

VILLAGE OF EAGLE  
BOARD OF TRUSTEES AGENDA  
AUGUST 15, 2022  
EAGLE FIRE & RESCUE DEPARTMENT – 705 S 1<sup>st</sup> 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 Savannah Wiseman as a member of Eagle Fire & Rescue contingent upon approval by the department.
3. Discuss/possible action: Consider estimates for exterior painting of the Eagle Fire & Rescue Station.
4. Open Forum.
5. Discuss/possible action: Approve Snyder & Associates proposal for Pre-Application Services for the Wastewater System in the amount of \$17,500.
6. Discuss/possible action: Resolution 2022-05 – Signing of the 2022 Municipal Annual Certification of Program Compliance to the Nebraska Board of Public Roads Classifications and Standards.
7. Report on Streets and Maintenance.
8. Report on Wells and Sewer.
9. Discuss/possible action: Approve or deny minutes as typed for the previous meeting.
10. Report from Committees and Boards.

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

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**JLC**  
1403 South 214th Street  
Eagle, Ne. 68347  
tnbduggan@aol.com  
(402) 560-2000

## Estimate 1

Eagle Fire and Rescue  
705 South 1st Street  
Eagle, Ne. 68347

Date 7/9/22  
Due date 7/9/22

Item	Qty	Price USD	Line Total USD
Estimate includes power washing, spot priming with rust inhibitor, paint, and lift rental.	1	17000.00	17000.00

**Total 17000.00**

ESTIMATE

**Prepared For**

Eagle Volunteer Fire And Rescue  
705 S.1st  
Eagle, Nebraska 68347  
(402) 875-2515

**Joseph Villarreal**

8231 Chestnut Ln.  
Lincoln , Ne 68510  
Phone: (402) 805-0539  
Email: aboveparpainting402@gmail.com

Estimate # 42  
Date 08/10/2022

<b>Description</b>	<b>Total</b>
Exterior painting all metal buildings including roof	\$16,000.00
Pressure wash/prep/prime problem areas/paint Includes all materials Paint and primer will be 100 percent acrylic enamel which will ensure no peeling or blistering of paint	
	<b>Subtotal</b> \$16,000.00
	<b>Total</b> <b>\$16,000.00</b>

Joe Villarreal

Eagle Volunteer Fire And Rescue



# Estimate

**Tom Nelson**  
 402-997-0830  
 Tomnelsonpaint@gmail.com  
 P.O. Box 541011  
 Omaha, NE 68154

Please make checks payable to Tom Nelson

Option 1

**ESTIMATE FOR**  
 Eagle Fire Department  
 402 -405-4541

**Estimate #** 13  
**Date** Aug 10, 2022

Item	Quantity	Price	Amount
<b>Fire department building sidewalls cleaning and painting</b>	1	\$8,000.00	\$8,000.00
Pressure wash all sidewalls Prime coat any rust, bare, troubleed or high traffic areas Two (2) coats of Sherwin-Williams DTM Direct To Metal coating white for sidewalls			
<b>Eagle fire department sign in front and safety pillars</b>	1	\$0.00	null
Paint letters Bright red and clean or paint clear plastic behind letters to bring out letters even better Saftey pillars will be saftey yellow unless desired otherwise			
<b>Trim Painting</b>	1	\$2,500.00	\$2,500.00
Trim painting with DTM Direct To Metal coating gray or color of choice on eves and corners and around Garage doors Garage doors will be white to match exterior walls Walk in doors Gray Gutters and downspouts will remain white to match exterior walls			
<b>Roof cleaning and coating</b>	1	\$6,375.00	\$6,375.00
Roof is around 3750 square ft and cost is at 1.70 per sq ft Pressure wash Inspect and address any trouble areas and apply Sealant where needed Primer coat Top coat with Sherwin-Williams white roof coating			
<b>Subtotal</b>			<b>\$16,875.00</b>
<b>Discount</b>			<b>(\$2,531.25)</b>
<b>Grand Total</b>			<b>\$14,343.75</b>

**Note**

All Paint, Labor and Materials are included  
 Trim colors are subject to change depending on what everyone on board agrees with.  
 All work has a 5 year warranty  
 -15% discount applied for first responders discount



