

VILLAGE OF EAGLE
BOARD OF TRUSTEES AGENDA
MAY 2, 2023
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 Law Enforcement.
2. Report from Building & Zoning Administrator.
3. Open Forum.
4. Discuss/possible action: Approve Change Order No. 1 with Cather & Sons Construction for the Parkview Avenue / D Street Mill & Overlay Improvements Project in the amount of \$7,737.49.
5. Discuss/possible action: Approve Application for Payment No. 1 with Cather & Sons Construction for the Parkview Avenue / D Street Mill & Overlay Improvements Project in the total amount of \$106,834.89.
6. Discuss/possible action: Consider omission request for the construction of a sidewalk adjacent to the east side of 535 South 2nd Street.
7. Discuss/possible action: Consider purchase of Type 3 Barricades from All Road Barricades in the amount of \$338.22 apiece.
8. Discuss/possible action: Utilizing American Rescue Plan Act (ARPA) funds for sanitary sewer main repairs.
9. Discuss/possible action: Consider options for Pickleball at Eagle Municipal Park.
10. Discuss/possible action: Set opening date and hours of operation for the swimming pool during the 2023 season.
11. Discuss/possible action: Consider proposal from Cornhusker Winnelson Company for the purchase of urinals for the Eagle Pool.
12. Discuss/possible action: Approve or deny minutes as typed for the previous meeting.
13. Discuss/possible action: Approve claims.
14. Report from Attorney.
15. Report from Clerk/Treasurer.

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.

CHANGE ORDER NO. 1

OWNER: Village of Eagle

PROJECT: Parkview Ave / D Street Mill & Overlay
Improvements
S&A PROJECT #: 122.0160.20

To: Cather and Sons Construction
Contractor
PO Box 29199
Address
Lincoln, NE 68529
City, State, Zip

You are directed to make the following changes in this contract:

1. **Description of change to be made:**
Additional milling, full depth patching and base repair, and asphalt overlay quantities.

2. **Reason for Change:**
Poor base areas identified on 2nd Street, just south of D Street. Pavement repair proposed to improve tie-in with current improvement area.

3. **Settlement for the cost of making the change shall be as follows:**

Item No.	Item Description	Quantity	Unit	Unit Price	Total Price
(Alt) 2.	Asphalt Mill, 2"	133.33	SY	\$3.60	\$479.99
(Alt) 3.	Asphalt Concrete Surface Course, Type SLX	16.00	TN	\$110.00	\$1,760.00
(Alt) 4.	Full Depth Asphalt Patch	73.30	SY	\$75.00	\$5,497.50
				TOTAL	\$7,737.49

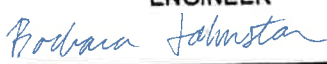
4. This change order will result in a net change in the contract completion time of 0 days and a net change in the cost of the project of \$7737.49 divided as follows:

	Contract Amount	Contract Completion Date
Approved funds and contract completion date as per (Engineer's Estimate, Contract or last approved C.O.)	\$99,097.40	May 26, 2023
Change due to this C.O. (+ or -)	\$7,737.49	0
Totals including this C.O.:	\$106,834.89	May 26, 2023

The change described herein is understood, and the terms of settlement are hereby agreed to:

Cather and Sons Construction
CONTRACTOR
By 

DATE: 4-27-23

Snyder & Associates, Inc.
ENGINEER
By 

DATE: 4/27/2023

Village of Eagle
OWNER
By _____

DATE: _____

REQUESTING BOARD APPROVAL OF THE OMITION OF THE CONSTRUCTION OF
SIDEWALKS ON THE EAST SECTION OF PROPERTY PARCEL 130024252,
ADDRESS 535 SOUTH 2ND STREET

The owner of property parcel 130024252 (535 South 2nd Street) is in the process of constructing a new residential dwelling.

