

VILLAGE OF EAGLE
BOARD OF TRUSTEES AGENDA
AUGUST 6, 2024
EAGLE FIRE & RESCUE DEPARTMENT – 705 S 1st Street
7:00 P.M.

--A COPY OF THE OPEN MEETINGS ACT IS AVAILABLE FOR PUBLIC INSPECTION—

--THE BOARD OF TRUSTEES RESERVES THE RIGHT TO GO INTO EXECUTIVE SESSION PER NRS 84-1410—

--PLEDGE OF ALLEGIANCE

1. Report from Law Enforcement.
2. Report from Building & Zoning Administrator.
3. Open Forum.
4. Discuss/possible action: Consider appointment(s) to the Eagle Planning Commission.
5. Discuss/possible action: Approve Special Event Permit and partial closure of E Street between 4th and 5th Streets on August 25, 2024 from 10:00 a.m. to 8:00 p.m.
6. Discuss/possible action: Second reading of Ordinance 2024-06 – Acquisition of a permanent utility easement.
7. Discuss/possible action: Resolution 2024-08 – Signing of the 2024 Municipal Annual Certification of Program Compliance to the Nebraska Board of Public Roads Classifications and Standards.
8. Discuss/possible action: Approve “Application to serve as a Licensed Operator for more than one Nebraska Public Water System” between the Village of Eagle and Village of Greenwood.
9. Discuss/possible action: Approve Bryce Belt attending the Introduction to Wastewater course at Southeast Community College in the amount of \$509.00.
10. Discuss/possible action: Approve or deny minutes as typed for the previous meeting.
11. Discuss/possible action: Approve claims.
12. Report from Attorney.
13. Report from Clerk/Treasurer.

The Agenda is readily available for inspection at the Village Clerk’s Office located at 747 S. 2nd Street, Eagle, Nebraska during regular business hours.

ORDINANCE NO. 2024-06

AN ORDINANCE OF THE VILLAGE OF EAGLE, CASS COUNTY, NEBRASKA, TO ACQUIRE AN INTEREST IN REAL ESTATE BY PURCHASE OR EMINENT DOMAIN FOR THE PURPOSE OF SURVEYING, CONSTRUCTING, RECONSTRUCTING, RELOCATING, ALTERING, INSPECTING, REPAIRING, REPLACING, ADDING TO, MAINTAINING AND A PERMANENT UTILITY EASEMENT AT ANY TIME, OVER, ACROSS, AND UNDER THE FOLLOWING-DESCRIBED REAL ESTATE, TO WIT: A PART OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 9 EAST OF THE 6TH P.M., CASS COUNTY, NEBRASKA, MORE SPECIFICALLY DESCRIBED HEREIN, AND A 30-FOOT WIDE INGRESS AND EGRESS WEST OF THE DESCRIBED AREA, WITH APPURTENANCES AND ACCESSORIES THERETO OF THE VILLAGE OF EAGLE, NEBRASKA, ITS SUCCESSORS, ASSIGNS, AND FRANCHISEES, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS; THAT THE INTEREST TO BE ACQUIRED IN THE ABOVE-DESCRIBED REAL ESTATE IS A PERMANENT EASEMENT; 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, PROVISION OR PORTION FOUND UNCONSTITUTIONAL OR INVALID; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM AND THE EFFECTIVE DATE THEREOF; AND TO PROVIDE THAT THIS ORDINANCE SHALL NOT BE MADE A PART OF THE MUNICIPAL CODE OF THE VILLAGE OF EAGLE, NEBRASKA.

WHEREAS, it is in the best interests of the citizens of the Village of Eagle, Cass County, Nebraska, for public purposes, to acquire a permanent easement in the following-described real estate that shall be utilized for public utilities with appurtenances and accessories thereto, of the Village of Eagle, Nebraska, its successors, assigns, and franchisees, to wit:

UTILITY EASEMENT AREA: A PART OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 9 EAST OF THE 6TH P.M., CASS COUNTY, NEBRASKA, AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 29; THENCE NORTH 87°10'13" EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, 907.60 FEET; THENCE SOUTH 2°49'47" EAST, 65.00 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF HIGHWAY 34 AND THE POINT OF BEGINNING; THENCE NORTH 87°10'13" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 52.00 FEET; THENCE SOUTH 2°49'47" EAST, 21.00 FEET; THENCE SOUTH 87°10'13" WEST, 52.00 FEET; THENCE NORTH 2°49'47" WEST, 21.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,092 SQUARE FEET MORE OR LESS,

AND, A PERMANENT ACCESS EASEMENT FOR PURPOSES OF INGRESS AND EGRESS TO THE UTILITY EASEMENT AREA, TO WIT: THE NORTH 30 FEET OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 9 EAST OF THE 6TH P.M., CASS COUNTY, NEBRASKA WEST OF THE ABOVE-DESCRIBED UTILITY EASEMENT AREA.