# Estimate

**Tom Nelson**  
 402-997-0830  
 Tomnelsonpaint@gmail.com  
 P.O. Box 541011  
 Omaha, NE 68154

Please make checks payable to Tom Nelson

*Option 2*

**ESTIMATE FOR**  
 Eagle Fire Department  
 402 -405-4541

**Estimate #** 13  
**Date** Aug 10, 2022

Item	Quantity	Price	Amount
<b>Fire department building sidewalls cleaning and painting</b>	1	\$8,000.00	\$8,000.00
Pressure wash all sidewalls Prime coat any rust, bare, troubleed or high traffic areas Two (2) coats of Sherwin-Williams DTM Direct To Metal coating white for sidewalls			
<b>Eagle fire department sign in front and safety pillars</b>	1	\$0.00	null
Paint letters Bright red and clean or paint clear plastic behind letters to bring out letters even better Saftey pillars will be saftey yellow unless desired otherwise			
<b>Trim Painting</b>	1	\$2,500.00	\$2,500.00
Trim painting with DTM Direct To Metal coating gray or color of choice on eves and corners and around Garage doors Garage doors will be white to match exterior walls Walk in doors Gray Gutters and downspouts will remain white to match exterior walls			
<b>Subtotal</b>			<b>\$10,500.00</b>
<b>Grand Total</b>			<b>\$10,500.00</b>

**Note**

All Paint, Labor and Materials are included  
 Trim colors are subject to change depending on what everyone on board agrees with.  
 All work has a 5 year warranty  
 -10% discount applies for doing roof and sides at once

## Supplement to the Standard Professional Services Master Agreement

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Project No.: 122.0160

Work Order: 004

Effective Date: 8/3/2022

Snyder & Associates, Inc. (Consultant) agrees to provide to Village of Eagle, Nebraska (Client) the professional services described below for the Project identified below. The professional services shall be performed in accordance with and shall be subject to the terms and conditions of the "Snyder & Associates, Inc. Standard Professional Services Master Agreement" executed by and between Consultant and Client on the 7<sup>th</sup> day of December, 2021.

**PROJECT NAME:** Pre-Application Services for Wastewater System

**PROJECT DESCRIPTION:**

The Water Wastewater Advisory Committee (WWAC) is an advisory panel for municipalities, counties, and Rural Water Districts (RWDs) seeking public financing. WWAC member agencies include the Nebraska Department of Environment and Energy (NDEE), USDA Rural Development, and Nebraska Department of Economic Development (NeDED). Nebraska state and federal funding agencies adopted a common Preliminary Engineering Report (PER) and preapplication format that they all use to reduce the costs to applicants in developing a project. Funding sources covered under this preapplication include the NDEE State Revolving Fund (SRF) Loan Program, the USDA RD Water and Waste Disposal Program, and NeDED Community Development Block Grants (CDBG).

The Village of Eagle is preparing for numerous future improvements for their wastewater system. Snyder & Associates, Inc. will provide Pre-Application Services for the wastewater system in accordance with the WWAC process, which will include Pre-Application forms, Facility Plans, and Preliminary Engineering Reports.

**SCOPE OF WORK:**

*The following Tasks will be completed for the wastewater facilities only.*

Pre-Application, Facility Plan, and PER

- A. Prepare preliminary phasing of improvements to prioritize the order of construction.
- B. Provide planning and design schedule.
- C. Complete alternatives analysis for necessary improvements.
- D. Develop order of magnitude project cost estimates for the work included in the project area. The cost estimates shall include both construction and non-construction costs.
- E. Prepare and submit a facility plan and preliminary engineering report signed by a Professional Engineer in the State of Nebraska to the NDEE for approval. Submitted report to include:
  - a. Description for project planning including location, environmental resources, population trends, and community engagement.
  - b. Description of existing facilities including location, history, condition, financial status, and audits.
  - c. Alternatives analysis including description of alternative, design criteria, map, environmental impacts, land requirements, potential construction problems, sustainability considerations, cost estimates, and alternative evaluation including life cycle analysis and non-monetary factors.
  - d. Description of recommended alternative for proposed project including preliminary project design, permit requirements, sustainability considerations, total project cost estimate, annual operating budget, and land rights.
  - e. Conclusions and recommendations for development of project.
- F. Coordination with WWAC technical and financing subcommittees through review period.

Meetings:

One (1) review meeting with WWAC technical subcommittee within 30 days of submitting the Pre-Application.

One (1) meeting with WWAC financing subcommittee following technical review.