During construction of a new main building or garage, the owner is required to construct or install a new sidewalk in the public right-of-way (if non-existent) per Eagle Municipal Code §8-205 SIDEWALKS; NEW CONSTRUCTION; INSTALLATION OF SIDEWALK.

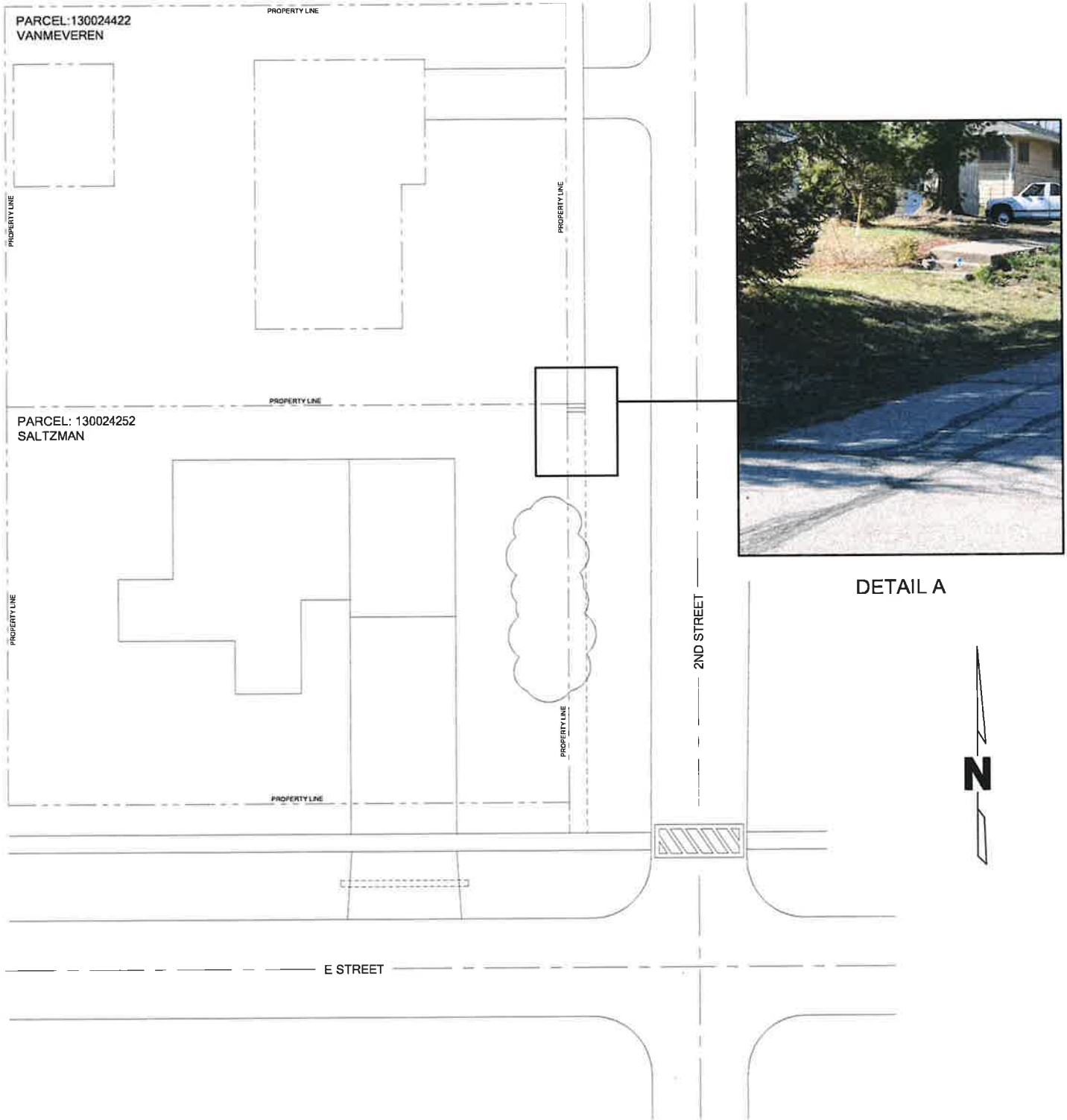
The purpose of having property owners add sidewalks, is to slowly add sidewalk infrastructure in the older parts of town.