WHEREAS, Neb.Rev.Stat. §18-1755 provides that a village acquiring an interest in real property by purchase or eminent domain shall do so by ordinance, adopted after at a public meeting of the governing body, after notice and public hearing,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF EAGLE, NEBRASKA, as follows:

Section 1. That the findings hereinabove made should be, and are hereby made a part of this Ordinance as fully as if set out at length herein.

Section 2. That it is in the best interests of the citizens of the Village of Eagle, Nebraska, that the Village of Eagle, Nebraska, acquire a permanent easement for utilities, with appurtenances and accessories thereto, by the Village of Eagle, Nebraska, its successors, assigns, and franchisees, over, across, and under the following-described real estate, to wit:

UTILITY EASEMENT AREA: A PART OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 9 EAST OF THE 6TH P.M., CASS COUNTY, NEBRASKA, AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 29; THENCE NORTH 87°10'13" EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, 907.60 FEET; THENCE SOUTH 2°49'47" EAST, 65.00 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF HIGHWAY 34 AND THE POINT OF BEGINNING; THENCE NORTH 87°10'13" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 52.00 FEET; THENCE SOUTH 2°49'47" EAST, 21.00 FEET; THENCE SOUTH 87°10'13" WEST, 52.00 FEET; THENCE NORTH 2°49'47" WEST, 21.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,092 SQUARE FEET MORE OR LESS,

AND, A PERMANENT ACCESS EASEMENT FOR PURPOSES OF INGRESS AND EGRESS TO THE UTILITY EASEMENT AREA, TO WIT: THE NORTH 30 FEET OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 9 EAST OF THE 6TH P.M., CASS COUNTY, NEBRASKA WEST OF THE ABOVE-DESCRIBED UTILITY EASEMENT AREA.

Section 3. That the above-described tract of real estate is owned by Joe Marvin Carr.

Section 4. That the Chair and the Clerk of the Village of Eagle, Nebraska, are hereby authorized and directed to take all actions and to execute all documents necessary to acquire the interest as aforementioned in the above-described real estate for consideration as deemed appropriate. Upon execution of the Easement Agreement, the same shall be filed by the Clerk with the Cass County Register of Deeds.

Section 5. That should any section, paragraph, sentence or word of this Ordinance hereby adopted be declared for any reason to be invalid, it is the intent of the Board of Trustees of the Village of Eagle, Nebraska, that it would have passed all other portions of this Ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

Section 6. That all Ordinances and parts of Ordinances passed and approved prior to the passage, approval, and publication of this Ordinance, in conflict herewith, are hereby repealed.

Section 7. That this Ordinance shall be published within the first fifteen days after its passage and approval in pamphlet form and shall be effective on the fifteen days from and after its passage and approval as provided by law.

Section 8. That this Ordinance shall not be made a part of the Municipal Code of the Village of Eagle, Nebraska.

PASSED AND APPROVED this ___ day of _____, 2024.

VILLAGE OF EAGLE, NEBRASKA

By: _____
Teri Todd, Its Chair

ATTEST:

Nick Nystrom, Its Clerk

(SEAL)

Do not recreate or revise the pages of this document, as revisions and recreations will not be accepted. Failure to **return both pages of the original document** by the filing deadline (October 31, 2024) may result in the suspension of Highway Allocation funds until the documents are filed.

RESOLUTION

**SIGNING OF THE
MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE
2024**

Resolution No. 2024-08

Whereas: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and standards; and

Whereas: State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include the resolution of the governing body of the municipality authorizing the signing of the certification.

Be it resolved that the Mayor Village Board Chairperson of Eagle
(Check one box) (Print name of municipality)
is hereby authorized to sign the Municipal Annual Certification of Program Compliance.

Adopted this _____ day of _____, 20____ at _____ Nebraska.
(Month)

City Council/Village Board Members

City Council/Village Board Member _____
Moved the adoption of said resolution
Member _____ Seconded the Motion
Roll Call: _____ Yes _____ No _____ Abstained _____ Absent
Resolution adopted, signed, and billed as adopted.

Attest:

(Signature of Clerk)

Do not recreate or revise the pages of this document, as revisions and recreations will not be accepted. Failure to **return both pages of the original document** by the filing deadline (October 31, 2024) may result in the suspension of Highway Allocation funds until the documents are filed.