Schedule:

The project milestone schedule is as follows:

<b>Milestone</b>	<b>Date</b>
Notice to Proceed	August 2022
Submit Engineering Report to NDEE	November 2022
WWAC Review Meeting(s)	December 2022

**COMPENSATION:**

Total Fee – Lump Sum \$17,500

**SPECIAL TERMS AND CONDITIONS:**

Additional Services not included in this scope:

- Meetings and/or site visits above those listed in the scope of services.
- Submittal fees to any and all regulatory agencies.
- Any additional water quality testing required.
- Publication fees.
- Individual funding applications and coordination.
- Facility condition assessments.
- Meetings above those listed in the scope of services.
- Revisions above those listed in the scope of services.
- New inspections of water or sanitary sewer infrastructure.
- Risk analysis.
- Flow and rainfall monitoring.
- Design, bidding, and construction services.
- Any items not outlined in the scope of services.

Consultant is directed to proceed with the Work as set forth herein upon both parties executing this Work Order.

Village of Eagle, Nebraska (Client)  
(Type or Print Name above line)

SNYDER & ASSOCIATES, INC. (Consultant)

By: \_\_\_\_\_  
(Authorized signature and Title)

By: \_\_\_\_\_  
(Authorized signature and Title)

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Do not recreate or revise the pages of this document, as revisions and recreations will not be accepted. Failure to return both pages of the original document by the filing deadline (October 31, 2022) may result in the suspension of Highway Allocation funds until the documents are filed.

## RESOLUTION

### SIGNING OF THE MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE 2022

Resolution No. 2022-05

**Whereas:** State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

**Whereas:** State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include the resolution of the governing body of the municipality authorizing the signing of the certification.

**Be it resolved** that the Mayor  Village Board Chairperson  of Village of Eagle  
(Check one box) (Print name of municipality)  
is hereby authorized to sign the Municipal Annual Certification of Program Compliance.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ Nebraska.  
(Month)

City Council/Village Board Members

<u>John Surman</u>	_____
<u>Dan Meier</u>	_____
<u>Sandy Weyers</u>	_____
<u>Jenn Caylor</u>	_____
<u>Terri Todd</u>	_____

City Council/Village Board Member \_\_\_\_\_  
Moved the adoption of said resolution  
Member \_\_\_\_\_ Seconded the Motion  
Roll Call: \_\_\_\_ Yes \_\_\_\_ No \_\_\_\_ Abstained \_\_\_\_ Absent  
Resolution adopted, signed and billed as adopted.

Attest:

\_\_\_\_\_  
(Signature of Clerk)



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**MUNICIPAL  
ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE  
TO  
NEBRASKA BOARD OF PUBLIC ROADS CLASSIFICATIONS  
AND STANDARDS  
2022**

In compliance with the provisions of the State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requiring annual certification of program compliance to the Board of Public Roads

Classifications and Standards, the City  Village  of Eagle  
(Check one box) (Print name of municipality)

hereby certifies that it:

- ✓ has developed, adopted, and included in its public records the plans, programs, or standards required by sections 39-2115 and 39-2119;
- ✓ meets the plans, programs, or standards of design, construction, and maintenance for its highways, roads, or streets;
- ✓ expends all tax revenue for highway, road, or street purposes in accordance with approved plans, programs, or standards, including county and municipal tax revenue as well as highway-user revenue allocations;
- ✓ uses a system of revenue and costs accounting which clearly includes a comparison of receipts and expenditures for approved budgets, plans, programs, and standards;
- ✓ uses a system of budgeting which reflects uses and sources of funds in terms of plans, programs, or standards and accomplishments;
- ✓ uses an accounting system including an inventory of machinery, equipment, and supplies;
- ✓ uses an accounting system that tracks equipment operation costs;
- ✓ has included in its public records the information required under subsection (2) of section 39-2520; and
- ✓ **has included in its public records a copy of this certification and the resolution of the governing body authorizing the signing of this certification by the Mayor or Village Board Chairperson.**



\_\_\_\_\_  
Signature of Mayor  Village Board Chairperson  (Required) (Date)

\_\_\_\_\_  
Signature of City Street Superintendent (Optional) (Date)

**Return the completed original signing resolution and annual certification of program compliance by October 31, 2022 to:**

Nebraska Board of Public Roads Classifications and Standards  
PO Box 94759  
Lincoln NE 68509

## VILLAGE OF EAGLE

August 2, 2022

The Village Board of Trustees met in regular session at 7:00 p.m. on August 2, 2022 with Surman, Meier, Caylor, Weyers and Todd present. 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.) encouraged the Village Board to consider budgeting next year for adequate equipment to livestream meetings.