The lot mentioned above is a corner lot. The south side of the lot (E Street) has a sidewalk that exists, the east side (2nd Street) does not have a sidewalk. The east side of the property poses a particular problem that is complicated. The adjoining lot to the north has an existing sidewalk in front of it that terminates with concrete steps. See Detail A on the included map. The streets in this area are typical to many streets in the older portion of the village, non-curbed and ditched.

If the new east side sidewalk is added, it will terminate up to the concrete steps which will create an immediate ADA accessibility issue. To correct this issue the concrete steps would need to be removed and replaced with a ramp and some type of retaining wall to keep the yard from eroding onto the sidewalk. This would technically be the responsibility of the adjacent property owner.

When a street improvement eventually happens in the area, curbs will be added and new sidewalks will be installed to replace the old which will be assessed back to the property owners. It may be some time before this happens but I believe by omitting the east section at this time makes more sense than creating an ADA accessibility issue at this time.

I am proposing at this time for the property owner to be allowed to omit adding the east section of sidewalk with board approval.



DETAIL A



PARCEL ID 130024252
535 S 2nd Street



PO Box 29196
Lincoln, NE 68529-9196

Quote

Date	Quote No.
4/26/2023	257
Phone #	402-467-2553

Name/Address
Village of Eagle, NE 747 S. 2nd Street PO Box 130 Eagle, NE 68347

Message

Qty	U/M	Item	Description	Price	Total
1	Ea	Type 3 Barricade	Type 3 Barricade w/T Stands	338.22	338.22
1	Ea	Cone-42	Traffic cone, 42", top only, (2-HI, 2-DG)	33.40	33.40
1	Ea	Cone-BASE30	Base, 30 lb, recycled rubber	25.89	25.89

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Subtotal	\$397.51
Sales Tax (7.25%)	\$0.00
Total	\$397.51

A 3.99% Customer Service charge is applied to all Credit/Debit card sales. The displayed prices are cash prices...



3200 NORTH 19TH STREET
P O BOX 85341
LINCOLN, NE 68501
PHONE (402) 434-2600
FAX (402) 434-2604

Job Name
Pool Bathroom Renovation

Quote No.	Date	Page
0020358	4/18/23	1
Expiration Date		5/18/23
Revised Date		4/18/23
Bid Due Date		4/18/23

Quoted To Customer
VILLAGE OF EAGLE PO BOX 130 EAGLE, NE 68347-0130
Phone (402) 781-2748 Fax (402) 781-2775

Quoted By
Brett Kaiser bakaiser@winnelson.com (402) 434-2600

Customer	Payment Terms	Quoted To	Salesperson	FOB
001679	NET 30	VILLAGE OF EAGLE	WILLIAM JOHNSEN	S

Line	Qty.	Description	Unit Price	UOM	Extended Price
1.0	1	6590.001.020 WHT WSHBRK URINAL	169.4527	EA	169.45
2.0	1	3012636 186-1 ROYAL FL VALVE ("ROYAL" URINAL FLUSH VALVE)	188.7396	EA	188.74
3.0	1	3250401 8186-1 G2 OPTIMA PLUS ("SENSOR" URINAL FLUSH VALVE)	550.0000	EA	550.00

→ optional

The products and pricing in this quote are intended to be privileged information between you the "client" and Cornhusker Winnelson Co. Any known use of this quote as a tool to barter with other suppliers, will make said quote null and void. All quotations are subject to change per manufacturers pricing, terms and conditions. Charges for special shipping or handling may be added. State and local sales tax are not included and may be added. WE THANK YOU FOR YOUR BUSINESS.