**MUNICIPAL
ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE
TO
NEBRASKA BOARD OF PUBLIC ROADS CLASSIFICATIONS
AND STANDARDS
2024**

In compliance with the provisions of the State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requiring annual certification of program compliance to the Board of Public Roads

Classifications and Standards, the City Village of Eagle
(Check one box) (Print name of municipality)

hereby certifies that it:

- ✓ has developed, adopted, and included in its public records the plans, programs, or standards required by sections 39-2115 and 39-2119;
- ✓ meets the plans, programs, or standards of design, construction, and maintenance for its highways, roads, or streets;
- ✓ expends all tax revenue for highway, road, or street purposes in accordance with approved plans, programs, or standards, including county and municipal tax revenue as well as highway-user revenue allocations;
- ✓ uses a system of revenue and costs accounting which clearly includes a comparison of receipts and expenditures for approved budgets, plans, programs, and standards;
- ✓ uses a system of budgeting which reflects uses and sources of funds in terms of plans, programs, or standards and accomplishments;
- ✓ uses an accounting system including an inventory of machinery, equipment, and supplies;
- ✓ uses an accounting system that tracks equipment operation costs;
- ✓ has included in its public records the information required under subsection (2) of section 39-2520; and
- ✓ **has included in its public records a copy of this certification and the resolution of the governing body authorizing the signing of this certification by the Mayor or Village Board Chairperson.**

Signature of Mayor Village Board Chairperson (Required)

(Date)

Signature of City Street Superintendent (Optional)

(Date)

Return the completed original signing resolution and annual certification of program compliance by October 31, 2024 to:

Nebraska Board of Public Roads Classifications and Standards
PO Box 94759
Lincoln NE 68509



179 NAC 10 Attachment 1

**APPLICATION TO SERVE AS A LICENSED OPERATOR FOR MORE THAN ONE
NEBRASKA PUBLIC WATER SYSTEM**

The operator or water system taking on responsibilities for more than one water system is required to notify the Department by sending this form to the DHHS, Division of Public Health, P.O. Box 95026, Lincoln, NE 68509-5026. When the agreement terminates, the operator or water system is also required to notify the Department.

System 1 is the system with a current licensed operator.

System 2 is the system requesting to share the licensed operator of System 1.

System 1			
Public Water System Name: Village of Eagle			
Street: 747 S. 2 nd St.			
System Address:	City: Eagle	State: NE	Zip: 68347
System Classification:		System ID Number: NE31-02510	
Business Phone for Operator: 402-781-2748		Cell Phone: 402-432-8873	
E-mail Address: mike@eagle.ne.gov		Home Phone: 402-764-0324	
Licensed Water Operator(s) and Grade(s): Mike Graham - Grade III			

System 2			
Public Water System Name: Village of Greenwood			
Street: 619 Main St.			
System Address:	City: Greenwood	State: NE	Zip: 68366
System Classification:		System ID Number: NE31-02517	
Business Phone for Operator: 402-789-2300		Cell Phone: 402-332-6424	
E-mail Address: Maintenance@GreenwoodNE.gov		Home Phone: 402-332-6424	
Licensed Water Operator(s) and Grade(s): N/A			

Additional Information:
Distance between the two systems: 12 miles

Duties to be Performed by the Shared Operator at System 2 Include (check all that apply):	
<input checked="" type="checkbox"/>	Taking water samples
<input checked="" type="checkbox"/>	Receiving kits from the lab
<input checked="" type="checkbox"/>	Receiving results from the lab
<input type="checkbox"/>	Making public notification when required
<input checked="" type="checkbox"/>	Maintaining records
<input type="checkbox"/>	Maintaining all correspondence from the Department
<input type="checkbox"/>	Routine maintenance of water system components
<input type="checkbox"/>	Other (please specify):

Sample Kits for System 2 are to be sent to:			
Name: Village of Greenwood			
Address:	Street: 619 Main St. P.O. Box 190		Zip: 68306
	City: Greenwood	State: NE	
E-mail Address: Maintenance@GreenwoodNE.gov		Home Phone: 402-332-6424	
Licensed Water Operator(s) and Grade(s):			

Shared Operator

Signature _____ Date _____

Printed or Typed Name _____

System 1

System 2

Signature _____

Signature _____

Title _____

Title _____

Printed or Typed Name _____

Printed or Typed Name _____

Date _____

Date _____



Attention **municipal and industrial water treatment plant industry partners!**

Would you like to **prepare for the certification tests** to operate a wastewater or water treatment plant?

These two classes are offered **online** so you can learn when it's **convenient for you.**



ENER-2550-WB01 - Introduction to Wastewater (3.0 semester credits)

This course examines the mathematical, chemical, physical, and biological treatment of wastewater. It emphasizes unit operations and analysis of wastewater treatment systems and the field evaluation of their operation.

