

VILLAGE OF EAGLE
BOARD OF TRUSTEES AGENDA
JULY 19, 2021
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. Open Forum.
3. Discuss/possible action: Approve Nebraska Rural Water to perform water valve exercising services in an amount not to exceed \$1,000.00.
4. Discuss/possible action: Approve purchase of solenoid valves from Rose Equipment for the street sweeper in the amount of \$763.28.
5. Discuss/possible action: Approve purchase of extendable pole saw from Small Engine Specialists in the amount of \$649.99.
6. Discuss/possible action: Consider contract termination with Aramark Uniform Services in the amount of \$549.07.
7. Discuss/possible action: Eagle Bark Park proposal.
8. Report on Streets and Maintenance.
9. Report on Wells and Sewer.
10. Discuss/possible action: Approve Curtis Klabenes and Nick Nystrom attending a Grade IV Water Operator Continuing Education Course in Tecumseh on September 16, 2021 or in Seward on October 14, 2021 at a cost of \$55.00 per person.
11. Discuss/possible action: Update on sanitary sewer concerns at 520 South 1st Street.
12. Discuss/possible action: Set date to close the swimming pool for the 2021 season.
13. Discuss/possible action: Approve Eagle Fire & Rescue Pool Party.
14. Discuss/possible action: Approve purchase of replacement lifeguard stand seats in the amount of \$322.00 each plus shipping.
15. Discuss/possible action: Approve or deny minutes as typed for the previous meeting.
16. 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.



Valve Exercising

By Doug Buresh, Source Water Specialist

Along with my duties with source water protection, I've been asked to coordinate the usage of our valve exerciser machine. Thanks to donations to our equipment fund from you, our members, Nebraska Rural Water was able to purchase a new Wach valve exerciser in 2012. Why exercise valves? AWWA Publication M-44 recommends every valve should be operated through a full close and open cycle on a regular schedule to clear the operating stem and wedge guides of naturally occurring encrustation or other debris.

Ever try closing a valve that hasn't been operated in X number of years? It will most likely not close completely. Because there is not a lot of redundancy relating to gate valves in the distribution system, this means the poor sap down in the ditch trying to repair a leaking water main on the coldest day of the year is going to be miserable. And that poor, wet, miserably cold sap is often you, the operator.

We recommend all water systems have a program to routinely exercise their valves so they are in good operating order when you need them. In addition, Title 179 rules for the operation and maintenance of community and non-transient non-community public water systems require we maintain all mechanical equipment in accordance with manufacturer's recommendations. This includes gate valves.

Many systems exercise their valves by hand and that is perfectly acceptable. The main advantage of using a machine to exercise valves is the machine does the hard work. None of us are getting younger and as much as we hate to admit it, some, including me, are making our way down from the top of the hill. A hard turning valve can often be loosened up just by working the stem up and down. Again, this can be accomplished by hand, but the machine can do it much faster and not be worn out for the next valve. I've spent as long as thirty minutes exercising one valve to loosen it up so it works easier. So long as I see any progress, I'll keep at it. A six-inch valve can be completely opened and shut somewhere around thirty times in a half hour with the machine. It takes much longer to accomplish that by hand, so we can save a system valuable time. Another advantage is that our machine records an accurate turn count in tenths of a turn. This can be useful as a reference point to be sure a valve is completely shut.

Our machine is regulated by a computerized controller that goes through a protocol to exercise a valve. It limits the amount of torque applied and records the turn count. The machine is capable of exerting 750 pounds of torque. We keep it set at 150 pounds for exercising valves. I will not go any higher than that without the water operator's permission to minimize the chance of breaking the valve. To be sure the valve is cleared of any debris, I like to see the same turn count on the controller three consecutive times. This usually takes ten or more rotations.

We require the water operator or other system representative sign a waiver that the system understands it is possible for damage to occur during the course of valve exercising and that the system agrees to hold NeRWA, its Board of Directors, officers, employees and representatives harmless from any and all liability relating to the valve exercising process including but not limited to damages to valves, piping, hydrants or any other equipment or property. We have broken a handful of two-inch valves and a few four-inch valves with our machine, so it can happen. The four-inchers were fairly new and we believe may have been defective. We



no longer recommend using our machine to exercise two-inch valves.

I'm often asked how many valves we can exercise in a day. I've done as many as sixty and as few as twelve in a full day. It depends a great deal on the location and condition of the valves and valve boxes. We ask that a system have at least one person accompany the machine operator while exercising the valves to locate and open the valve boxes. If the box has mud, dirt or other obstructions in it, we cannot exercise the valve until it is cleaned out. If we have to wait for a valve box to get cleaned, it only takes longer to complete the job. We ask that you check your valves before our arrival to locate, open and clean, if necessary, all the valves you want us to exercise. If you can get a valve wrench on the stem, we should also be able to get ours on it.

continued on page 13

A few exceptions would be if the valve is more than seven foot deep or we are not able to park the machine within twelve feet of the valve.