Tax Area Id	Net Sales	908.19
281090230	Freight	.00
	Tax	65.84 Exempt →
	Quotation Total	974.03

VILLAGE OF EAGLE

April 17, 2023

The Village Board of Trustees met in regular session at 7:00 p.m. on April 17, 2023 with Todd, Hochstein, Meier and Caylor present. Dobbins 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.

Open Forum – John Surman (450 Eagle Dr.) said there continues to be off-road vehicles operating on the public streets without proper licensing; one particular violator resides at 740 Applewood Drive who frequently drives his UTV around the neighborhood. Nystrom said the office has received several complaints regarding this particular address and the information was forwarded to the Cass County Sheriff's Department. Surman said this will keep happening until they are ticketed or have their vehicles towed. Todd suggested the Sheriff's Office be asked to speak to this particular property owner in an attempt to curb the issue. Surman said a large shipping container remains on the property at 105 N. 4th Street; the property owner was originally given permission to keep the container on a temporary basis but now it has been there for over a year. Nystrom said he will follow up with the Building & Zoning Administrator on this situation. Surman said the property owner needs to obtain a conditional use permit if he wishes to keep the container on the commercial property. Caylor expressed concern with semis and other large trucks parking at 340 Highway 34.

Motion by Caylor, second by Meier, to approve Hein Construction performing crack sealing services on Village streets in an amount not to exceed \$10,000. Voting: Ayes – 4. Motion carried.

Motion by Hochstein, second by Caylor, to approve Mike Graham attending the Wastewater Certification Training course in Wahoo on June 26-28, 2023 at a cost of \$450.00. Voting: Ayes – 4. Motion carried.

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

Motion by Todd, second by Meier, to go into executive session at 7:34 p.m. to consider employment options for Curtis Klabenes and to protect the reputation of the employee. Voting: Ayes – Caylor, Meier, Todd. Nays – Hochstein. Motion carried.

Chairperson Todd said the board has come out of executive session at 7:44 p.m. after discussing employment options for Curtis Klabenes.

Motion by Todd, second by Meier, to approve Curtis Klabenes returning to full-time employment at his current salary of \$30.00 per hour. Voting: Ayes – 4. Motion carried.

The meeting was adjourned at 7:45 p.m.

Nick Nystrom
Village Clerk

Terri Todd
Chairperson

VILLAGE OF EAGLE

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Report from Fire & Rescue – Caylor reported 5 rescue calls, 10 fire calls and an average of 11 responding volunteers since the March 20, 2023 board meeting. Todd asked if the department participated in the efforts to contain the large brush fire on the east side of the county. Caylor said the department held its position in order to cover the west side of the county while other agencies were dispatched to the east side. John Surman (450 Eagle Dr.) said he contacted two board members (Meier and Caylor) regarding his neighbor burning brush in his backyard and encouraged the Village Board to educate the public on the open burn ban during the existing dry conditions. Caylor said she did make contact with this individual and another regarding the open burning ban. Governor Pillen extended the open burning ban today through midnight on April 23, 2023 based on extremely dry and windy conditions.

Open Forum – John Surman (450 Eagle Dr.) said there continues to be off-road vehicles operating on the public streets without proper licensing; one particular violator resides at 740 Applewood Drive who frequently drives his UTV around the neighborhood. Nystrom said the office has received several complaints regarding this particular address and the information was forwarded to the Cass County Sheriff's Department. Surman said this will keep happening until they are ticketed or have their vehicles towed. Todd suggested the Sheriff's Office be asked to speak to this particular property owner in an attempt to curb the issue. Surman said a large shipping container remains on the property at 105 N. 4th Street; the property owner was originally given permission to keep the container on a temporary basis but now it has been there for over a year. Nystrom said he will follow up with the Building & Zoning Administrator on this situation. Surman said the property owner needs to obtain a conditional use permit if he wishes to keep the container on the commercial property. Caylor expressed concern with semis and other large trucks parking at 340 Highway 34.

