

VILLAGE OF EAGLE
BOARD OF TRUSTEES AGENDA
JULY 18, 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 Eagle Fire & Rescue Pool Party on August 6, 2022.
3. Open Forum.
4. Discuss/possible action: Sidewalk repairs alongside the alleyway on the north side of F Street between 4th & 5th Street.
5. Discuss/possible action: Set date to close the swimming pool for the 2022 season.
6. Report on Streets and Maintenance.
7. Report on Wells and Sewer.
8. Discussion: Budget deliverables deadline of July 25, 2022 and upcoming Budget Workshop.
9. Discuss/possible action: Approve or deny minutes as typed for the previous meeting.
10. Report from Committees and Boards.
11. Discuss/possible action: Six-month employee evaluation for Bryce Belt.

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.





VILLAGE OF EAGLE

July 5, 2022

The Village Board of Trustees met in regular session at 7:00 p.m. on July 5, 2022 with Surman, Caylor and Todd present. Meier and Weyers were 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.

Open Forum – Surman reminded the Village Board that items budgeted during this fiscal year do not automatically carry over to the next budget cycle. Surman said one of the portable toilets being used during Eagle Days was upset down at the park and asked if renting seven units was necessary or if it provided an invitation for individuals to cause damage. Marcus Hochstein (625 S. 4th St.) said there was definitely a need for the seven portable toilets and he does not believe the number of units played a role in the one being upset at the park.

Motion by Caylor, second by Todd, to approve Change Order No. 2 with Cather & Sons Construction for the Parkview Avenue / Wenzel Circle Mill & Overlay Improvements Project in the amount of \$13,862.93. Voting: Ayes – 3. Motion carried.

Motion by Todd, second by Caylor, to approve Application for Partial Payment No. 1 with Cather & Sons Construction for the Parkview Avenue / Wenzel Circle Mill & Overlay Improvements Project in the amount of \$97,324.18. Voting: Ayes – 3. Motion carried.

Motion by Surman, second by Caylor, to approve the purchase of replacement electrical contacts from Grainger in the amount of \$841.21 for the WWTP grinder. Voting: Ayes – 3. Motion carried.

Motion by Caylor, second by Todd, to introduce Resolution 2022-04. Voting: Ayes – 3. Motion carried.

Chairperson Surman read Resolution 2022-04 entitled:

RESOLUTION NO. 2022-04

WHEREAS, the Village of Eagle, Cass County, Nebraska, is the owner of the following personal property, to wit:

2004 Ford SRW Super Duty F-250 Crew Pickup with Utility Box.

WHEREAS, the Village of Eagle does not have a present need to retain ownership of said item of personal property and pursuant to Neb. Rev. Stat. §17-503.02, shall offer and direct the sale of the personal property to be removed from the site by the terms set forth herein,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF EAGLE NEBRASKA, AS FOLLOWS:

1. That the findings set forth above shall be incorporated herein.
2. The method and terms of sale shall be:
 - A. Sale through independent online auction service to be sold online.
 - B. Date of sale and name and online address of auction service, after established with auction service, shall be posted in three places in Village; posted on the Village Website and published in the legal newspaper one time at least 7 days before sale.
 - C. The light bar and Village of Eagle Insignia shall be removed prior to transfer of Pickup to buyer.
 - D. The Village Clerk and Village Board Chair shall have authority to facilitate this transaction and the Village Board Chair sign any documents required to engage the services of the online auction service and to transfer ownership documents upon final sale.

BE IT FURTHER RESOLVED that the Clerk of the Village of Eagle Nebraska, shall publish notice of the proposed sale of the above described items of personal property, and the terms thereof, by the posting of a notice of said sale in three prominent places within the Village of Eagle, Nebraska, for a period of not less than seven (7) days prior to the sale of said items of personal property, after the passage of this Resolution. Notice of the proposed sale shall also be posted on the Village of Eagle website and published one time in the legal newspaper of the Village at least seven days prior to sale.

Motion by Caylor, second by Surman, to adopt Resolution 2022-04. Voting: Ayes – 3. Motion carried.

Motion by Todd, second by Caylor, to approve minutes as typed for the previous meeting. Voting: Ayes – 3. Motion carried.

Motion by Caylor, second by Todd, to approve claims as presented. Voting: Ayes – 3. Motion carried.