Motion by Weyers, second by Caylor, to approve Gabel Construction's estimate to tear out and replace sidewalk in the alleyway on the north side of F Street between 4<sup>th</sup> & 5<sup>th</sup> Street in the amount of \$1,500.00 and to direct the Maintenance Supervisor to identify and have excess concrete poured in additional location(s) at his discretion. Voting: Ayes – 5. Motion carried.

Motion by Weyers, second by Meier, to approve the purchase of a loaner unit office chair from Eakes Office Solutions in the amount of \$790.38. Voting: Ayes – 5. Motion carried.

Motion by Meier, second by Todd, to approve the purchase of an AMT Booster Pump from Manufacturer's Edge for the swimming pool slide in the amount of \$885.86. Voting: Ayes – 5. Motion carried.

Motion by Meier, second by Caylor, to approve minutes as typed for the previous meeting. Voting: Ayes – 5. Motion carried.

Motion by Weyers, second by Todd, to approve claims as presented. Voting: Ayes – 5. Motion carried.

Approved Claims: Wages 19,377.00, Board Wages 700.00, ABC Termite & Pest Control 55.00, All Road Barricades 291.06, Allied Benefit Systems 5,306.34, Amazon Marketplace 302.02, American Exchange Bank 1,125.00, Black Hills Energy 120.27, Capital Business Systems 31.41, Casey's 965.20, Cass Co Sheriff's Dept 3,145.21, Cather & Sons Construction 97,324.18, Dollar General 165.15, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 8,460.38, Ford Hall Co 411.86, Frontier Coop 299.94, Frye, Polly 44.34, Google LLC 120.00, Grainger 916.51, Hestermann, Rick 37.80, Home Depot Credit Svc 320.97, Husker Lock & Key 33.00, Int'l Institute of Municipal Clerks 200.00, John Hancock Investments 390.00, Matheson Tri-Gas

197.99, Menards-South 49.50, Mid-American Research Chemical 1,475.23, Midwest Labs 417.45, Municipal Supply of Omaha 930.92, NE Dept of Rev 3,091.62, NE Generator Srvc 2,463.43, NE Medicine 277.18, NE Public Health Env Lab 30.00, NE Works 32.07, Norland Pure 45.50, Nystrom, Paul 53.75, Nystrom, Taira 400.00, One Billing Solutions 775.42, One Call Concepts 24.14, OPPD 5,042.34, Quick Med Claims 7.50, Quik Dump Refuse 951.20, Radio Maintenance Fund 820.00, Rixstine Recognition 20.00, Sherwin Williams 185.00, Small Engine Specialists 589.43, Snyder & Associates 4,359.54, Stryker Medical 6,276.80, The Electronic Repair Shop 97.50, Tractor Supply 44.99, UNUM 897.05, US Postmaster 282.00, Verizon Wireless 748.54, Windstream 575.80. Total of bills: **\$171,291.42**.

Approved Park Claims: Wages 17,693.43, Aqua Chem 1,215.55, Black Hills Energy 70.84, Dahlstrom, Jenny 75.00, Gordon Electric 1,208.89, Menards-South 328.00, OPPD 450.40, WMS Aquatics 198.20. Total of bills: **\$21,240.31**.

The meeting was adjourned at 8:08 p.m.

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Nick Nystrom  
Village Clerk

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John Surman  
Chairperson

## VILLAGE OF EAGLE

August 2, 2022

The Village Board of Trustees met in regular session at 7:00 p.m. on August 2, 2022 with Surman, Meier, Weyers, Caylor and Todd present. 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 1 new building permit and 2 inspections during the month of July. There are 19 total open permits to date. Hestermann sent a zoning violation letter to the property owner of 325 Wenzel Circle regarding an above ground pool that was installed with no fence enclosure; an unsafe building letter was sent to Eagle MHC regarding an accessory building at 320 South 2<sup>nd</sup> Street, Lot 7 in the mobile home court. Hestermann is working through the redlines of the marked up draft copy of the zoning regulation update and is approximately 90% complete. Meier issued concerns with the sidewalk replacement at 707 South 5<sup>th</sup> Street and whether it meets ADA guidelines. Hestermann said a sidewalk permit application was not filed with the office; he will follow up with the property owner on these concerns. Caylor asked if there was a date specified to have a fence installed around the swimming pool at 325 Wenzel Circle. Hestermann said the letter indicated the pool would need to be drained or have a fence installed before use can continue.

