discussed earlier, the members of the Planning Commission that reside within the corporate limits of Eagle, felt comfortable supporting a recommended cost-share of 80% developer cost, 20% Village cost; however, the developer has since stated the additional cost is not feasible for him to move forward with the project. Caddy discussed the advantages of constructing a water main from 5th & A Street, regardless of Eagle's Landing, to the west for both water availability for current properties and future development. Moore agreed and said he does not see solely extending the water main from 202nd & Olivia Drive as a viable option. Caddy said you will note from the Phase II Water Study that a booster station could also be constructed next to the existing water tower to help with water pressure, especially for irrigation purposes; the fallacy of that is you will not get enough water flow, and when a new water tower is constructed in the future, the booster station will not be necessary. Surman agreed and said an estimated \$575,400 for a booster station would be better used towards financing a new water tower. Moore asked where the rest of the Village Board stands on cost-sharing infrastructure upgrades now that it is known the developer would be unable to come close to supporting the recommendation of the Planning Commission. Surman asked if there was an estimate available for the amount of income the Village would receive for water service from those residing in Eagle's Landing once the subdivision is built out. Caddy said since these properties would not be located within Eagle's corporate limits, the customers would each pay 175% of what in-town residents do; based on estimate only, the amount of income received will be in excess of \$1,000,000 over the course of 15 years. Weyers said her primary concern is whether any cost-share will result in the existing residents having to pay extra on their utility bills for a new addition that a lot of people won't even care exists. Surman said if you look at the water and sewer study documents you will notice large expenditures are on the horizon with or without additional developments to help pay for the costs. Weyers said property taxes alone are high and asked where the money will come from for infrastructure upgrades; the amount of money (\$200,000) the developer may be interested in sharing, contingent upon obtaining additional adjacent property, is nothing. Weyers said she is taxed out and expressed concerns with the school being full and the additional demand for fire and rescue services. Flaxbeard said if there are too many variables to consider in this existing proposal, he feels it would be best to take no action on the Preliminary Plat tonight, and instead allow him time to visit with the developer about different options moving forward. Moore agreed and said it feels like both parties are at an impasse at this time.

Motion by Weyers, second by Meier, to table the approval of a Preliminary Plat / Subdivision Agreement for property consisting of ± 33.798 acres located in Tax Lot 36, located in part of Tax Lot 22, in the East Half of Section 19, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska, until which time the developer re-approaches the Village Board. Voting: Ayes – 4. Motion carried.

Report from Law Enforcement – Sergeant Boehm said there were 6 citations, 10 warnings, 2 equipment violations and 24 calls for service during the month of April. Meier asked if any unlicensed operators of off-road vehicles have been ticketed since the new law went into effect at the beginning of the year. Boehm said he has not been made aware of any instances. Meier encouraged law enforcement to keep an eye out for violators and enforce the law to its fullest extent.

Discussion: Water and Wastewater System Studies presentation by Snyder & Associates – Barbara Johnston and Brett Paige were present on behalf of Snyder & Associates. Paige provided the Village Board with a map and associated charts indicating the recommended water and wastewater improvements through the year 2040. Paige said typically a community of this size does not see a lot of growth; however, this is a unique situation due to a catalyst for development; the population estimates indicate tripling in size over the course of the next 20 years. Paige said the studies looked at a 10-year horizon through 2032 and a 20-year horizon through 2042; the studies took into account continued coordination with Village staff to determine which areas are likely to be developed in the immediate and near future. Paige discussed the projected total average flow of sanitary sewer to the WWTP; the current projection to expand the WWTP is by the year 2028. Paige said the Village's sewer system contains three lift stations; the lift station located at 11th & Wulf Drive has a capacity restriction that at some point in the near future is advisable to upgrade. Surman asked if it is an option to consider an extra sewer storage system next to the existing lift station that can hold and move waste during off-peak hours. Paige said this option was not considered because a new force main would still be required at this location; although it is a valid question, the cost would be roughly the same as solely upsizing the existing lift station. Paige discussed the priority list for sanitary sewer improvements and the estimated cost and time frame to accomplish each task, as follows: Upgrading the lift station at 11th & Wulf Drive in the amount of \$530,000 (near future); expanding the WWTP in the amount of \$8,000,000 (2028); and up-sizing the 10-inch trunk sewer in the amount of \$615,000 (2040). Freeman-Caddy said she feels it might be in the Village Board's best interest to speak with the owner of the property adjacent to the WWTP about acquiring some land in the near future and prior to expansion of the facility. Weyers asked if there are any cost-sharing or funding sources available for these types of projects. Johnston said there is a section on funding planning in the Phase II reports; some options include bonds (revenue, general obligation) and state funding sources through the Water Education Water Awareness Committee (WEWAC). Johnston said the first step is to set up an Intended Use Plan through WEWAC and then apply for funding sources from there. Moore suggested researching possible funding sources through ARPA that recently went through the legislature. Paige next discussed the projected total demand versus