Approved Claims: Wages 14,878.03, Board Wages 800.00, ABC Termite & Pest Control 186.00, Agri-Supply 159.51, All Road Barricades 317.86, Allied Benefit Systems 5,306.34, Amazon Marketplace 369.65, American Exchange Bank 1,125.00, Big Red Drainage Pipe Supply 297.60, Black Hills Energy 157.13, Bromm Lindahl Freeman-Caddy & Lausterer 558.00, Caddy, Terry 41.62, Capital Business Systems 504.31, Casey's 1,253.32, Cass Co Sheriff's Dept 3,145.21, Cass Co Treasurer 143.25, Constellation Energy 30.25, Dollar General 38.64, Eagle Automotive 321.00, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 5,838.42, GBE CPA, PC 7,000.00, Google LLC 120.40, Hestermann, Rick 136.68, Hobby Lobby 41.69, John Deere Financial 1,254.38, John Hancock Investments 312.00, Kidwell 21,736.00, Linde Gas & Equipment 61.25, Lovell Excavating 1,500.00, Maguire Iron 3,375.00, Matheson Tri-Gas 191.99, Menards-South 1,158.08, NE Dept of Rev 3,447.72, NE Public Health Env Lab 296.00, NE Rural Water Assn 175.00, Norland Pure 58.50, Nystrom, Taira 450.00, Oncenter Construction 1,810.00, One Billing Solutions 520.18, One Call Concepts 35.50, OPPD 4,750.10, O'Reilly Auto Parts 157.95, Quik Dump Refuse 1,180.90, Riverstone Bank 25.00, Rose Equipment 682.90, Snyder & Associates 2,594.00, UNUM 897.05, US Postmaster 420.00, Verizon Wireless 767.20, Voice News 265.53, Windstream 576.35. Total of bills: **\$92,960.49**.

Approved Park Claims: Wages 14,023.87, Aqua Chem 1,407.15, Black Hills Energy 69.36, Custom LED Lighting 39.98, OPPD 332.45, Windstream 100.68. Total of bills: **\$15,973.49**.

The meeting was adjourned at 7:47 p.m.

Nick Nystrom
Village Clerk

John Surman
Chairperson

VILLAGE OF EAGLE

July 5, 2022

The Village Board of Trustees met in regular session at 7:00 p.m. on July 5, 2022 with Surman, Caylor and Todd present. Meier and Weyers were 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.

Report from Law Enforcement – Law Enforcement not present. No report was received.

Report from Building & Zoning Administrator – Hestermann reported 1 new building permit, 4 certificates of occupancy and 5 inspections during the month of June. There are 18 total open permits to date. Todd asked how long building permits remain open. Hestermann said typically six months; however, as long as construction work is active, the permit will remain open. Freeman-Caddy said if work stops for a period of six months the permit will expire.

Open Forum – Surman reminded the Village Board that items budgeted during this fiscal year do not automatically carry over to the next budget cycle. Surman said one of the portable toilets being used during Eagle Days was upset down at the park and asked if renting seven units was necessary or if it provided an invitation for individuals to cause damage. Marcus Hochstein (625 S. 4th St.) said there was definitely a need for the seven portable toilets and he does not believe the number of units played a role in the one being upset at the park.

Discuss/possible action: Approve Change Order No. 2 with Cather & Sons Construction for the Parkview Avenue / Wenzel Circle Mill & Overlay Improvements Project in the amount of \$13,862.93 – Surman said the purpose of the change order is to include additional full depth asphalt patching on 4th Street; after discussing the situation with a member of the Street Committee (Meier) and the Village Engineer, it was determined to be in the best interest of the village to have the work completed while the equipment was already onsite. Surman said a total of \$100,000 was budgeted for the project and the total cost of the project after this change order will be \$97,324.18. Todd asked if the entire project has been completed. Surman said yes.

Motion by Caylor, second by Todd, to approve Change Order No. 2 with Cather & Sons Construction for the Parkview Avenue / Wenzel Circle Mill & Overlay Improvements Project in the amount of \$13,862.93. Voting: Ayes – 3. Motion carried.

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Chairperson Surman read Resolution 2022-04 entitled:

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documents required to engage the services of the online auction service and to transfer ownership documents upon final sale.

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Motion by Caylor, second by Surman, to adopt Resolution 2022-04. Voting: Ayes – 3. Motion carried.

Discussion: Review of Fiscal Year 2021 Audit as presented by Gabriel, Burger & Else, CPA, PC – The Village Board received a digital copy of the Fiscal Year 2021 Village of Eagle Basic Financial Statements and accompanying Independent Auditor's Report for review ahead of tonight's meeting. Surman said one deficiency that was noted again this year is the village's inability to adequately segregate duties to decrease the risk of possible errors or irregularities. This deficiency has been present on the audit report for many years and the village continues to look into ways to implement compensating controls to reduce the risk of lack of segregation of duties. Surman said another deficiency that was noted was regarding uncleared transactions; the recommendation is the village does not carry any uncleared deposits for longer than 7 days and all unclaimed property be submitted to the State of Nebraska. Nystrom said the other two deficiency findings detailed financial statement preparation and significant adjustments; the office will work with the audit team to make corrections in these two areas going forward. Todd said she works in accounting and would be more than willing to assist the office staff as needed.

