

VILLAGE OF EAGLE

August 7, 2018

The Village Board of Trustees met in regular session at 7:00 p.m. on August 7, 2018 with Moore, Schukei, Meier and LeFrois 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 Chair, at the beginning of the meeting, informed the public about the location of the posted current copy of the Open Meetings Act. Chairperson Moore named the three (3) areas where the agenda was posted as follows: Village Maintenance Shop, Eagle Fire & Rescue Department and Eagle State Bank.

Acknowledge vacancy on the Eagle Village Board of Trustees – Moore asked those in attendance to share in a moment of silence to reflect on the life of Ray Young who passed away on July 31, 2018. Moore formally acknowledged the vacancy on the Eagle Village Board of Trustees and said applications will be accepted to fill the remainder of Young's term expiring on December 4, 2018.

Schukei nominated LeFrois for Chairperson Pro Tempore.

Motion by Moore, second by Meier, to elect Chris LeFrois as Chairperson Pro Tempore. Voting: Ayes – 4. Motion carried.

Open Forum – Joe Gerteisen (445 Parkview Ave.) asked for an update on the Health Board's nuisance determination at 455 Parkview Avenue. Moore said nuisance letters will be sent upon review by the Village Attorney.

Motion by Schukei, second by LeFrois, to approve purchase of Galaxy Book for Rescue Unit 11 from Verizon Wireless in the amount of \$1,259.97 plus \$39.99 per month for unlimited data. Voting: Ayes – 4. Motion carried.

Motion by Schukei, second by Moore, to approve Bock Concrete's proposal to install ADA curb ramps and mats at a cost of \$12,100.00. Voting: Ayes – 4. Motion carried.

Chairperson Moore read Ordinance 2018-08 entitled:

ORDINANCE NO. 2018-08

AN ORDINANCE OF THE VILLAGE OF EAGLE, CASS COUNTY, NEBRASKA, TO AMEND CHAPTER 5, ARTICLE 6, SECTION 5-605, OF THE MUNICIPAL CODE OF THE VILLAGE OF EAGLE, NEBRASKA AS THE SAME RELATES TO PARKING OF TRUCKS AND TRAILERS ON MUNICIPAL STREETS; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR THE SEVERABILITY OF ANY SECTION, CLAUSE, PROVISION OR PORTION FOUND

UNCONSTITUTIONAL OR INVALID; TO PROVIDE THAT THIS ORDINANCE SHALL BE PUBLISHED AND SHALL BE IN FULL FORCE AND TAKE EFFECT FROM AND AFTER ITS PASSAGE AND APPROVAL, AS PROVIDED BY LAW AND AS PROVIDED HEREIN; AND TO PROVIDE THAT THE PROVISIONS OF 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 LeFrois, second by Moore, to introduce Resolution 2018-06. Voting: Ayes – 4. Motion carried.

Chairperson Moore read Resolution 2018-06 entitled:

RESOLUTION 2018-06

WHEREAS, Nebraska Revised Statute §77-27,142.01 provides that the governing body of any incorporated municipality may submit the question of changing any terms and conditions of a sales and use tax previously authorized under §77-27,142; and

WHEREAS, on October 19, 1987, after an election submitted to the voters, the Village of Eagle did authorize a sales and use tax of one percent (1%) pursuant to §77-27,142 by adoption of Ordinance No. 87-18; and

WHEREAS, the Village Board of Trustees is considering capital improvement projects including construction, lease, purchase, renovation, and/or maintenance of municipal buildings, utilities, infrastructure, parks, and recreational facilities.

WHEREAS, the Village Board of Trustees believes that the issue of changing the terms of such authorized sales and use tax should be submitted to the voters at the Statewide General Election for consideration of increasing the sales and use tax from one percent (1%) to one and one-half percent (1.5%) and allocating the additional one-half percent (0.5%) to pay specifically for capital improvement projects including principal and interest on any bonds or loans issued, construction, lease, purchase, renovation, and/or maintenance of municipal buildings, utilities, infrastructure, parks, and recreational facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE 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 the question of whether to modify the terms and conditions of the currently-authorized sales and use tax by increasing the sales and use tax from one percent (1%) to one and one-half percent (1.5%) and allocating the additional

one-half percent (0.5%) to pay specifically for capital improvement projects including principal and interest on any bonds or loans issued, construction, lease, purchase, renovation, and/or maintenance of municipal buildings, utilities, infrastructure, parks, and recreational facilities, shall be submitted to the voters of the Village at the Statewide General Election set for November 6, 2018.

Section 3. That at said election, there shall be submitted to the qualified electors of the Village for their approval or rejection the following proposition, to-wit:

“Shall the governing body of the Village of Eagle, Nebraska impose a sales and use tax upon the same transactions within the municipality on which the State of Nebraska is authorized to impose tax by increasing the current sales and use tax from one percent (1%) to one and one-half percent (1.5%) and allocating the additional one-half percent (0.5%) to pay specifically for capital improvement projects including principal and interest on any bonds or loans issued, construction, lease, purchase, renovation, and/or maintenance of municipal buildings, utilities, infrastructure, parks, and recreational facilities.



FOR said modification of the Terms and Conditions of Sales and Use Tax.



AGAINST said modification of the Terms and Conditions of Sales and Use Tax.