facility capacities regarding water supply. The priority list for water improvements and the estimated cost and time frame to accomplish each task was presented, as follows: Eagle Road water main loop in the amount of \$598,800 (near future); up-sizing well pumps to 50HP in the amount of \$255,500 (2027-2030); a 250,000 gallon water tower in the amount of \$1,890,000 (2026-2029) and 4th Street water main upgrades as required for the south development in the amount of \$819,500 (TBD). Surman asked if the new water tower is projected to be taller than the current tower. Paige said yes; approximately 8 feet higher. Surman asked how soon planning efforts should commence on constructing a new water tower. Paige said at least in the next couple of years; in the meantime, it would be a good idea to get an engineering report to WEWAC as soon as possible. Marcus Hochstein (625 S. 4th St.) asked if the Eagle Road water main loop would still be urgent even if the Eagle's Landing subdivision were not a factor. Paige said yes; fire flow requirements are barely being met right now. Hochstein questioned how the proposed location of the new water tower on the northwest side of town would benefit the community if development is more likely to occur to the south and to the east of Eagle. Paige provided a copy of Figure 14 from the Phase II Water Study titled, "Pressure Zones", to explain how the existing and new water towers would service the entire community and future areas of expected growth. The existing water tower would service the properties east of 6th Street and the new water tower would service the properties west of 6th Street and north of Wenzel Circle. Moore asked if there was a time frame developed during the studies as to when another well will be necessary. Paige said through the 2042 horizon he does not see the need to drill another well. Freeman-Caddy asked if there would be a way to put the number of new user connections into a model so it would be easier to identify when Eagle needs to move forward at a specific rate for a specific project; for instance, a model based on new user connections that would dictate when a new water tower is necessary. Paige said there is an article found in the studies that would help identify the answers to these questions based on a water usage formula. Moore asked what is needed from the Village Board to begin the process of setting up an intended service plan with WEWAC. Paige said the first step is to design an engineering report based on WEWAC criteria as soon as possible and then begin the process of applying for funding.

Report from Building & Zoning Administrator – Hestermann reported 3 new building permits and 12 inspections during the month of April. There are 24 total open permits to date. There were no comments or questions from the Village Board.

Open Forum – Mary Schukei (820 Applewood Dr.) announced her support of Eagle reorganizing as a city of the second class and stated she would have liked to speak to a member of the Village Board who is absent tonight about some of the political signs being put up around town. Marcus Hochstein (625 S. 4th St.) asked what the concerns are with some of the political signs. Schukei said the board member supporting the anti-city campaign cannot back up her facts. Moore said this is a topic that can be addressed with the Village Clerk or Attorney, specifically the signs that state your taxes will go up if you become a city; there is nothing in State Statute that says your taxes will go up by becoming a city; the tax rate is set by the governing

body during a public hearing where everyone has the opportunity to participate. James Dobbins (745 G St.) read a prepared statement supporting the reorganization of Eagle as a city of the second class; including, thanking the Village Board for voting unanimously in favor of letting the citizens decide on the issue; the increased efficiency of a city government in daily operations; the roles and responsibilities of a mayor and city council; the attractiveness of a city designation in economic development; the fact that taxes do not go up just by becoming a city, despite the misinformation being passed around by citizens, and even certain board members; future development will continue regardless of whether the community remains a village; and as a city, you have the ability to partner with the school district for new buildings and facilities, whereas a village you do not. Dobbins said he has put in over 40 hours of research into this issue and he cares how the community grows, about the safety and wellbeing of its citizens, about where the tax dollars go, and in order to do this, he has to care about the false information being presented as well; he plans to live out his years in this community and with that comes responsibility to ensure its stability; he encourages the rest of the citizens to do the same.

Motion by Moore, second by Weyers, to approve the donation of two 2022 Family Pool Passes to Eagle PTE for Eagle Fun Night on May 13, 2022. Voting: Ayes – 4. Motion carried.

Discuss/possible action: Consider amendments to the Building Permit fee schedule for new community center savings – Nystrom provided the Village Board with a building permit fee comparison study which looked at Eagle's existing fees in addition to those in Ashland, Bennet, Hickman, Louisville and Waverly. Moore said at the last meeting the idea was pitched to collect additional funds from building permits on new construction for community center savings; after tonight's presentation, he wonders if it would be better to utilize this additional money for water and sewer infrastructure upgrades instead; while he would love to see a new community center in town, he feels these infrastructure upgrades are more essential. Surman agreed on the importance issue but said the water tap fee for new consumers was just increased. Weyers noted that the study indicates Eagle's building permit and associated fees for new construction are lower than Ashland, Hickman and Louisville; however, Louisville currently waives all building permit fees for residential dwellings and accessory structures inside the city limits. Terry Caddy said with the amount of development on the horizon he feels it is just a matter of time before residents will be requesting a new community center in addition to the inevitable infrastructure upgrades; he feels it would be a good idea to start saving money for matching grant funds now.

Motion by Weyers, second by Meier, to direct the Village Clerk and Attorney to amend the building permit fees ordinance by increasing the base fee by \$500.00. Voting: Ayes – 4. Motion carried.

Motion by Moore, second by Meier, to set May 28, 2022 as the opening date for the swimming pool contingent upon completion of necessary repairs. Voting: Ayes – 4. Motion carried.

