

VILLAGE OF EAGLE

May 20, 2024

The Village Board of Trustees met in regular session at 7:00 p.m. on May 20, 2024 with Todd, Hochstein, Meier, Caylor and Dobbins 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 Todd 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.

Chairperson Todd opened the public hearing at 7:01 p.m. for the purpose of hearing testimony concerning an Application for Final Plat and Subdivision Application submitted by MDC Eagle One, LLC, pertaining to 60.560 acres located in part of Tax Lot 22 and part of Tax Lot 35, all in the East Half of Section 19, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska. The Eagle Planning Commission recommended the approval of the Final Plat and Subdivision Application at its May 2, 2024 meeting. Joe Flaxbeard and Marty Pelster were present on behalf of the development team. Flaxbeard presented a brief overview of the proposed subdivision. Todd asked if there were any comments or questions from the public. Raymond Althouse expressed concern with the proposed 20' easement on his property to accommodate the water main extension along Eagle Road; his preference is to have the easement run south of his fence line. Flaxbeard said the fence line sits just a few feet north of a fiber optic line so there is not enough space between it and Eagle Road to fit the water main. Althouse asked if a 20' easement is necessary. Flaxbeard said 20' is typically the default minimum so there is adequate room for equipment to excavate and service the utility. Mike Wenzel expressed concern with the proposed easement on his property due to the potential affect it would have on his own future development. Flaxbeard said fair and reasonable compensation will be issued to the property owners affected by the easement. Wenzel asked how a looped water system will be achieved in the subdivision for fire protection. Flaxbeard said fire hydrants will exist within the development and a booster station will be constructed to increase water pressure; the Eagle Road water main extension servicing the subdivision will also loop back to the existing water main along Olivia Drive. Discussion was held on future development reimbursement costs payable to SID No. 12 (Eagles Landing) found in the proposed Subdivision Agreement. Freeman-Caddy provided a brief overview of the remaining articles found in the Subdivision Agreement. The public hearing was closed at 8:06 p.m.

Motion by Hochstein, second by Caylor, to approve the Final Plat and Subdivision Application submitted by MDC Eagle One, LLC, pertaining to 60.560 acres located in part of Tax Lot 22 and part of Tax Lot 35, all in the East Half of Section 19, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska, contingent upon final modifications to the Subdivision Agreement by the Village Attorney and final plans for water and drainage being approved by the Village Engineer. Voting: Ayes – 5. Motion carried.

Motion by Caylor, second by Hochstein, to introduce Ordinance 2024-05. Voting: Ayes – 5. Motion carried.

Chairperson Todd read Ordinance 2024-05 entitled:

ORDINANCE NO. 2024-05

AN ORDINANCE OF THE VILLAGE OF EAGLE, CASS COUNTY, NEBRASKA, TO AMEND THE OFFICIAL ZONING MAP OF THE VILLAGE OF EAGLE, NEBRASKA, PERTAINING TO A TRACT OF LAND LOCATED IN PART OF TAX LOT 22 AND PART OF TAX LOT 35, ALL IN THE EAST HALF OF SECTION 19, TOWNSHIP 10 NORTH, RANGE 9 EAST OF THE 6TH P.M., CASS COUNTY, NEBRASKA, MORE FULLY DESCRIBED ON EXHIBIT A AND IDENTIFIED AS EAGLES LANDING SUBDIVISION, FROM AGRICULTURAL (AG) TO RESIDENTIAL ESTATES (RE); 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 Dobbins, second by Caylor, to accept the first reading of Ordinance 2024-05. Voting: Ayes – 5. Motion carried.

Motion by Hochstein, second by Dobbins, to suspend the rules of three consecutive readings of Ordinance 2024-05. Voting: Ayes – Caylor, Dobbins, Hochstein, Todd. Nays – Meier. Motion carried.

Motion by Hochstein, second by Dobbins, to adopt Ordinance 2024-05. Voting: Ayes – Caylor, Dobbins, Hochstein, Todd. Nays – Meier. Motion carried.

Motion by Caylor, second by Todd, to introduce Resolution 2024-07. Voting: Ayes – 5. Motion carried.

Chairperson Todd read Resolution 2024-07 entitled:

RESOLUTION NO. 2024-07

A RESOLUTION ESTABLISHING A POLICY FOR EAGLE FIRE & RESCUE VOLUNTEERS TO UTILIZE MUNICIPAL PROPERTY TO CLEAN PERSONAL VEHICLES UTILIZED DURING THE COURSE OF EMERGENCY DUTIES

WHEREAS, the Eagle Fire & Rescue Department averages 170 emergency calls per year with an average of 9 volunteers responding per call; and,

WHEREAS, it is often necessary for volunteers to utilize their personal vehicles when responding to emergency calls; and,

WHEREAS, the Village of Eagle Board of Trustees desires to adopt a policy with respect to volunteers utilizing municipal property to clean personal vehicles during the course of emergency duties.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of Trustees of the Village of Eagle, Nebraska, that Eagle Fire & Rescue Department volunteers may utilize the municipally owned pressure washer when the following cases and criteria are met:

- 1) When a volunteer responds directly to a scene in their personal vehicle and during the course of duty their personal vehicle becomes dirty.
- 2) When a volunteer responds to the station to deploy department apparatus and during the course of duty their personal vehicle becomes dirty.
- 3) The volunteer must be a current and active member of Eagle Fire & Rescue.
- 4) The volunteer must be in good standing with the department.
- 5) The volunteer must have used a personal vehicle during the course of duty.

Motion by Todd, second by Caylor, to adopt Resolution 2024-07. Voting: Ayes – Meier, Dobbins, Caylor, Todd. Nays – Hochstein. Motion carried.

Open Forum – Travis Moore discussed the community garden that was approved at the last board meeting and said it was implied that water would be supplied by property owners in the neighborhood. Todd said it was implied that neighboring property owners were going to be asked about supplying water. Moore said as of today nobody has been asked about supplying water; further, some of those living in the neighborhood attended the last Parks & Rec meeting and expressed opposition to the project but were essentially told they don't own the space and Parks & Rec will decide what will happen there. Todd said the details have not been finalized and water can be driven up there if necessary. Moore said there were no efforts to speak with those living in the neighborhood to get their opinions on the project. Todd said she was at the Parks & Rec meeting and her comment to those that attended from the neighborhood was that they don't own the park space, everybody in the Village of Eagle owns the park space. Moore said a couple of years ago the residents in the neighborhood were asked for their opinion on the park space and they preferred leaving it a green space with access to the MoPac Trail. Todd said this is still a project Parks & Rec is interested in. Moore said he finds it interesting that Parks & Rec approved a project nobody in the community expressed interest in. Todd said this is a very small project and if it doesn't work out alternate

options can be considered. Willa DiCostanzo thanked Eagle Fire & Rescue for all of the hours they volunteer for the community.

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

The meeting was adjourned at 9:10 p.m.

Nick Nystrom
Village Clerk

Terri Todd
Chairperson