

## **VILLAGE OF EAGLE**

**November 1, 2022**

The Village Board of Trustees met in regular session at 7:00 p.m. on November 1, 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 – Todd said she has some concerns with caution tape being the only barrier to the public where the house and garage were demolished at 200 E Street. Hestermann said he can forward this comment on to the contractor. Surman said School District 145 has requested the Village Board consider trimming some of the low-hanging tree branches, particularly on A Street, that are able to scrape buses and other tall vehicles. The Street Board was asked to evaluate the concern and report back to the Village Board. Surman said there are also instances of trees encroaching on the street that are not necessarily up high; one such instance is adjacent to the Meier residence at 5<sup>th</sup> & F Street. Meier said at one time he was told he cannot trim a tree in the right-of-way by the former Building Inspector; however, he would be happy to address this issue if that is what is being asked of him.

Chairperson Surman read Ordinance 2022-06 entitled:

### **ORDINANCE NO. 2022-06**

AN ORDINANCE OF THE VILLAGE OF EAGLE, CASS COUNTY, NEBRASKA, TO AMEND THE OFFICIAL ZONING MAP OF THE VILLAGE OF EAGLE, NEBRASKA, PERTAINING TO THE FOLLOWING-DESCRIBED REAL ESTATE, TO WIT: THREE TRACTS OF LAND, LOCATED IN SECTION 29, TOWNSHIP10, RANGE 9, CASS COUNTY, NEBRASKA MORE FULLY DESCRIBED HEREIN -TRACT A - AMENDING FROM AGRICULTURAL (AG) TO HIGHWAY COMMERCIAL (HC); TRACT B - AMENDING FROM AGRICULTURAL (AG) TO RESIDENTIAL URBAN (RU), TRACT 3 - AMENDING FROM AGRICULTURAL (AG) TO RESIDENTIAL SUBURBAN (RS); TO PROVIDE FOR SCREENING TO BE PLACED ALONG THE PROPERTY LINE ON HC LOTS ABUTTING RESIDENTIAL LOTS BEFORE HC USE IS ALLOWED, PURSUANT TO THE ZONING ORDINANCE OF THE VILLAGE OF EAGLE, NEBRASKA; TO PROVIDE THAT THE CHAIR AND THE APPROPRIATE DEPARTMENT, WHETHER ONE OR MORE OF THE VILLAGE OF EAGLE, NEBRASKA, ARE AUTHORIZED AND

DIRECTED TO IMPLEMENT THIS ORDINANCE; TO PROVIDE FOR THE SEVERABILITY OF ANY SECTION, CLAUSE, OR PROVISION OR PORTION FOUND UNCONSTITUTIONAL OR INVALID; TO PROVIDE FOR THE REPEAL OF 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 NOT BE MADE A PART OF THE ZONING ORDINANCE OF THE VILLAGE OF EAGLE, NEBRASKA.

Motion by Meier, second by Weyers, to accept the second reading of Ordinance 2022-06. Voting: Ayes – 5. Motion carried.

Chairperson Surman read Ordinance 2022-07 entitled:

**ORDINANCE NO. 2022-07**

AN ORDINANCE OF THE VILLAGE OF EAGLE, NEBRASKA TO ANNEX A TRACT OF LAND COMPOSED OF A PORTION OF THE WEST HALF OF THE NORTHEAST QUARTER AND A PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER, ALL IN SECTION 29, TOWNSHIP 10 NORTH, RANGE 9 EAST OF THE 6TH P.M., CASS COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED HEREIN; SAID TRACT OF LAND IS CONTIGUOUS TO THE CORPORATE LIMITS OF THE VILLAGE OF EAGLE AND BY SAID ANNEXATION, TO MAKE SAID DESCRIBED REAL ESTATE A PART OF THE CORPORATE LIMITS OF THE VILLAGE OF EAGLE; THAT AN ACCURATE MAP OR PLAT OF THE ABOVE-DESCRIBED REAL ESTATE BE RECORDED IN THE OFFICES OF THE CASS COUNTY REGISTER OF DEEDS AND CASS COUNTY ASSESSOR; THAT THE INHABITANTS OF, AND THE ABOVE-DESCRIBED REAL ESTATE, SHALL BE SUBJECT TO THE ORDINANCES AND REGULATIONS OF THE VILLAGE OF EAGLE; TO PROVIDE THAT THE CHAIR OF THE BOARD OF TRUSTEES AND THE APPROPRIATE DEPARTMENT, WHETHER ONE OR MORE, OF THE VILLAGE OF EAGLE, NEBRASKA, ARE AUTHORIZED AND DIRECTED TO IMPLEMENT THIS ORDINANCE; 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 BY POSTING WITHIN THE FIRST FIFTEEN DAYS AFTER ITS PASSAGE AND APPROVAL.

Motion by Caylor, second by Weyers, to accept the second reading of Ordinance 2022-07. Voting: Ayes – 5. Motion carried.

Motion by Weyers, second by Caylor, to approve the Supplemental Agreement with Snyder & Associates for the 6<sup>th</sup> Street Water Main Extension in an amount not to exceed \$17,000. Voting: Ayes – 5. Motion carried.

Motion by Weyers, second by Meier, to approve the Culvert Agreement between Dustin Gordon and the Village of Eagle at 315 South 4<sup>th</sup> Street. Voting: Ayes – 5. Motion carried.

Motion by Meier, second by Weyers, 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 13,448.18, Board Wages 1,000.00, ABC Termite & Pest Control 131.00, Allied Benefit Systems 5,306.34, Amazon Marketplace 67.67, American Exchange Bank 750.00, American Playground Co 12,862.50, Ball Insurance 1,607.76, Black Diamond Enterprises 2,400.00, Black Hills Energy 258.06, Bound Tree Medical 69.00, Capital Business Systems 33.47, Casey's 967.21, Cass Co Sheriff's Dept 3,145.21, Dollar General 35.55, Eagle Automotive 17.32, Eagle Facilities & Grounds Assn 1,492.00, Eagle Fire & Rescue 500.00, EFTPS 3,687.28, GBE, CPA, P.C. 6,000.00, Google LLC 120.00, Hestermann, Rick 3,033.45, John Hancock Investments 237.76, Matheson Tri-Gas 197.99, Menards-South 432.94, Midwest Insurance Exchange 4,016.00, Midwest Labs 132.42, Mierau & Co., P.C. 1,300.00, NE Dept of Rev 2,164.69, NE Medicine 277.18, NE Public Health Env Lab 115.00, Norland Pure 6.50, Nystrom, Nick 24.13, Nystrom, Taira 450.00, One Billing Solutions 154.16, One Call Concepts 71.92, OPPD 4,508.84, Quik Dump Refuse 911.11, Snyder & Associates 6,384.00, Staples 192.00, Syracuse Iron Works 358.10, The Electronic Repair Shop 632.40, The Garage Company 100.00, UNUM 664.79, US Postmaster 220.00, Verizon Wireless 1,216.75, Voice News 394.97, Windstream 576.08. Total of bills: **\$82,671.73**.

Approved Park Claims: Black Hills Energy 38.45, OPPD 97.04. Total of bills: **\$135.49**.

The meeting was adjourned at 7:59 p.m.

Nick Nystrom  
Village Clerk

John Surman  
Chairperson