A few tips for maintaining valves: Do not leave a gate valve opened all the way, unless required to keep it from leaking. It should be left one-half to one turn from the top to keep the operating stem from rusting in place. Shop-Vacs work well to remove dirt, mud or water from valve boxes. I've also seen operators use augers, clam-shell cleaners, trash pick-up tools, vacuum trucks, fire trucks and even valve wrenches to clean out valve boxes. Finally, most waterworks suppliers sell polyethylene mud plugs to keep dirt and other debris out of valve boxes. Mud plugs are inexpensive, have a handle molded into the top and can be easily cut to fit any valve box. At \$5 to \$10 apiece, they are a cheap method of keeping your problem valve boxes clean and accessible for when you need to shut a valve.

I keep a record of valve location in a notebook, right or left-hand close, number of turns, the maximum pounds of torque used on each valve and if the valve leaked while exercising it or if it had any other problem such as standing water. When we are finished with the project, you can photocopy my records or I can e-mail them to you or drop them in

the mail. We do not charge our members for exercising valves, but we ask that they provide ethanol-free gasoline for the machine and make a \$7.50 per valve donation to our equipment fund.

Contact me at 402-480-4196 if you would like us to exercise your valves. As of April 14th, there are twenty-eight systems on our waiting list.

Municipal Automation & Control

municipalautomation.com

**Design, Build,
Service**

**WATER / WASTEWATER
CONTROL SYSTEMS**

211 N. Tyler
PO Box 393
Elm Creek, NE 68836
Office/Fax: (308) 856-4730

Bill Simmerman - Owner
Cell: (308) 233-4729
bill.s@municipalautomation.com

WE ARE AN **AMERICAN** TRADITION

WE ARE MAGUIRE IRON

We've been providing communities with functional landmarks since 1915. Maguire Iron designs, fabricates, erects, paints and repairs water towers and tanks. We look forward to the next century with great pride as a family-owned American company.



MAGUIREIRON.COM | 605.334.9749

WATER TOWER SPECIALISTS





Rose Equipment Inc
Construction Equipment
Lincoln, Nebraska 800-279-0749
SINCE 1970

Rose Holding Inc, dba Rose Equipment
8055 Fletcher Ave
Lincoln, NE 68507

Estimate

DATE	ESTIMATE #
7/13/2021	E2019-465

BILL TO
VILLAGE OF EAGLE 727 SOUTH 1ST STREET EAGLE, NE 68347

SHIP TO
VILLAGE OF EAGLE nick@eaglene.gov (402) 781-2748

Item	Description	Qty	Rate	Amt
GS381215	SOLENOID VALVE	2	\$381.64	\$763.28
			SUBTOTAL	\$763.28
			SHIPPING	\$0.00
			DISCOUNT	\$0.00
			TAX	\$0.00
			TOTAL	\$763.28

Original quote was for coil's only. New quote for entire assembly.

Q U O T A T I O N

PAGE: 1

SMALL ENGINE SPECIALISTS
5101 N. 57th Street
Lincoln, NE 68507 USA
Phone #: (402)466-2000
Fax #: (402)466-4005

PHONE #: (402)781-2748
CELL #:
ALT. #: (402)781-2758
P.O.#:
TERMS: Net 30
SALES TYPE: Quote

DATE: 7/13/2021
ORDER #: 1194211
CUSTOMER #: 22992
CP: DJ
LOCATION: 1
STATUS: Active

BILL TO 22992

VILLAGE OF EAGLE
PO BOX 130
EAGLE, NE 68347

SHIP TO

VILLAGE OF EAGLE
PO BOX 130
EAGLE, NE 68347

MFR	PRODUCT NUMBER	DESCRIPTION	QTY	PRICE	NET	TOTAL
STI	HT 131	36.3CC 14"B&C TELE POLE PRUNER	1	\$649.99	\$649.99	\$649.99

Prices reflected on this quote are valid for 30 days.

SUBTOTAL: \$649.99
TAX: \$0.00
ORDER TOTAL: \$649.99

Authorized By: _____

Liquidated Damages and Breach Calculator

Customer Name: EAGLE CITY OFFICES
Address: 520C ST

City, State Zip EAGLE, NE. 65347

Contact Name: 0

Contract Expiration Date: 12/27/2021

AWRV Estimator

AWRV for 13 Weeks	\$	35.31
--------------------------	----	-------

25% of AWRV	\$	8.83
-------------	----	------

Remaining Wks	26
---------------	----

Total Due \$ 225.74

[illegible]

Total Liquidated Damages To Be Billed	\$	549.07
--	-----------	---------------

Open AR	\$813.96
---------	----------



Eagle Bark Park Proposal

Prepared for: Village Board

Prepared by: Jenn Caylor

EXECUTIVE SUMMARY

The Parks and Recreation Department of Eagle has developed a plan for an off-leash dog park for its residents and their four-legged companions. A dog park is a clearly defined location where dog owners can legally and safely exercise and socialize their dogs off-leash. This project has a multitude of benefits for the community and its over 250 canine residents. This plan will explain the project and its significant benefit to the community. The park will be approximately a 10,000 sq ft space at 5th Street and G Street.

