

## VILLAGE OF EAGLE

June 15, 2020

The Village Board of Trustees met in regular session at 7:00 p.m. on June 15, 2020 with Moore, Meier, Schukei, Surman and Lahmon present. Pursuant to the Governor's Executive Order No. 20-24, the regular session was held by video/telephone conference. Members of the public and media were able to attend the meeting electronically or telephonically via Google Hangouts Meet. The agenda and associated material packet for the meeting was available on the Village of Eagle website at [www.eaglene.gov](http://www.eaglene.gov). 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 Municipal Park.

Open Forum – Surman said when you start to take on a personal position on matters with the Village of Eagle, whether it is with a resident, employee or a vendor, you have already lost the objective perspective that is needed to do business that the Village Board is entrusted with. Surman cautioned members of the Village Board that are actively involved with multiple organizations to check the facts and ensure statements were indeed made in a board meeting before stating that said comments were made. Surman said Rick Hestermann has always done an excellent job at finding solutions to difficult situations and he commends him for his most recent offer to grant a temporary occupancy permit to a property owner for their accessory building; he also commends Lahmon for trying to set the record straight about previous discussions on the same accessory building. Surman said on June 3, 2019 Hestermann sent an e-mail to Travis Reiners, who was managing affairs for the property at 460 Eagle Drive, which specifically indicated he was writing on behalf of the Eagle Board of Trustees; the letter further indicated that the accessory building structure is located in the RS zoning district which only allows for one single-family dwelling per parcel lot; the detached garage is an accessory structure and can be used for that specific use and is not intended to be used as a habitable dwelling, apartment, living space, etc. The letter concluded that when the property is marketed for sale it should be stated that the accessory structure cannot be used as a habitable dwelling space as it cannot be utilized in that manner in the zoning district.

Motion by Surman, second by Meier, to introduce Resolution 2020-04. Voting: Ayes – 5. Motion carried.

Chairperson Moore read Resolution 2020-04 entitled:

## RESOLUTION NO. 2020-04

WHEREAS, the Village of Eagle, Cass County, Nebraska, is the owner of the following described items of personal property, to wit:

Wood-framed, arch-style quonset building (approximately 40' x - 60') to be moved, currently located at 540 C Street on Lots 7-9, Block 5, Village of Eagle Cass County, Nebraska

WHEREAS, the Village of Eagle does not have a present need to retain ownership of said item of personal property and pursuant to Neb. Rev. Stat. §17-503.02, shall offer and direct the sale of the personal property to be removed from the site described above within 90 days of sale, by the terms set forth herein,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF EAGLE NEBRASKA, AS FOLLOWS:

1. That the findings set forth above shall be incorporated herein.
2. The method and terms of sale shall be:

Wood-framed, arch-style Quonset building - approx. 40' x 60', which shall be removed by the successful bidder no later than October 16, 2020, shall be sold at public auction conducted by the Village Clerk, set for the 18 day of July, 2020 at 9 o'clock a.m. located at 540 C Street, Eagle Nebraska. The Village reserves the right to reject all bids. All bidders should make themselves aware of all local, state and federal laws regarding the moving of the structure prior to sale. Inspections arranged with the Village Clerk. Terms as follows:

  - A. 100 percent of bid paid in cash or certified funds payable to the Village of Eagle at the clerk's office by the close of business the following business day.
  - B. An additional payment of \$250.00 (nonrefundable) shall be made in cash or certified funds on the date of sale to pay for the demolition permit and moving permit as required by Eagle Municipal Code.
  - C. A moving permit set forth in Municipal Code §9-707 shall be required with a deposit of \$20,000.00 in certified funds, cash or good and sufficient corporate surety bond, and shall be deposited with the Village Clerk, along with the permits, no later than 7 days after the sale. Failure to make such payment shall void the transaction and the Village will retain all amounts paid up to said date.
  - D. The structure must be removed no later than October 16, 2020. Purchase of the building does not give the purchaser the right to use the building on-site for any purpose, nor does it give the purchaser any possessory right in the underlying real property. Removal of foundation is not required. Structure may not be moved to another location within

the corporate limits of Eagle.

E. In the event payments are not made timely or the structure is not removed satisfactorily on or before said date, the amount paid for purchase, permit fees and the deposit shall be forfeited and the structure shall remain the property of the Village of Eagle to be disposed of as the Board determines. The Board may offer the structure to the next highest bidders in the event of a default by the purchaser, in order of bid, highest to lowest.

F. Upon satisfactory completion of the move, the Village shall issue a Bill of Sale to the Purchaser.

BE IT FURTHER RESOLVED that the Clerk of the Village of Eagle Nebraska, shall publish notice of the proposed sale of the above described items of personal property, and the terms thereof, by the posting of a notice of said sale in three prominent places within the Village of Eagle, Nebraska, for a period of not less than seven (7) days prior to the sale of said items of personal property, after the passage of this Resolution. Notice of the proposed sale shall also be posted on the Village of Eagle website and published one time in the legal newspaper of the Village at least seven days prior to sale.

Motion by Lahmon, second by Meier, to adopt Resolution 2020-04 as amended. Voting: Ayes – 5. Motion carried.

Motion by Lahmon, second by Surman, to approve closure of 14<sup>th</sup> Street between Olivia Drive and Gage Street on July 4, 2020 from 12:00 p.m. to midnight. Voting: Ayes – Schukei, Meier, Surman, Lahmon. Moore abstained. Motion carried.

Motion by Surman, second by Lahmon, to approve the purchase of a Scada 3000 Motherboard from HTM Sales in the amount of \$3,298.68. Voting: Ayes – 5. Motion carried.

Motion by Lahmon, second by Schukei, to approve Nick Nystrom attending the 2020 Municipal Accounting & Finance Conference webinar series in the amount of \$325.00. 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 Moore, second by Lahmon, to go into executive session at 8:16 p.m. to discuss hiring for a full-time Maintenance employee and to protect the reputation of applicants. Voting: Ayes – 5. Motion carried.

Chairperson Moore said the board has come out of executive session at 8:45 p.m. after discussing hiring for a full-time Maintenance employee. The Village Clerk will be directed to contact applicants selected for formal interviews. No further action taken.

The meeting was adjourned at 8:47 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.