

VILLAGE OF EAGLE

May 3, 2022

The Village Board of Trustees met in regular session at 7:00 p.m. on May 3, 2022 with Surman, Meier, Moore and Weyers present. Caylor 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.

Chairperson Surman opened the public hearing at 7:00 p.m. for the purpose of hearing testimony concerning a zoning change and amendment of the Eagle Zoning Map from AG (Agricultural) to RS (Residential Suburban) for ± 33.798 acres located in Tax Lot 36, located in part of Tax Lot 22, in the East Half of Section 19, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska. Joe Flaxbeard (Lamp Rynearson) introduced himself and said he is attending tonight's meeting on behalf of the developer and is willing to answer any questions. Maureen Freeman-Caddy said if the Village Board decides to accept the zoning change tonight her recommendation is to make the change contingent upon approval of the Final Plat at a later date. Surman asked if there were any comments or questions from the public. There were no comments or questions from the public.

The public hearing was closed at 7:03 p.m.

Chairperson Surman opened the public hearing at 7:04 p.m. for the purpose of hearing testimony concerning a Preliminary Plat / Subdivision Agreement for property consisting of ± 33.798 acres located in Tax Lot 36, located in part of Tax Lot 22, in the East Half of Section 19, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska. Joe Flaxbeard (Lamp Rynearson) provided a brief introduction of the proposed project which includes 92 residential suburban (RS) zoned parcels just west of Eagle's corporate limits. Flaxbeard said part of the conversation with the Planning Commission at the April 27, 2022 meeting was in regards to cost-sharing infrastructure upgrades; the Planning Commission members felt a reasonable cost share for looping the water system and upgrading the existing lift station should be 80% developer cost and 20% Village cost. Flaxbeard said the developer informed him the additional cost would be too much to take on at this time; however, a \$200,000 maximum contribution would likely be acceptable if they are able to obtain additional property to the west for project expansion. Flaxbeard said the developer is excited about this property, and if the cost-share is not agreeable, he may consider an acreage development whereby Cass County Rural Water would furnish water service and septic sewer would be utilized. Surman asked if there were any comments or questions from the public. Ray Althouse (1120 N. 202nd St.) said his

only concern with the project is the potential for water runoff; he owns 87 acres to the north which is where the water will drain.

The public hearing was closed at 7:09 p.m.

Motion by Moore, second by Surman, to approve the zoning change and amendment of the Eagle Zoning Map from AG (Agricultural) to RS (Residential Suburban) for ± 33.798 acres located in Tax Lot 36, located in part of Tax Lot 22, in the East Half of Section 19, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska, contingent upon the approval of a Final Plat. Voting: Ayes – Meier, Moore, Surman. Nays – Weyers. Motion carried.

Motion by Moore, second by Meier, to approve Eagle's Landing Subdivision's waiver request for the maximum block length of 1,200 feet for the south block along the MoPac Trail as all three criteria have been met to grant said request. Voting: Ayes – 4. Motion carried.

Motion by Moore, second by Surman, to approve Eagle's Landing Subdivision's waiver request of requiring two entrances into the development as all three criteria have been met to grant said request. Voting: Ayes – Meier, Moore, Surman. Nays – Weyers. Motion carried.

Motion by Weyers, second by Meier, to table the approval of a Preliminary Plat / Subdivision Agreement for property consisting of ± 33.798 acres located in Tax Lot 36, located in part of Tax Lot 22, in the East Half of Section 19, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska, until which time the developer re-approaches the Village Board. Voting: Ayes – 4. Motion carried.