VILLAGE OF EAGLE PARKS AND RECREATION DEPARTMENT

Contents

Executive Summary ... page 1

Benefits and Project Outline ...page 3

Budget ... page 4

Benefits

A dog park would provide clear health, safety and legal benefits to the Village and to park users.

- Clearly posted waivers of liability would relieve the Village of any legal responsibility for the actions of dogs and their owners inside the park. A dog park would make off-leash activity legal within the official dog park.
- A dog park would reduce the likelihood that dogs will be let loose in park areas where they could interfere with other park users like bicyclists, volleyball players and tennis players.
- A dedicated dog park will improve public health by keeping dog waste confined to one area. Peer pressure encourages dog owners to pick up after their dog and keep the park clean. Dog parks provide a centralized area for dog information.

Project Outline

Dog Park Area

- There will be two (2) dog areas; one for large dogs and one for small dogs.
- Both dog areas will be portioned off by chain link fence and will use a double gate entry.
- The Project will use green and sustainable practices wherever physically possible and financially feasible
- Benches and/or tables will be provided in the park, in shaded areas when possible

Fence

- 4 or 5' tall galvanized chain link fence.
- Fence post should be galvanized or flow coated.
- Fence should have at least a 15 year warranty.

Signage

- Park Name
 - Rules and Regulations
 - Emergency contact information
 - Hold harmless/liability statement
-

Budget

Multiple sustainable options were considered for the development of the dog park, and 3 bids minimum were obtained for all large expenditures, including fencing, benches/tables, paving and the pedestrian bridge. The following were the most sustainable and fiscally responsible options.

Description		Cost Estimate/Bid
Fence - 5' chain link, galvanized	Bid	\$11,200
Paved walkway	Estimate	\$6,800
Pedestrian bridge - 20ft	Bid	\$2,949
Parking lot clean up / roll off rental		TBD
Signage - Eagle Bark Park	1 Bid	\$650
Signage - non-potable water	2 Bid	\$9
Christiansen Tree Service	Bid	TBD
Pet waste signage and cans		\$630
Tables	2 Bid	\$1,950
Total		\$24,188

** 2022 budget will include rockwork the parking lot and installation of a water fountain for the park.

NEBRASKA WATER OPERATOR'S TRAINING WORKSHOPS

**Presented by the League of Nebraska Municipalities in cooperation with
Nebraska Section American Water Works Association**

Agenda

8:30-8:55 am	Registration and Welcome
8:55-10:10 am	Source Water Protection
10:10-10:15 am	Break
10:15-11:30 am	Water Loss Management Programs
11:30-12:30 pm	Lunch (provided)
12:30-1:30 pm	Water System Security
1:30-1:40 pm	Break
1:40-2:40 pm	Safety Group Discussion (open topics)
2:40-3:10 pm	Regulatory/Industry Update
3:10 pm	Adjourn

Recertification Credit:

5 contact hours – Grades 1-4 Water Operators

5 contact hours – Wastewater

Registration and Fees:

Fees for the workshops are \$55 per person which will include learning materials and lunch.

Dates and Locations:

September

- 14** **McCook** (City Hall, 505 West C)
- 15** **Alma** (Johnson Center, 509 Main St)
- 16** **Tecumseh** (Fire Hall, 1110 Buffalo Rd)

October

- 12** **Norfolk** (DHHS Facility, 209 N 5th St, Room 110)
- 13** **Columbus** (Fire Hall, 4630 Howard Blvd)
- 14** **Seward** (Civic Center, 616 Bradford)

December

- 7** **Fremont** (Christensen Field, 1710 W 16th St)

VILLAGE OF EAGLE

July 6, 2021

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

Open Forum – James Dobbins (745 G St.) asked if the Village Board is still working on drafting an ordinance to allow off-road vehicles on the public streets. Surman said as stated at the meeting in May, there were higher priorities for the Village Attorney to work on, including the newly revised Subdivision Regulations. Moore said his recollection is the members of the Village Board whom support the legalization of off-road vehicles were supposed to be working with the Village Attorney on drafting the ordinance. Surman said he received a resident complaint regarding the tennis court being locked over the 4th of July weekend; he feels this perhaps should have taken a vote from the full Village Board to authorize closing the tennis court, much like when a street closure is approved. Moore said evidently a street closure can occur outside of a meeting since it happened over the weekend. Caylor said the Park Committee decided it would be in the best interest of the Village to lock the tennis court gate over the weekend to prevent firework damage to the newly resurfaced court. Surman said if something similar happens again he would recommend advanced notice to the public.

Motion by Caylor, second by Weyers, to introduce Ordinance 2021-10. Voting: Ayes – 4. Motion carried.

