

VILLAGE OF EAGLE

May 7, 2019

The Village Board of Trustees met in regular session at 7:00 p.m. on May 7, 2019 with Moore, Meier, Schukei, Surman and Lahmon 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 Moore named the three (3) areas where the agenda was posted as follows: Eagle Municipal Building, Eagle Fire & Rescue Department and Eagle State Bank.

Open Forum – Terry Caddy (21319 Holdrege St.) discussed various items with the board; progress with the Community Center project, the possibility of a sales tax increase measure, the nuisance vehicle (bus) at 4th & D Street, zoning revision meetings, the old elevator building along 5th Street, tree removal between the office and Highway 34 and the timeframe of a surplus auction. Marcus Hochstein (625 S. 4th St.) discussed a sidewalk panel on 4th Street that needs raised to better accommodate pedestrian traffic.

Motion by Moore, second by Surman, to approve the Letter Agreement for Professional Services with Olsson, including the alternate compensation, for 'F' Street Improvements between 3rd & 4th Street. Voting: Ayes – 5. Motion carried.

Motion by Lahmon, second by Meier, to approve Jenn Caylor as a member of the Eagle Fire & Rescue Department. Voting: Ayes – 5. Motion carried.

Motion by Surman, second by Lahmon, to introduce Ordinance 2019-04. Voting: Ayes – 5. Motion carried.

Chairperson Moore read Ordinance 2019-04 entitled:

ORDINANCE NO. 2019-04

AN ORDINANCE OF THE VILLAGE OF EAGLE, CASS COUNTY, NEBRASKA, TO AMEND ARTICLE 3, CHAPTER 4, SECTION 4-302 OF THE MUNICIPAL CODE OF THE VILLAGE OF EAGLE, NEBRASKA, PERTAINING TO NUISANCE DEFINITIONS; TO PROVIDE THAT THE CHAIR AND THE APPROPRIATE DEPARTMENT, WHETHER ONE OR MORE, OF THE VILLAGE OF EAGLE, NEBRASKA, ARE HEREBY 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 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 BECOME AND BE MADE A PART OF THE MUNICIPAL CODE OF THE VILAGE OF EAGLE, NEBRASKA, AND THE SECTIONS OF THIS ORDINANCE MAY BE RENUMBERED TO ACCOMPLISH SUCH INTENTION.

Motion by Moore, second by Lahmon, to accept the first reading of Ordinance 2019-04. Voting: Ayes – Meier, Schukei, Lahmon, Moore. Nays – Surman. Motion carried.

Motion by Moore, second by Lahmon, to suspend the rules of three consecutive readings of Ordinance 2019-04. Voting: Ayes – Meier, Schukei, Lahmon, Moore. Nays – Surman. Motion carried.

Motion by Moore, second by Lahmon, to adopt Ordinance 2019-04. Voting: Ayes – Meier, Schukei, Lahmon, Moore. Nays – Surman. Motion carried.

Motion by Lahmon, second by Schukei, to approve a Special Designated License Application for McIntosh Ventures located at 540 S. 4th Street on June 22, 2019 from 12:00 p.m. to 2:00 a.m. the following day. Voting: Ayes – 5. Motion carried.

Motion by Lahmon, second by Meier, to introduce Ordinance 2019-05. Voting: Ayes – 5. Motion carried.

Chairperson Moore read Ordinance 2019-05 entitled:

ORDINANCE NO. 2019-05

AN ORDINANCE OF THE VILLAGE OF EAGLE, NEBRASKA, TO AMEND CHAPTER 3, ARTICLE 1, SECTION 3-108 OF THE MUNICIPAL CODE OF THE VILLAGE OF EAGLE, NEBRASKA, PERTAINING TO WATER USE RATES BY AMENDING SAID RATES TO ACCOUNT FOR PROHIBITED OR WASTEFUL USE; TO PROVIDE THAT THE CHAIR AND THE APPROPRIATE DEPARTMENT, WHETHER ONE OR MORE, OF THE VILLAGE OF EAGLE, NEBRASKA, ARE HEREBY 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 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 BECOME AND BE MADE A PART OF THE MUNICIPAL CODE OF THE VILAGE OF EAGLE, NEBRASKA, AND THE SECTIONS OF THIS ORDINANCE MAY BE RENUMBERED TO ACCOMPLISH SUCH INTENTION.

Motion by Lahmon, second by Moore, to accept the first reading of Ordinance 2019-05. Voting: Ayes – 5. Motion carried.

Motion by Lahmon, second by Moore, to suspend the rules of three consecutive readings of Ordinance 2019-05. Voting: Ayes – 5. Motion carried.

Motion by Lahmon, second by Moore, to adopt Ordinance 2019-05. Voting: Ayes – 5. Motion carried.

Motion by Surman, second by Lahmon, to approve the Franchise Agreement between the Village of Eagle and Zito Midwest, LLC. Voting: Ayes – 5. Motion carried.