Open Forum – James Dobbins (745 G St.) encouraged the Village Board to consider budgeting next year for adequate equipment to livestream meetings.

Discuss/possible action: Consider estimates for exterior painting of the Eagle Fire & Rescue Station – One estimate was received from JLC in the amount of \$17,000. Surman said the estimate does not contain a lot of information; for instance, the type of paint, whether or not there is a warranty, etc. Additionally, Surman said the Rescue Department currently shows an income of \$30,843 and expenses of \$111,337 for the year; a net income of -\$80,494. Surman said to add another \$17,000 to the Rescue Department budget with two months left in the fiscal year would put the department within \$6,195 in total budgeted expenses remaining. Todd asked if there are any additional estimates pending. Nystrom said he was informed the department reached out to a couple of different contractors but this is the only estimate that has been received at this time. Todd said she would like to see more information in the proposal and additional estimates prior to consideration. Meier said he would be

comfortable with the remaining budget but has questions on the type of paint and whether a warranty is being offered. Terry Caddy said he would like to get an estimate from Tom Nelson Farm & Industrial Painters to consider as well. Agenda item tabled until the August 15, 2022 meeting.

Discuss/possible action: Approve Gabel Construction's estimate to tear out and replace sidewalk in the alleyway on the north side of F Street between 4<sup>th</sup> & 5<sup>th</sup> Street in the amount of \$1,500.00 – Surman said this estimate is the minimum price for Gabel Construction; the contractor is willing to add an additional 55 square feet of concrete anywhere else it may be needed in town with this estimate. Nystrom said the Maintenance Supervisor informed him that he has identified at least one additional location he would like to see poured with concrete as part of this proposal. Todd asked if there is a particular reason this sidewalk should be replaced rather than just having it removed and adding additional rock as needed. Surman said it is a matter of discretion; at the last meeting, the three board members that were present felt it would be a good idea to install new concrete.

Motion by Weyers, second by Caylor, to approve Gabel Construction's estimate to tear out and replace sidewalk in the alleyway on the north side of F Street between 4<sup>th</sup> & 5<sup>th</sup> Street in the amount of \$1,500.00 and to direct the Maintenance Supervisor to identify and have excess concrete poured in additional location(s) at his discretion. Voting: Ayes – 5. Motion carried.

Discuss/possible action: Approve purchase of new office chair from Eakes Office Solutions in the amount of \$1,040.38 – Surman said this chair will be used by the Deputy Clerk on the first floor of the office building; the job requires a lot of time being spent in the seated position and the existing chair is creating uncomfortable conditions for the employee. Nystrom said a loaner chair is currently being used and the vendor did say he would be willing to take \$250 off the price if the Village Board elected to keep this unit. Surman asked if Frye would be satisfied with the loaner chair and whether she likes it. Frye said she likes the chair and would be happy with the loaner unit. Caylor asked if there is a warranty offered on the chair. Frye said the chair comes with a lifetime warranty on the mechanics.

Motion by Weyers, second by Meier, to approve the purchase of a loaner unit office chair from Eakes Office Solutions in the amount of \$790.38. Voting: Ayes – 5. Motion carried.

Discuss/possible action: Approve purchase of AMT Booster Pump from Manufacturer's Edge for the swimming pool slide in the amount of \$885.86 – Surman said this product has a 5-6 week lead time but will be available to use next pool season. Todd asked if the current pump was installed this year. Nystrom said yes; due to a lack of adequate drainage, the existing pump bearings were ruined when rainwater was puddling in the pump pit; since then, drainage tubes were placed inside the pump pit to prevent this occurrence from happening again. Meier said the

existing pump could potentially be repaired as well which would give the maintenance department a spare to have on hand.

Motion by Meier, second by Todd, to approve the purchase of an AMT Booster Pump from Manufacturer's Edge for the swimming pool slide in the amount of \$885.86. Voting: Ayes – 5. Motion carried.