Chairperson Surman read Ordinance 2021-10 entitled:

ORDINANCE NO. 2021-10

AN ORDINANCE OF THE VILLAGE OF EAGLE, NEBRASKA TO AMEND CHAPTER 9, ARTICLE 7, SECTION 9-705 OF THE EAGLE MUNICIPAL CODE AS THE SAME RELATES TO THE MOVING OF MOBILE HOMES; 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 VILLAGE OF EAGLE, NEBRASKA, AND THE SECTIONS OF THIS ORDINANCE MAY BE RENUMBERED TO ACCOMPLISH SUCH INTENTION.

Motion by Weyers, second by Caylor, to accept the first reading of Ordinance 2021-10. Voting: Ayes – 4. Motion carried.

Motion by Weyers, second by Surman, to suspend the rules of three consecutive readings of Ordinance 2021-10. Voting: Ayes – 4. Motion carried.

Motion by Caylor, second by Weyers, to adopt Ordinance 2021-10. Voting: Ayes – 4. Motion carried.

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

Chairperson Surman read Resolution 2021-05 entitled:

RESOLUTION NO. 2021-05

WHEREAS, the Governing Body of the Village of Eagle, Nebraska, has enacted a Municipal Code, and,

WHEREAS, Municipal Code §5-210 provides that the Board of Trustees may place stop signs, or other signs, signals, standards, or mechanical devices in any street or alley under the Municipality's jurisdiction for the purpose of regulating or prohibiting traffic thereon, by resolution, and,

WHEREAS, the Village Board of Trustees of the Village of Eagle, Nebraska, as the Village of Eagle's Governing Body, does desire to install speed limit signs in order to correct and prevent unsafe traffic conditions at the following locations which are located within the corporate limits of the Village of Eagle, Nebraska, to wit:

- A. A twenty-five (25) mile per hour speed limit sign on the south side of Olivia Drive at approximately 1215 Olivia Drive; and,
- B. A twenty-five (25) mile per hour speed limit sign on the north side of Olivia Drive at approximately 1208 Olivia Drive; and,
- C. A twenty-five (25) mile per hour speed limit sign on the south side of Gage Street at approximately 1315 Gage Street; and

D. A twenty-five (25) mile per hour speed limit sign on the north side of Gage Street at approximately 1104 Gage Street.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of Trustees of the Village of Eagle, Nebraska, as follows:

Section 1. That the findings hereinabove made should be and are hereby made a part of this Resolution as fully as if set out at length herein.

Section 2. That traffic control devices, to wit: "25 mph" speed limit signs, be erected on the south side of Olivia Drive, north side of Olivia Drive, south side of Gage Street and north side of Gage Street.

Section 3. Speed limit signs shall be erected and maintained according to all applicable rules and regulations enacted by the State of Nebraska; Cass County, Nebraska; and the Village of Eagle, Nebraska.

Section 4. That upon the approval of this Resolution, the aforementioned traffic control devices shall be erected and this Resolution shall remain in full force and effect until further action by the Governing Body.

Motion by Moore, second by Caylor, to adopt Resolution 2021-05. Voting: Ayes – Weyers, Caylor, Moore. Nays – Surman. Motion carried.

Motion by Moore, second by Weyers, to approve the donation of one 2022 Pool Rental to the Waverly Community Foundation for the BBQ Cook-off Fundraiser on July 31, 2021. Voting: Ayes – 4. Motion carried.

Motion by Surman, second by Moore, to appoint the slate of candidates as presented to the Board of Directors of the Eagle Facilities & Grounds Association. Voting: Ayes – 4. Motion carried.

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

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

Approved Claims: Wages 11,169.99, Board Wages 800.00, ABC Termite & Pest Control 174.00, Al's Johns 255.00, All Road Barricades 259.68, Allied Benefit Systems 3,277.26, Amazon Marketplace 301.14, American Exchange Bank 750.00, Aramark 128.16, Bound Tree Medical 323.98, Bromm Lindahl Freeman-Caddy & Lausterer 5,859.00, Capital Business Systems 484.31, Casey's 394.13, Cass Co. Sheriff's Dept 3,145.21, Constellation Energy 8.48, Dollar General 63.00, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 5,417.10, Google LLC 120.00, Hamilton

Equipment 72.93, Rick Hestermann 442.54, Hotsy Equipment 500.45, JLC Construction 22,932.00, John Deere Financial 45.46, John Hancock Investments 259.64, Johnson Service Co 20,436.25, Knee Deep LLC 1,950.00, Lovell Excavating 2,150.00, Maguire Iron 3,294.60, Matheson Tri-Gas 145.19, Mechanics Inc. 60.78, Menards-South 379.86, Mid-American Research Chemical 775.50, NE Dept of Rev 4,756.14, NE Public Health Env Lab 47.00, NE Rural Water Assn 175.00, NE UI Connect 34.26, Neels Trailer Outlet 35.00, Norland Pure 42.00, Taira Nystrom 400.00, One Call Concepts 50.76, OPPD 4,055.37, O'Reilly Auto Parts 14.90, People Service 5,496.00, Power Tech 399.38, Quick Med Claims 248.33, Rock Creek Refuse 300.00, Schemmer 4,799.08, UNUM 654.27, US Postmaster 302.00, Verizon Wireless 530.75, Voice News 173.79, Windstream 468.95. Total of bills: **\$110,850.62.**

Approved Park Claims: Wages 11,387.61, ABC Termite & Pest Control 500.00, Aqua Chem 2,613.87, Black Hills Energy 32.56, Concrete Industries 802.08, Chase Johnson 205.00, Brooklynn Kreikemeier 21.84, Lincoln Winwater Works 21.48, Manufacturers Edge 775.15, Lilly Michel 205.00, OPPD 611.77, Windstream 102.42. Total of bills: **\$17,278.78.**

The meeting was adjourned at 8:24 p.m.