Open Forum – Mary Schukei (820 Applewood Dr.) announced her support of Eagle reorganizing as a city of the second class and stated she would have liked to speak to a member of the Village Board who is absent tonight about some of the political signs being put up around town. Marcus Hochstein (625 S. 4th St.) asked what the concerns are with some of the political signs. Schukei said the board member supporting the anti-city campaign cannot back up her facts. Moore said this is a topic that can be addressed with the Village Clerk or Attorney, specifically the signs that state your taxes will go up if you become a city; there is nothing in State Statute that says your taxes will go up by becoming a city; the tax rate is set by the governing body during a public hearing where everyone has the opportunity to participate. James Dobbins (745 G St.) read a prepared statement supporting the reorganization of Eagle as a city of the second class; including, thanking the Village Board for voting unanimously in favor of letting the citizens decide on the issue; the increased efficiency of a city government in daily operations; the roles and responsibilities of a mayor and city council; the attractiveness of a city designation in economic development; the fact that taxes do not go up just by becoming a city, despite the misinformation being passed around by citizens, and even certain board members; future development will continue regardless of whether the community remains a

village; and as a city, you have the ability to partner with the school district for new buildings and facilities, whereas a village you do not. Dobbins said he has put in over 40 hours of research into this issue and he cares how the community grows, about the safety and wellbeing of its citizens, about where the tax dollars go, and in order to do this, he has to care about the false information being presented as well; he plans to live out his years in this community and with that comes responsibility to ensure its stability; he encourages the rest of the citizens to do the same.

Motion by Moore, second by Weyers, to approve the donation of two 2022 Family Pool Passes to Eagle PTE for Eagle Fun Night on May 13, 2022. Voting: Ayes – 4. Motion carried.

Motion by Weyers, second by Meier, to direct the Village Clerk and Attorney to amend the building permit fees ordinance by increasing the base fee by \$500.00. Voting: Ayes – 4. Motion carried.

Motion by Moore, second by Meier, to set May 28, 2022 as the opening date for the swimming pool contingent upon completion of necessary repairs. Voting: Ayes – 4. Motion carried.

Motion by Moore, second by Meier, to approve minutes as typed for the previous meeting. Voting: Ayes – Meier, Moore, Surman. Weyers abstained. Motion carried.

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

Approved Claims: Wages 17,370.06, Board Wages 900.00, ABC Termite & Pest Control 301.00, Allied Benefit Systems 5,306.34, Amazon Marketplace 191.08, American Exchange Bank 1,125.00, Black Hills Energy 584.64, Bromm Lindahl Freeman-Caddy & Lausterer 1,534.50, Casey's 631.03, Cass Co. Sheriff's Dept 3,145.21, Constellation Energy 443.86, Dollar General 14.20, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 4,345.48, First Wireless 110.00, Frye, Polly 47.23, General Fire & Safety 1,056.95, Google LLC 120.00, Hestermann, Rick 843.33, Hotsy Equipment Co. 135.00, John Deere Financial 115.44, John Hancock Investments 388.95, Knee Deep 1,400.00, Matheson Tri-Gas 191.99, Menards-South 435.87, Mid-American Research Chemical 1,568.50, Midwest Labs 627.13, NE Dept of Rev 2,277.88, NE Medicine 277.18, NE Municipal Power Pool 1,180.87, NE Public Health Env Lab 60.00, Norland Pure 26.00, Nystrom, Taira 400.00, One Call Concepts 33.02, OPPD 4,337.98, Quick Med Claims 119.86, Quik Dump Refuse 923.30, Riverstone Bank 46,547.29, Snyder & Associates 24,874.50, Todd Rose Decorative Concrete 420.00, UNUM 870.10, US Postmaster 522.00, Verizon Wireless 586.44, Voice News 183.89, Warren, Jay & Jessica 300.00, Windstream 569.80. Total of bills: **\$128,934.90**.

Approved Park Claims: Aqua Chem 8,894.66, Black Hills Energy 38.41, Cornhusker
Winnelson 394.02, Gordon Electric 1,034.91, OPPD 104.40. Total of bills:
\$10,466.40.

The meeting was adjourned at 10:03 p.m.

Nick Nystrom
Village Clerk

John Surman
Chairperson