Motion by Lahmon, second by Surman, to approve MI Diggers' bid for relocation of stop box at 1314 Gage Street in the amount of \$550.00. Voting: Ayes – 5. Motion carried.

Motion by Lahmon, second by Surman, to approve the installation of a stop box at 600 S. 2nd Street in coordination with Nebraska Rural Water. Voting: Ayes – 5. Motion carried.

Motion by Lahmon, second by Meier, to set May 25, 2019 as the date to open the swimming pool for the 2019 season. Voting: Ayes – 5. Motion carried.

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

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

Approved Claims: Wages 8,777.19, Board Wages 1,000.00, ABC Termite & Pest Control 289.00, All Road Barricades 284.57, Allied Benefit Systems 1,813.35, Amazon Marketplace 275.60, American Exchange Bank 750.00, Aramark 259.80, Black Hills Energy 301.27, Bromm Lindahl Freeman-Caddy & Lausterer 1,297.00, Buel Trucking 379.27, Capital Business Systems 13.10, Casey's 549.15, Cass Co. Sheriff's Dept 3,145.21, Commonwealth Electric 536.72, Constellation Energy 241.28, Core & Main 14,534.89, Custom Cooling & Heating 57.84, Display Sales

130.00, Dollar General 13.75, Don Johnson Homes 250.00, Eagle Automotive 204.18, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 2,701.42, EMS Billing 264.62, Google LLC 95.46, Richard Hestermann 54.46, Home Depot 20.95, HTM Sales 12,718.56, Interstate Battery 53.50, Intuit Quickbooks 18.00, John Hancock Investments 321.27, Abigail Koso 300.00, Jerrod Kurtenbach 250.00, Lincoln Winnelson Supply 86.10, Dan Manley 100.00, Matheson Tri-Gas 106.30, McKesson Medical 335.38, Menards-South 111.17, Mid-American Research Chemical 433.50, Municipal Supply of Omaha 33.30, NE Child Support Pymt Center 328.68, NE Dept of Rev 1,730.21, NE Medicine 250.00, NE Municipal Power Pool 869.36, NE Public Health Env Lab 30.00, Norland Pure 5.50, Olsson 537.29, Oncenter Construction 250.00, One Call Concepts 26.47, OPPD 5,050.40, O'Reilly Auto Parts 87.13, People Service 5,377.00, Physio Control 286.10, Powertech 2,206.47, Rock Creek Refuse 100.00, Rose Equipment 3,213.36, Schmader Electric 592.00, School District 145 400.00, Roger Stubbendeck 74.86, Syracuse Iron Works 324.83, The Electronic Repair Shop 1,685.40, UNUM 323.34, US Postmaster 311.85, Verizon Wireless 522.44, Vermeer High Plains 8.41, Voice News 158.22, Windstream 382.29. Total of bills: **\$79,730.77**.

Approved Park Claims: Black Hills Energy 24.17, Bock Concrete 3,300.00, Display Sales 406.00, Dollar General 23.75, Grainger 237.50, Lincoln Winnelson Supply 182.79, OPPD 93.19. Total of bills: **\$4,267.40**.

Approved Keno Claims: Platinum Pools 2,312.00. Total of bills: **\$2,312.00**.

Motion by Surman, second by Meier, to introduce Resolution 2019-05. Voting: Ayes – 5. Motion carried

Chairperson Moore read Resolution 2019-05 entitled:

RESOLUTION NO. 2019-05

WHEREAS, the Village Board of Trustees of the Village of Eagle, Nebraska currently holds a municipal lien on real property described as Lots 1, 2 & 3 of Replat of Lot 1 Rockenbach Addition to the Village of Eagle, Cass County, Nebraska; and

WHEREAS, the Village is also the certificate holder on a certain tax sale certificate #160080 Cass County, Nebraska for real estate taxes for Lot 3 of Replat of Lot 1 Rockenbach Addition to the Village of Eagle, Cass County, Nebraska; and

WHEREAS, the Board of Trustees deems it in the public interest to apply for a tax deed to said property,

IT IS THEREFORE RESOLVED by the Chairman and the Board of Trustees of the Village of Eagle, Nebraska that the Village pursue a treasurer's tax deed pursuant to Nebraska Law, on the real property described as Lot 3 of Replat of Lot 1 Rockenbach Addition to the Village of Eagle, Cass County, Nebraska and that the

Clerk of the Village is authorized to sign and do all things required to pursue said tax deed including, payment for attorney fees, publication costs, certified mail postage, title search fees, and all things necessary to secure said tax deed from the Cass County Treasurer,

IT IS FURTHER RESOLVED that a copy of this Resolution will be placed on file in the office of the Village Clerk and made available for public inspection during normal business hours.

Motion by Surman, second by Lahmon, to adopt Resolution 2019-05. Voting: Ayes – 5. Motion carried.

The meeting was adjourned at 9:22 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.