Nick Nystrom
Village Clerk

John Surman
Chairperson

VILLAGE OF EAGLE

July 6, 2021

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

Report from Law Enforcement – Law Enforcement not present.

Report from Building & Zoning Administrator – Hestermann reported 2 new building permits, 1 certificate of occupancy and 16 inspections during the month of June. There are 32 total open permits to date. Surman asked if there has been any indication as to when the mobile home at 1st & A Street will be placed appropriately on a lot. Hestermann said he will follow up with the mobile home park manager. Caylor asked if the property at 705 Eagle Drive has been evaluated from an unsafe building perspective. Hestermann said he is working on generating a letter to send to the property owner. Moore asked if letters are still being sent to builders in Eagle Estates informing them of the requirement to prevent sediment from being deposited onto the streets, sidewalks and other public spaces. Hestermann said yes; each builder is given a copy of Municipal Code §8-311 to sign at the time of taking out a permit to acknowledge they are aware of the law. Moore said there is a lot of mud on Olivia Drive and Gage Street after the recent heavy rains. Hestermann said he will follow up with all of the builders on this situation.

Open Forum – James Dobbins (745 G St.) asked if the Village Board is still working on drafting an ordinance to allow off-road vehicles on the public streets. Surman said as stated at the meeting in May, there were higher priorities for the Village Attorney to work on, including the newly revised Subdivision Regulations. Moore said his recollection is the members of the Village Board whom support the legalization of off-road vehicles were supposed to be working with the Village Attorney on drafting the ordinance. Surman said he received a resident complaint regarding the tennis court being locked over the 4th of July weekend; he feels this perhaps should have taken a vote from the full Village Board to authorize closing the tennis court, much like when a street closure is approved. Moore said evidently a street closure can occur outside of a meeting since it happened over the weekend. Caylor said the Park Committee decided it would be in the best interest of the Village to lock the tennis court gate over the weekend to prevent firework damage to the newly resurfaced court. Surman said if something similar happens again he would recommend advanced notice to the public.

Motion by Caylor, second by Weyers, to introduce Ordinance 2021-10. Voting: Ayes
– 4. Motion carried.

Chairperson Surman read Ordinance 2021-10 entitled:

ORDINANCE NO. 2021-10

AN ORDINANCE OF THE VILLAGE OF EAGLE, NEBRASKA TO AMEND CHAPTER 9, ARTICLE 7, SECTION 9-705 OF THE EAGLE MUNICIPAL CODE AS THE SAME RELATES TO THE MOVING OF MOBILE HOMES; 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 VILLAGE OF EAGLE, NEBRASKA, AND THE SECTIONS OF THIS ORDINANCE MAY BE RENUMBERED TO ACCOMPLISH SUCH INTENTION.

WHEREAS, the Village of Eagle has the authority to regulate all zoning and building regulations throughout its zoning jurisdiction, both within and without the corporate limits of the municipality and the Board of Trustees deem it to be in the best interest of said Village to modify the regulations pertaining to the moving of mobile homes with regard to enforcement of the same throughout the corporate limits.

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

Section 1. That the findings herein above made should be and are hereby made a part of this Ordinance as fully as if set out in length herein.

Section 2. Amend Municipal Code Section 9-705 as follows:

§9-705 BUILDING PERMITS; MOVING MOBILE HOMES.

Before any mobile home is moved within the Municipality, a permit allowing such movement shall be obtained. The fee for such permit shall be the sum of ~~fifty dollars (\$50.00)~~ **one hundred dollars (\$100.00)**. Said permit shall be obtained from the Building Official. **Upon approval, all mobile homes must be**

properly placed on assigned lot within sixty (60) days receipt of permit. Proper placement shall include mobile home being tied down according to manufacturer recommendations, placement on a hard surfaced pad, having appropriate skirting, and having appropriate hook ups to utilities. If mobile home placement occurs prior to obtaining a permit, the Municipality shall charge and collect double the amount of the permit fee.

Section 3. That all other code sections, ordinances or parts of laws in conflict herewith are hereby repealed.

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 here from 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.

Motion by Weyers, second by Caylor, to accept the first reading of Ordinance 2021-10. Voting: Ayes – 4. Motion carried.

Motion by Weyers, second by Surman, to suspend the rules of three consecutive readings of Ordinance 2021-10. Voting: Ayes – 4. Motion carried.