Discuss/possible action: Review of Request for Qualifications and selection of firms in compliance with the requirements of the Clean Water State Revolving Fund (CWSRF) – One proposal for engineering service was received from Snyder & Associates. Nystrom said as part of the CWSRF RFQ process, a public announcement was sent to several engineering firms in the vicinity and publication was made in the Voice News; technically, discussion was to be had with at least three engineering firms to consider anticipated concepts and compare alternative methods for furnishing services. Nystrom said the deadline to submit an RFQ was August 1, 2022 and there was only one respondent (Snyder & Associates). Freeman-Caddy said her recommendation would be to document what was done to solicit RFQ's and report to the Nebraska Department of Environment & Energy (NDEE) to determine the next steps; in the meantime, a request can be made of Snyder & Associates to submit a contract that can be considered at the next meeting. Further action will be considered at the next regular board meeting on August 15, 2022.

Motion by Meier, second by Caylor, to approve minutes as typed for the previous meeting. Voting: Ayes – 5. Motion carried.

Discuss/possible action: Approve claims – Surman asked if the new ATS control board installed by Nebraska Generator on the South Meadows lift station fixed the problem the unit was having. Caddy said yes.

Motion by Weyers, second by Todd, to approve claims as presented. Voting: Ayes – 5. Motion carried.

Approved Claims: Wages 19,377.00, Board Wages 700.00, ABC Termite & Pest Control 55.00, All Road Barricades 291.06, Allied Benefit Systems 5,306.34, Amazon Marketplace 302.02, American Exchange Bank 1,125.00, Black Hills Energy 120.27, Capital Business Systems 31.41, Casey's 965.20, Cass Co Sheriff's Dept 3,145.21, Cather & Sons Construction 97,324.18, Dollar General 165.15, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 8,460.38, Ford Hall Co 411.86, Frontier Coop 299.94, Frye, Polly 44.34, Google LLC 120.00, Grainger 916.51, Hestermann, Rick 37.80, Home Depot Credit Svc 320.97, Husker Lock & Key 33.00, Int'l Institute of Municipal Clerks 200.00, John Hancock Investments 390.00, Matheson Tri-Gas 197.99, Menards-South 49.50, Mid-American Research Chemical 1,475.23, Midwest Labs 417.45, Municipal Supply of Omaha 930.92, NE Dept of Rev 3,091.62, NE Generator Svc 2,463.43, NE Medicine 277.18, NE Public Health Env Lab 30.00, NE Works 32.07, Norland Pure 45.50, Nystrom, Paul 53.75, Nystrom, Taira 400.00, One Billing Solutions 775.42, One Call Concepts 24.14, OPPD 5,042.34, Quick Med

Claims 7.50, Quik Dump Refuse 951.20, Radio Maintenance Fund 820.00, Rixstine Recognition 20.00, Sherwin Williams 185.00, Small Engine Specialists 589.43, Snyder & Associates 4,359.54, Stryker Medical 6,276.80, The Electronic Repair Shop 97.50, Tractor Supply 44.99, UNUM 897.05, US Postmaster 282.00, Verizon Wireless 748.54, Windstream 575.80. Total of bills: **\$171,291.42.**

Approved Park Claims: Wages 17,693.43, Aqua Chem 1,215.55, Black Hills Energy 70.84, Dahlstrom, Jenny 75.00, Gordon Electric 1,208.89, Menards-South 328.00, OPPD 450.40, WMS Aquatics 198.20. Total of bills: **\$21,240.31.**

Report from Attorney:

Discussion: Updates to Chapter 6, Article 1 of the Eagle Municipal Code as the same relates to dangerous dogs – Freeman-Caddy said it was discovered during a recent “dangerous dog” declaration that Chapter 6 has some inconsistencies, likely due to changes in State Statute over the years. Municipal Code §6-119 currently states, “All dogs that have been defined as dangerous must be removed from the Municipality”, whereas Municipal Code §6-121 discusses the procedures of confining a dangerous dog within the Municipality under State law. Freeman-Caddy said her recommendation would be to update the dangerous dog provisions to be consistent with State law. Another issue that arose is the Village currently does not have a contract with an animal control or veterinarian facility to confine dangerous dogs. Nystrom said he did speak with the Animal Hospital of Nebraska City who would be willing to confine dangerous dogs on Eagle's behalf if they can be independently transported to the facility. Freeman-Caddy encouraged obtaining a contract or letter of understanding between the two parties prior to utilizing this option. The Cass County Sheriff's office will attempt to charge owners with having a dangerous dog according to State law; however, it will be the responsibility of the village to transport and confine said animal appropriately. Freeman-Caddy said there is no official Animal Control Officer representing Eagle and this task is left up to the maintenance employees or other authorized person per Municipal Code. Nystrom said he did reach out to the City of Lincoln Animal Control to determine if they would be willing to provide assistance to Eagle under an Interlocal Agreement but they informed him they will not provide this service. Weyers said she feels having someone with no formal training catching dogs, let alone dangerous dogs, would set the village up for liability if something bad were to happen. Freeman-Caddy agreed that this could potentially happen and encouraged researching training opportunities. Freeman-Caddy was directed to begin drafting updates to Chapter 6, Article 1 of the Eagle Municipal Code relating to dangerous dogs for presentation at a future board meeting.