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

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

Approved Claims: Wages 17,370.06, Board Wages 900.00, ABC Termite & Pest Control 301.00, Allied Benefit Systems 5,306.34, Amazon Marketplace 191.08, American Exchange Bank 1,125.00, Black Hills Energy 584.64, Bromm Lindahl Freeman-Caddy & Lausterer 1,534.50, Casey's 631.03, Cass Co. Sheriff's Dept 3,145.21, Constellation Energy 443.86, Dollar General 14.20, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 4,345.48, First Wireless 110.00, Frye, Polly 47.23, General Fire & Safety 1,056.95, Google LLC 120.00, Hestermann, Rick 843.33, Hotsy Equipment Co. 135.00, John Deere Financial 115.44, John Hancock Investments 388.95, Knee Deep 1,400.00, Matheson Tri-Gas 191.99, Menards-South 435.87, Mid-American Research Chemical 1,568.50, Midwest Labs 627.13, NE Dept of Rev 2,277.88, NE Medicine 277.18, NE Municipal Power Pool 1,180.87, NE Public Health Env Lab 60.00, Norland Pure 26.00, Nystrom, Taira 400.00, One Call Concepts 33.02, OPPD 4,337.98, Quick Med Claims 119.86, Quik Dump Refuse 923.30, Riverstone Bank 46,547.29, Snyder & Associates 24,874.50, Todd Rose Decorative Concrete 420.00, UNUM 870.10, US Postmaster 522.00, Verizon Wireless 586.44, Voice News 183.89, Warren, Jay & Jessica 300.00, Windstream 569.80. Total of bills: **\$128,934.90.**

Approved Park Claims: Aqua Chem 8,894.66, Black Hills Energy 38.41, Cornhusker Winnelson 394.02, Gordon Electric 1,034.91, OPPD 104.40. Total of bills: **\$10,466.40.**

Report from Attorney – Freeman-Caddy said the majority of last month was spent working on development inquiries and reviewing associated documents. A small group of municipal staff members will be meeting with committee members from School District 145 on Thursday to provide an update on potential developments in and around the community. Freeman-Caddy said her goal for this month is to finish up her review of the Zoning Regulations so they can be presented to the Planning Commission. Moore said a lot of the misinformation going around about Eagle becoming a city is the cost associated with such a move, specifically claims that additional staff will be necessary (i.e. City Administrator, Mayor), and asked if the attorney would be willing to provide comments to this narrative. Freeman-Caddy said there is nothing in State Statute dictating how much a Mayor is paid; there are a lot of examples where a Mayor makes less than what members of Village Boards do. Freeman-Caddy said every municipality, regardless of whether it's a city or village, sets its own salaries for its elected officials. Overall, Freeman-Caddy said she does not know what the argument or position is that becoming a city is a high ticket item. Moore asked if there is anything in State Statute that requires a city to hire 'X' number of staff or certain staffing positions. Freeman-Caddy said no; staffing is based on the

municipality's operational needs and is determined by the board or council. Surman said a Mayor will essentially not do anything differently than what he does as Board Chair. Terry Caddy said the infrastructure expenses discussed tonight are inevitable whether Eagle becomes a city or remains a village; if Eagle becomes a city, the uneducated will say these costs are associated with the change in government structure, even though that is not the truth.

Report from Clerk/Treasurer – Nystrom said a letter was received from the Nebraska Auditor of Public Accounts making the Village aware that a show cause hearing is scheduled for May 5, 2022 regarding the Fiscal Year 2021 Audit. The Auditor's Office was again informed of Eagle's intention to have the audit completed and submitted by no later than June 30, 2022 with the new auditing firm retained by the Village Board. Nystrom said there is no requirement to attend the hearing since the Auditor's Office is aware of the hardship Eagle faced by losing its former long-term auditor. The ARPA Coronavirus Recovery Funds annual reporting requirements were met prior to the April 30, 2022 deadline. Nystrom said the Health Board met on April 28, 2022 and visited seven different properties around town; the associated meeting minutes and nuisance notices are underway. Pet licensing season is underway and proper licensing is required per Eagle Municipal Code by no later than June 1, 2022. Nystrom provided the Village Board with a summary report on the most recent water tower inspection in March; the overall condition of the tank met or exceeded compliance with current standards. Moore asked how much ARPA funding Eagle can expect to receive. Nystrom said just shy of \$194,000; one half of this funding was received last July and the other half is scheduled to arrive this summer. The total monthly income ending April 30, 2022 was \$105,751.31. Surman said one of the scuttlebutts going around is Eagle is strapped for finances and asked how the current financial situation looks when comparing it to 11 years ago when Nystrom was first appointed as Treasurer. Nystrom said Eagle's finances have grown each year since his employment began; this information can be found in the annual budget statements and the independent auditor's reports. Nystrom said Eagle had the second highest valuation increase in Cass County last year and during the last available auditor's report the net position of the Village increased by over \$280,000. Surman said if members of the Village Board seriously felt Eagle was strapped for cash one of the first things they could offer to do is cut their own salaries.

The meeting was adjourned at 10:03 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 May 3, 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

Nick Nystrom
Village Clerk

John Surman
Chairperson