Motion by Caylor, second by Weyers, to adopt Ordinance 2021-10. Voting: Ayes – 4. Motion carried.

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

Chairperson Surman read Resolution 2021-05 entitled:

RESOLUTION NO. 2021-05

WHEREAS, the Governing Body of the Village of Eagle, Nebraska, has enacted a Municipal Code, and,

WHEREAS, Municipal Code §5-210 provides that the Board of Trustees may place stop signs, or other signs, signals, standards, or mechanical devices in any street or alley under the Municipality's jurisdiction for the purpose of regulating or prohibiting traffic thereon, by resolution, and,

WHEREAS, the Village Board of Trustees of the Village of Eagle, Nebraska, as the Village of Eagle's Governing Body, does desire to install speed limit signs in order to correct and prevent unsafe traffic conditions at the following locations which are located within the corporate limits of the Village of Eagle, Nebraska, to wit:

- A. A twenty-five (25) mile per hour speed limit sign on the south side of Olivia Drive at approximately 1215 Olivia Drive; and,
- B. A twenty-five (25) mile per hour speed limit sign on the north side of Olivia Drive at approximately 1208 Olivia Drive; and,
- C. A twenty-five (25) mile per hour speed limit sign on the south side of Gage Street at approximately 1315 Gage Street; and
- D. A twenty-five (25) mile per hour speed limit sign on the north side of Gage Street at approximately 1104 Gage Street.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of Trustees of the Village of Eagle, Nebraska, as follows:

Section 1. That the findings hereinabove made should be and are hereby made a part of this Resolution as fully as if set out at length herein.

Section 2. That traffic control devices, to wit: "25 mph" speed limit signs, be erected on the south side of Olivia Drive, north side of Olivia Drive, south side of Gage Street and north side of Gage Street.

Section 3. Speed limit signs shall be erected and maintained according to all applicable rules and regulations enacted by the State of Nebraska; Cass County, Nebraska; and the Village of Eagle, Nebraska.

Section 4. That upon the approval of this Resolution, the aforementioned traffic control devices shall be erected and this Resolution shall remain in full force and effect until further action by the Governing Body.

Discussion: Surman questioned the need for additional signage and stated Gage Street is only 3 blocks long, there is already one speed limit sign on 11th Street as you enter the subdivision on the east side and another speed limit sign along Olivia Drive as you enter the subdivision on the west side; additionally, Nebraska State Law states a residential street is 25 miles per hour. Surman said 5th Street and F Street are much longer in length and have only one speed limit sign each. Moore said additional signage was requested by residents that live in the area to make the speed limit more visible and hopefully encourage drivers to slow down. Surman said there are several streets around town with greater lengths that have been complained about due to excessive speeding. Moore asked why the Street Committee, present and past, hasn't asked for additional speed limit signage then. Surman said Nebraska State Law designates residential streets as 25 mile per hour zones and people will continue to drive whatever speed they wish regardless of how many signs are installed. Weyers said there are a lot of communities that do not have speed limit signs at all; she feels part of the reason for this is because in order to obtain your driver's license an individual must know what residential speed limits are.

Motion by Moore, second by Caylor, to adopt Resolution 2021-05. Voting: Ayes – Weyers, Caylor, Moore. Nays – Surman. Motion carried.

Discuss/possible action: Consider donation from the Eagle Pool to the Waverly Community Foundation for the BBQ Cook-off Fundraiser on July 31, 2021 – The Village Board received a letter from Tiffany Johnson (Waverly Community Foundation) inviting the Village of Eagle to partner with WCF and the Waverly/Eagle Jr. Vikes in support of School District 145 Viking Football. The request states the Village of Eagle/Eagle Pool can support the efforts of the 1st Annual BBQ Cook-off Fundraiser by donating a 2022 Season Pass and/or a 2021 Pool Rental for the silent auction table. Moore said he would consider the donation of a Pool Rental and asked what that cost is. Nystrom said the Pool Rental fee is \$75.00 but to the best of his knowledge there are only a couple of dates left available for this season. Moore said he would be open to considering a Pool Rental for the 2022 season.

Motion by Moore, second by Weyers, to approve the donation of one 2022 Pool Rental to the Waverly Community Foundation for the BBQ Cook-off Fundraiser on July 31, 2021. Voting: Ayes – 4. Motion carried.

Discuss/possible action: Appointment of Board of Directors to the Eagle Facilities & Grounds Association – Surman said according to the bylaws of the Eagle Facilities & Grounds Association (EFGA), appointments to the Board of Directors requires nomination by the Village Chairperson and approval by the Eagle Village Board of Trustees. As the acting Village Chairperson, Surman nominated the following directors for reappointment; Rebecca Rezabek (term expiring January, 2024). Surman nominated the following new appointments to the Board of Directors; Travis Moore (term expiring January, 2024) and Terry Caddy (term expiring January, 2024). These appointees will join the remaining Board of Directors; John Surman (Village Board Representative); Hank Oetjen (Fire & Rescue Representative); Nick Nystrom

(term expiring January, 2022); Justin Davison (term expiring January, 2022); and Lin Young, Alternate (term expiring January, 2022).