Discussion: Nuisance abatement procedures – Nystrom said there were specific questions at the last meeting regarding nuisance abatement on personal property when the nuisance exists in areas behind fencing or gates and the risk of liability to abate the same. Freeman-Caddy said in order to research or review a nuisance allegation you cannot enter a closed door, gated fence or anywhere that states no

trespassing without an inspection warrant; however, if it is an open yard, there is no limitation to go on the property to review a nuisance. Freeman-Caddy said it is possible to view a nuisance behind something like a fence if you can see above the fence or have permission from the neighboring property owner to look from the height of their deck, etc. If a public nuisance is filed with the Municipal Clerk, the Clerk shall thereupon cause notice to be served upon the owner, and occupant where applicable, describing the condition that has been declared a public nuisance, and that the condition must be abated and removed within no less than five days after receipt of such notice. Such notice shall state that within five days after receipt of such notice the property owner may also request a hearing with the Municipality to appeal the decision to abate or remove a nuisance by filing a written appeal with the office of the Municipal Clerk. Freeman-Caddy said if the nuisance conditions are not abated, and no written appeal was filed, theoretically the Village can move forward with abating the nuisance(s). Upon completion of the work by the Municipality, a statement of the cost of such work shall be transmitted to the property owner. If unpaid for a period of two months after such work is done, the Municipality may levy and assess the costs and expenses of the work upon the lot or piece of ground so benefited or recover in a civil action the costs and expenses of the work. Meier asked if the Village can purchase a drone and take pictures from the sky. Freeman-Caddy said a drone can theoretically be used from the public street or right-of-way but it cannot be flown over personal property.

Discussion: Dead or diseased trees – Freeman-Caddy said per Municipal Code §4-305, it is declared a nuisance for a property owner to permit, allow or maintain any dead, damaged, or diseased trees on private property or within the right-of-way of streets within the Municipality. The abatement procedure is the same as with other types of nuisance conditions. Nystrom said he plans to tour the Municipality in the coming weeks to identify properties with dead or diseased trees and send notices to property owners to abate the same.

Discussion: Establishing sidewalk improvement districts – Freeman-Caddy discussed Municipal Code §8-206 which states, in part, the Building Inspector may require sidewalks within the Municipality to be repaired; a notice will be sent to adjacent property owners allowing them 48 hours to make arrangements to have the sidewalk repaired; and said repairs shall be completed within 21 days after issuance of said notice. In the event the property owner fails to repair said sidewalk, the Municipality shall proceed with necessary repairs and assess the costs to the property owner. Freeman-Caddy discussed the process of repairing or replacing sidewalks as part of a street and sidewalk improvement district; in this instance a remonstrance period exists, and if more than 50% of the frontage property owners object, they can kill the improvement district. In this case, the Village is left with having to piecemeal the sidewalk portion of the project in the same manner as was discussed and found in Municipal Code §8-206. Freeman-Caddy said typically it is more cost effective for property owners to agree to have the work done as part of a street and sidewalk improvement district.



Report from Clerk/Treasurer – Nystrom said the Budget Workshop will be held on August 24, 2022 at 7:00 p.m. An informal meeting will be held with School District 145 on August 15, 2022 at 9:00 a.m. to discuss preliminary planning regarding the proposed residential subdivision on the east side of town. A pre-application meeting regarding the proposed Eagle’s Landing subdivision will be scheduled sometime later this month. Nystrom said the 2004 Ford F-250 was taken to David City today for online auction scheduled to begin August 11, 2022. There are 23 off-road vehicles licensed to date and there have been no food trucks registered. The Village Board was provided with an income and expense report for the swimming pool in comparison to the last three years the pool was open for business. Nystrom said the total monthly income ending July 31, 2022 was \$87,751.36.

The meeting was adjourned at 8:08 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 August 2, 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

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Nick Nystrom  
Village Clerk

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John Surman  
Chairperson