A VOTE FOR: If a majority of votes are cast in favor of the question, then the Chairperson and Board of Trustees of the Village shall be empowered to proceed to impose such increase in tax by the Local Option Revenue Act;

A VOTE AGAINST: If a majority of those voting on the question shall be opposed to such modification of the terms and conditions of the Sales and Use Tax, then the governing body shall not modify the terms and conditions of the Sales and Use Tax currently authorized.”

Section 4. The Village Clerk is hereby instructed to certify a copy of this resolution containing the proposition to the Election Commissioner of Cass County by September 1, 2018 and the Election Commissioner is requested to submit the proposition at the Statewide General Election on November 6, 2018 as provided by law.

Section 5. The governing body shall give notice of the submission of the question of imposing the sales and use tax upon the same transactions within such municipality on which the State of Nebraska is authorized to impose a tax, not more than thirty (30) days nor less than ten (10) days previous to the election, by publication one time in one or more newspapers published in or of general circulation in the municipality in which such question is to be submitted. Such notice shall be in

addition to any other notice required under the general election laws of this state and the Village Clerk of the Village be and hereby is directed to cause such notice to be published.

Section 6. The Election Commissioner shall prepare the ballots and issue early voters' ballots and appoint and supervise the election officials conducting such special election as provided by law. The election returns shall be made to the Election Commissioner. The municipal ballots, including early voters' ballots, shall be counted and canvassed as provided by law. Upon completion of the canvass of the vote by the County canvassing board the Election Commissioner shall certify the election results to the governing body of the Village. The Election Commissioner shall publish and post notice of election as required by law.

Motion by LeFrois, second by Meier, to adopt Resolution 2018-06. Voting: Ayes – 4. Motion carried.

Motion by Moore, second by LeFrois, to approve Lease Agreement proposal with Capital Business Systems for office copy machine in the amount of \$150.77 per month. Voting: Ayes – 4. Motion carried.

Motion by Schukei, second by Meier, to approve Roger Stubbendeck and Nick Nystrom attending League of Nebraska Municipality's Grade IV Water Operator Training Workshop in Lincoln on October 24, 2018 at a total cost of \$90.00. Voting: Ayes – 4. Motion carried.

Motion by Moore, second by LeFrois, to approve Eagle Fire & Rescue's Pool Party on August 11, 2018. Voting: Ayes – 4. Motion carried.

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

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

Approved Claims: Wages 8,960.50, Board Wages 900.00, ABC Termite & Pest Control 55.00, All Pro Plumbing 720.00, Allied Benefit Systems 1,694.67, Amazon Marketplace 242.94, American Exchange Bank 750.00, Aramark 254.35, Bobcat of Omaha 1,348.00, BOK Financial 11,321.25, Bromm Lindahl Freeman-Caddy & Lausterer 786.50, Casey's 730.34, Cass Co. Sheriff's Dept 3,145.21, Cather & Sons Construction 362.50, Christiansen Tree Svc 225.00, Constellation Energy 10.62, Dollar General 65.15, Eagle Automotive 323.80, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 4,758.22, EMS Billing 149.33, Rita Flora 300.00, Gordon Electric 187.50, Rick Hestermann 2,871.74, Home Depot 8.28, HTM Sales 1,378.70, Husker Lock & Key 150.00, Int'l Institute of Municipal Clerks 185.00, John Hancock Investments 318.18, Dustin & Sarah Johnson 300.00, Kenny's Tractor Svc 100.00, Ryan & Susan Klusman 194.42, League of NE Municipalities 1,897.00, Lincoln

Journal Star 124.89, Lincoln Winwater Works 717.70, Lovell Excavating 400.00, Matheson Tri-Gas 265.00, Menards-South 7.43, Midwest Farmer's Coop 161.14, Midwest Service & Sales 622.20, Momar 666.46, Municipal Supply of Omaha 1,338.60, NE Dept of Rev 2,000.94, NE Municipal Power Pool 236.28, NE Public Health Env Lab 288.00, NE Rural Water Assn 280.00, Nelson & Sons Construction 100.00, Neenah Foundry 193.00, Norland Pure 5.50, Office Depot 87.96, Olsson Associates 6,420.00, One Call Concepts 20.43, OPPD 5,167.76, O'Reilly Auto Parts 109.31, People Service 5,225.00, Renaissance Handyman Svc 400.00, Ricoh USA 783.99, Rock Creek Refuse 150.00, Michael & Erin Rolf 150.00, Safeguard Business Systems 642.20, Traveler's-RMD 20,602.00, Elizabeth Umshler 300.00, UNUM 323.34, US Postmaster 390.00, Verizon Wireless 805.60, Windstream 375.56. Total of bills: **\$95,546.49**.

Approved Park Claims: Wages 10,714.29, All Pro Plumbing 260.00, Aqua Chem 432.00, Black Hills Energy 21.38, Eagle Precision Machine 186.88, Menards-South 139.44, OPPD 654.00, Paula Persinger 150.00, Rock Creek Refuse 40.00, Windstream 47.97, WMS Aquatics 200.95. Total of bills: **\$12,846.91**.

Motion by Moore, second by LeFrois, to go into executive session at 8:30 p.m. to discuss Steph Hestermann's preliminary employee evaluation and to protect the reputation of the employee. Voting: Ayes – 4. Motion carried.

Chairperson Moore said the board has come out of executive session at 8:40 p.m. after discussing Steph Hestermann's preliminary employee evaluation. No action taken.

The meeting was adjourned at 8:41 p.m.

Nick Nystrom
Village Clerk

Travis Moore
Chairperson

A true and complete copy of the above minutes is available at the Village Clerk's Office during regular business hours.