Motion by Surman, second by Moore, to appoint the slate of candidates as presented to the Board of Directors of the Eagle Facilities & Grounds Association. Voting: Ayes – 4. Motion carried.

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

Discuss/possible action: Approve claims – Surman questioned Claim Item #121 from Powertech in the amount of \$399.38 and asked if an estimate was received to repair the condition of oil found in the radiator of the South Meadows generator. Nystrom said yes; this estimate was to replace the oil cooler that was approved by the Village Board last month. Moore asked if it would be worth checking the roof of the Municipal Building after sealant was applied by JLC Construction. Nystrom said the roof sealant does come with a 10-year warranty. Moore said that alleviates his concerns.

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

Approved Claims: Wages 11,169.99, Board Wages 800.00, ABC Termite & Pest Control 174.00, Al's Johns 255.00, All Road Barricades 259.68, Allied Benefit Systems 3,277.26, Amazon Marketplace 301.14, American Exchange Bank 750.00, Aramark 128.16, Bound Tree Medical 323.98, Bromm Lindahl Freeman-Caddy & Lausterer 5,859.00, Capital Business Systems 484.31, Casey's 394.13, Cass Co. Sheriff's Dept 3,145.21, Constellation Energy 8.48, Dollar General 63.00, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 5,417.10, Google LLC 120.00, Hamilton Equipment 72.93, Rick Hestermann 442.54, Hotsy Equipment 500.45, JLC Construction 22,932.00, John Deere Financial 45.46, John Hancock Investments 259.64, Johnson Service Co 20,436.25, Knee Deep LLC 1,950.00, Lovell Excavating 2,150.00, Maguire Iron 3,294.60, Matheson Tri-Gas 145.19, Mechanics Inc. 60.78, Menards-South 379.86, Mid-American Research Chemical 775.50, NE Dept of Rev 4,756.14, NE Public Health Env Lab 47.00, NE Rural Water Assn 175.00, NE UI Connect 34.26, Neels Trailer Outlet 35.00, Norland Pure 42.00, Taira Nystrom 400.00, One Call Concepts 50.76, OPPD 4,055.37, O'Reilly Auto Parts 14.90, People Service 5,496.00, Power Tech 399.38, Quick Med Claims 248.33, Rock Creek Refuse 300.00, Schemmer 4,799.08, UNUM 654.27, US Postmaster 302.00, Verizon Wireless 530.75, Voice News 173.79, Windstream 468.95. Total of bills: **\$110,850.62.**

Approved Park Claims: Wages 11,387.61, ABC Termite & Pest Control 500.00, Aqua Chem 2,613.87, Black Hills Energy 32.56, Concrete Industries 802.08, Chase Johnson 205.00, Brooklynn Kreikemeier 21.84, Lincoln Winwater Works 21.48, Manufacturers Edge 775.15, Lilly Michel 205.00, OPPD 611.77, Windstream 102.42. Total of bills: **\$17,278.78.**

Discuss/possible action: Municipal reclassification – Surman said the purpose of this agenda item tonight is to consider options for becoming a City of the second class versus remaining a Village. A special election was last held on October 13, 1981 submitting to the voters the proposition of whether Eagle shall retain the Village form of government in spite of the Village containing a population in excess of 800 people; at that time, there were 99 votes in favor and 85 votes against said proposition. Surman said now that it has been 40 years he feels the public should have the right to consider reclassification once again. Moore provided the Village Board with documents including Nebraska State Statutes concerning the Village and City of the second class forms of government; the differences between the two forms of government as provided by the League of Nebraska Municipalities; and questions and discussion topics on the same. Surman said he spoke with the City of Hickman who identified they have 6 city council members, a mayor and a city administrator; the council members are elected at large rather than by district. Moore said the biggest difference between a Village and City of the second class is the form of government. A City of the second class is organized under a Mayor/Council form of government and a Village is organized under a Trustee form of government. The governing body under a Mayor/Council form of government is comprised of a Mayor elected at large and 4 to 12 Council members elected either by wards or at large. The Mayor has the superintendence and control of the affairs of the city; duties include being the presiding officer at the meetings of the City Council, and he or she may vote when his or her vote will be decisive and the Council is equally divided. Freeman-Caddy said the Mayor would act as the administrator of the community and would suggest new hires to the City Council; the Mayor would also have the ability to discipline and terminate employees. Weyers asked if the Mayor is an elected position. Freeman-Caddy said yes; the Mayor is a separately elected position for a four year term that typically draws a small salary in a community this size. Additionally, a City will sometimes appoint a City Administrator which may assist the Mayor in authority over some daily tasks, such as human resources. Freeman-Caddy said another example is the City of Yutan, which is a similarly sized and situated community as Eagle, has a City Administrator and a part-time City Clerk. Moore asked if it would be the Village Board that would establish the structure for a city government if the voters elected to reclassify to a City of the second class. Freeman-Caddy said yes; for up to 8 months, the Village Board would also continue like a City Council until which time a special election takes place. Moore said the reason he is passionate about possible reclassification is there has been a huge turnover in population even in the last 10 years and he feels it is important to allow the public the opportunity to determine what they feel is an appropriate form of government. Terry Caddy (21319 Holdrege St.) asked if there are any downsides to becoming a City of the second class. Surman said the only downside he is aware of is a Village can blight the entire community if it so desires whereas a City can only blight a percentage for redevelopment. Freeman-Caddy said there have been a lot of changes in tax increment financing (TIF) law so that might not even be the case anymore. Surman asked if the extraterritorial zoning jurisdiction will change with a reclassification to a City. Freeman-Caddy said a City would have the ability to move its jurisdiction out a little bit further, but it is not a requirement. Moore questioned