Discuss/possible action: Resolution 2023-03 – Installation of a stop sign at the intersection of 14th & Gage Street – Nystrom said the request for a stop sign was initiated by a resident that lives along 14th Street whom suggested it would be beneficial for traffic flow and the safety of children. Hochstein said eventually 14th Street will continue to the south but he doesn't feel a stop sign is necessary until that occurs. Todd said there are several other areas in town that do not have stop signs at T-intersections that have never caused an issue. John Surman said vehicles run stop signs (including four-way stop signs) regularly so it wouldn't make sense to install one where traffic can only turn one

direction. The Village Board generally agreed to take no action on the consideration of installing a stop sign at the intersection of 14th & Gage Street.

Discuss/possible action: Crack sealing Village streets with Hein Construction – Todd said there is approximately \$10,000 remaining in unallocated street repair funds this fiscal year. Caylor asked how much crack sealing can be done with the remaining funds. Nystrom said the cost to crack seal is approximately \$0.55 per foot. Todd suggested the Street Committee work with the maintenance department to identify the areas of street surface in most need of crack sealing and inform the contractor of the budgeted amount prior to commencing work.

Motion by Caylor, second by Meier, to approve Hein Construction performing crack sealing services on Village streets in an amount not to exceed \$10,000. Voting: Ayes – 4. Motion carried.

Motion by Hochstein, second by Caylor, to approve Mike Graham attending the Wastewater Certification Training course in Wahoo on June 26-28, 2023 at a cost of \$450.00. Voting: Ayes – 4. Motion carried.

Report on Streets and Maintenance – Caddy said the new diving board was installed at the swimming pool. The generator for the Hartland Estates lift station arrived and concrete will be poured for the pad soon. Caddy said the order for Weed & Feed arrived and will be applied at the park once the grass is damp. The goal is to begin street sweeping in the next couple of weeks to pick up sand and debris. Meier asked if the pool has been pumped out yet. Caddy said the water will not be pumped out of the pool until sometime in May; however, the maintenance staff has begun putting together piping in the pool pump house. Meier asked if bids have been received for new urinals at the pool. Nystrom said he is still awaiting a bid from Cornhusker Winnelson on commercial urinals.

Report on Wells and Sewer – Klabenes discussed the well drawdown results since last summer; last August-September the results were down about 8' and over the winter approximately 4' has been gained back. Caddy said a sewer main leak was identified last week adjacent to Highway 43 between South Meadows and the WWTP; the repairs were made today in conjunction with Lovell Excavating and Southwick Liquid Waste.

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

Report from Committees and Boards – John Surman said the Parks & Recreation Commission is an appointed board and inquired as to where the meeting minutes can be read. Nystrom said the minutes can be found online at www.eaglencity.gov. Surman asked for an update on finalizing the zoning ordinance revisions. Caddy said the next step is to have a workshop meeting with the Planning Commission to review the draft submitted by the steering committee. Surman said it would be beneficial to finalize the new zoning ordinance ahead of the Eagles Landing development commencing construction. Todd said the annual community clean-up day and an unveiling event for the new park playground equipment will be held on April 22, 2023 beginning at 10:00 a.m. Nystrom said an orientation meeting with the pool employees is scheduled for May 10, 2023.

Discuss/possible action: Consideration of employment options for Curtis Klabenes – John Surman asked the Village Board to consider the budget versus wages and the State of Nebraska requirement of having two licensed wastewater operators.

Motion by Todd, second by Meier, to go into executive session at 7:34 p.m. to consider employment options for Curtis Klabenes and to protect the reputation of the employee. Voting: Ayes – Caylor, Meier, Todd. Nays – Hochstein. Motion carried.

Chairperson Todd said the board has come out of executive session at 7:44 p.m. after discussing employment options for Curtis Klabenes.

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The meeting was adjourned at 7:45 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 April 17, 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

Nick Nystrom
Village Clerk

Terri Todd
Chairperson