Motion by Todd, second by Caylor, to approve minutes as typed for the previous meeting. Voting: Ayes – 3. Motion carried.

Motion by Caylor, second by Todd, to approve claims as presented. Voting: Ayes – 3. Motion carried.

Approved Claims: Wages 14,878.03, Board Wages 800.00, ABC Termite & Pest Control 186.00, Agri-Supply 159.51, All Road Barricades 317.86, Allied Benefit Systems 5,306.34, Amazon Marketplace 369.65, American Exchange Bank 1,125.00, Big Red Drainage Pipe Supply 297.60, Black Hills Energy 157.13, Bromm Lindahl Freeman-Caddy & Lausterer 558.00, Caddy, Terry 41.62, Capital Business Systems 504.31, Casey's 1,253.32, Cass Co Sheriff's Dept 3,145.21, Cass Co Treasurer 143.25, Constellation Energy 30.25, Dollar General 38.64, Eagle Automotive 321.00, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 5,838.42, GBE CPA, PC 7,000.00, Google LLC 120.40, Hestermann, Rick 136.68, Hobby Lobby 41.69, John Deere

Financial 1,254.38, John Hancock Investments 312.00, Kidwell 21,736.00, Linde Gas & Equipment 61.25, Lovell Excavating 1,500.00, Maguire Iron 3,375.00, Matheson Tri-Gas 191.99, Menards-South 1,158.08, NE Dept of Rev 3,447.72, NE Public Health Env Lab 296.00, NE Rural Water Assn 175.00, Norland Pure 58.50, Nystrom, Taira 450.00, Oncenter Construction 1,810.00, One Billing Solutions 520.18, One Call Concepts 35.50, OPPD 4,750.10, O'Reilly Auto Parts 157.95, Quik Dump Refuse 1,180.90, Riverstone Bank 25.00, Rose Equipment 682.90, Snyder & Associates 2,594.00, UNUM 897.05, US Postmaster 420.00, Verizon Wireless 767.20, Voice News 265.53, Windstream 576.35. Total of bills: **\$92,960.49**.

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Report from Attorney – Freeman-Caddy said she is working on final updates to the zoning ordinance revisions based on workshop discussions with the steering committee. She has begun setting aside time strictly for Eagle on Thursdays in order to get this process completed. Freeman-Caddy said she received an inquiry from an attorney regarding the administrative process for the Eagle's Landing subdivision west of town. Surman said there is an ordinance against parking trailers on the street for a period of time exceeding 12 hours; he recently witnessed a trailer on the street from Sunday to Friday and asked if there is any liability to the village if an accident occurs. Freeman-Caddy said she wouldn't necessarily be concerned with a liability scenario unless it is parked further out into the driving area; ultimately, the best idea would be to educate the resident(s) about the law, and if they still do not obey, their property could be towed. Caylor recommended this specific parking regulation be placed in the memo section of the next utility bills for public education purposes.

Report from Clerk/Treasurer – Nystrom said the Nebraska Auditor of Public Accounts has received the Fiscal Year 2021 Audit; the highway allocation funds that were withheld prior to receipt of the audit have now been received by the village. Nystrom said effective July 1, 2022 there was an increase of \$0.28/gallon for sodium hypochlorite (bleach) and \$0.03/pound for hydrochloric acid for the swimming pool due to tight supply and high demand across the nation. The Budget Workshop will be scheduled in mid to late August with Lisa Riley (Mierau & Co.); any capital outlay items or budget recommendations need to be received by the office by no later than July 25, 2022. Nystrom discussed recent issues with dogs and cats running at large, unlicensed and dangerous; the office has reached out to Lincoln Animal Control to see if they can be of assistance or offer recommendations to abate these issues. The new security surveillance system is up and running. Nystrom said the transfer switch on the South Meadows lift station generator is not functioning properly and will be inspected tomorrow morning by Nebraska Generator. Todd said the park hours are until 10:00 p.m. but there are vehicles that sit in the parking lot overnight. Nystrom said in the past he has tagged vehicles that park overnight warning them of the park hours so he will look into doing this again. The total monthly income ending June 30, 2022 was \$147,166.86.

The meeting was adjourned at 7:47 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 July 5, 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