whether the Village Board would want to post the question to voters in a Special Election or place the question on the primary or general election ballot. Freeman-Caddy recommended speaking to the Election Commissioner about the various options and what the associated cost would be. Surman recommended the Village Board review the documentation that was received tonight and be prepared to discuss the topic in more detail at a future meeting. Agenda item tabled for further consideration until August 3, 2021.

Discuss/possible action: Roles and responsibilities of the Human Resources Committee – Moore said there have been questions recently about the status of the revisions to the Employee Handbook; after speaking with Renae Feilmeier (Bromm, Lindahl Law Offices) it was identified that she would like clarification from the Village Board as to what rules and responsibilities they wish the Human Resources Committee to have. Moore said clarification of these responsibilities would assist in revising the handbook; for example, who the employee contacts for time off, who conducts employee interviews, deals with personnel matters, etc. Surman asked if the roles of the Human Resources Committee would be obsolete if the Village moved to a City of the second class. Moore said it may but it also resolves an issue from now until that time. Surman said the Employee Handbook could state “Human Resources Committee or Mayor, if applicable). Freeman-Caddy said the roles and responsibilities of the Human Resources Committee will also need to be approved by Ordinance. Freeman-Caddy said in speaking with Feilmeier she does not believe the Human Resources Committee can be given the authority to terminate employment; that authority must remain with the Village Board; however, any discipline up to that level perhaps is acceptable. Moore asked what responsibilities the Village Board would be comfortable with allowing the Human Resources Committee. The Village Board generally agreed to allow the Human Resources Committee the ability to issue disciplinary notices (up to a 3-day suspension); conduct interviews and employee reviews with recommendations to the Village Board; and grant time off requests to employees (sick, personal, vacation). Freeman-Caddy was directed to draft an Ordinance relating to the roles and responsibilities of the Human Resources Committee for review. No action taken.

Report from Attorney – Freeman-Caddy said the potential development east of Eagle Elementary is on hold while the developer considers financing options. The draft agreement to collect wastewater from the Eagle Lake SID was received and is under review by legal and engineering. Freeman-Caddy said an inspection warrant at 509 South 4th Street for zoning violations is still pending further investigation. Nystrom said there was one property owner that failed to pay their sidewalk assessment fees as part of the F Street project on or before the July 1, 2021 deadline. Freeman-Caddy recommended tracking the interest and sending an additional letter to the property owner making them aware that interest is now accruing.

Report from Clerk/Treasurer – Nystrom discussed the American Rescue Plan Act (ARPA) which delivers coronavirus local fiscal recovery funds. The Village of Eagle is eligible to receive \$96,989 which is expected to be delivered sometime this month; a second disbursement is projected for July of 2022. Nystrom said there are five permitted fund uses list as: Support Public Health Response; Negative Economic Impacts; Replace Revenue Loss; Premium Pay for Essential Workers; and Water, Sewer and Broadband Infrastructure. Nystrom discussed some key dates for ARPA funding including that funds must be incurred and obligated by December 31, 2024 and all funds must be expended with work completed by December 31, 2026. Moore asked if the Village Board would be eligible to pay off the ambulance with ARPA funds. Weyers said Cass County Emergency Management asked that question specifically and the answer was no. Surman said he would encourage focus on water infrastructure due to the need for additional wells and water main upgrades. Surman said the property at 708 South 4th Street contains a lot of garbage and other worthless material in the front yard. Nystrom said the property just changed ownership so he will send a message to the new property owner regarding this matter. Moore asked if there is a tentative date for the Budget Workshop. Nystrom said no but expects to have a workshop sometime in late August. Nystrom said the total monthly income ending June 30, 2021 was \$158,680.45.

Discuss/possible action: Hiring for the Full-time Maintenance position – Moore said the last applicant that was granted a conditional employment offer has now declined the opportunity; it is the Human Resources Committee's recommendation to re-advertise for the position. Weyers asked if the reason for declining the position was due to the wage offer. Moore said no. Nystrom said he would like the authority to spend some money advertising for the position this time around due to the limited number of applications currently being received; his hope is increased visibility will increase applicant turnout. The Village Board agreed to advertise for the position in The Voice News, Waverly News and various free online markets. No action taken.

The meeting was adjourned at 8:24 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 6, 2021 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