(NDEE Certification Exam offered at Milford campus, date to be determined. Exam registration and payment to NDEE.)

Nebraska resident \$369 / Non-resident \$432

Required Book: Wastewater Treatment Fundamentals I: Liquid Treatment-M (ISBN 1572783508)—Order online through the SCC Campus Store at www.sccbookstore.com (\$140) or direct from WEF at connect.wef.org/s/store (\$139).

ENER-2555-WB01 - Introduction to Drinking Water Treatment (3.0 semester credits)

This course examines regulations, operator math and chemistry and specific treatment processes in drinking water. Water quality testing, electrical and monitoring systems, treatment plant safety and monitoring and recording requirement also are covered. This class will help those entering the water industry or those looking to increase their certification.

(After this course you will need to take a 2.5-day class with the state DHHS and apply to take the exam.)

Nebraska resident \$369 / Non-resident \$432

Required Book: Water Treatment Grade 1-M (ISBN 1625761236)—Order online through the SCC Campus Store at www.sccbookstore.com (\$92) or direct from AWWA at www.awwa.org/store (\$89).

Register today! Classes begin August 19th, 2024.

If you are planning to take these two classes, please complete the **Visiting Student Application** at www.southeast.edu/applnow.

Your username and password information will be sent to you after the application is processed. You will be able to register for these classes after you log in. If you experience log-in issues, please contact the **SCC Helpdesk**.

If your employer is paying for the classes, please contact **Student Accounts**.

For additional information, contact

Ryan Hurst, Instructor
402-443-6487 (cell)
rhurst@southeast.edu

David Madcharo, Program Director
402-761-8464 or 800-933-7223, ext. 8464
dmadcharo@southeast.edu

SCC Milford Campus

Admissions 402-761-8243
admissions@southeast.edu

Helpdesk 402-437-2447
helpdesk@southeast.edu

Advising 402-761-8416

Registration 402-437-2605
registration@southeast.edu

Campus Store 402-761-8214
(Books) sccbookstore.com

Students Accounts 402-437-2669
(Tuition)

VILLAGE OF EAGLE

July 15, 2024

The Village Board of Trustees met in regular session at 7:00 p.m. on July 15, 2024 with Hochstein, Meier and Dobbins present. Todd and Caylor were 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 Pro Temp, at the beginning of the meeting, informed the public about the location of the posted current copy of the Open Meetings Act. Chairperson Pro Temp Hochstein 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 – Carl Berggren read a letter written by his wife to the Village Board requesting an amendment to the golf cart regulations that currently require children under the age of eight years old to be restrained by a child passenger restraint system. An online article titled, “JPMA Statement Against Use of Car Seats and Belt-Positioning Booster Seats in Golf Carts” was also provided to the Village Board. Rodney Hoppe asked if there is an ordinance prohibiting the blowing of grass clippings onto the street. Nystrom said yes. James Dobbins said he continues to work on the Village monument sign at 4th & Highway 34. Eli Kalyushik introduced himself as the individual that was recently issued a citation and had his golf cart impounded for violating the child passenger restraint system requirement found in the current golf cart ordinance; he expressed his opinion that this section of the ordinance should be amended as to not require child passenger restraint systems. Tom Spaulding asked why law enforcement just recently enforced this law if it has been in effect for two years. Dobbins said there were some issues with the citation process that have since been resolved.

Motion by Meier, second by Dobbins, to introduce Ordinance 2024-06. Voting: Ayes – 3. Motion carried.

The Village Clerk read Ordinance 2024-06 entitled:

ORDINANCE NO. 2024-06

AN ORDINANCE OF THE VILLAGE OF EAGLE, CASS COUNTY, NEBRASKA, TO ACQUIRE AN INTEREST IN REAL ESTATE BY PURCHASE OR EMINENT DOMAIN FOR THE PURPOSE OF SURVEYING, CONSTRUCTING, RECONSTRUCTING, RELOCATING, ALTERING, INSPECTING, REPAIRING, REPLACING, ADDING TO, MAINTAINING AND A PERMANENT UTILITY EASMENT AT ANY TIME, OVER, ACROSS, AND UNDER THE FOLLOWING-DESCRIBED REAL ESTATE, TO WIT: A PART OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 9 EAST OF THE 6TH P.M., CASS COUNTY, NEBRASKA, MORE SPECIFICALLY DESCRIBED HEREIN, AND A 30-FOOT WIDE INGRESS AND EGRESS WEST OF THE DESCRIBED AREA, WITH APPURTENANCES

AND ACCESSORIES THERETO OF THE VILLAGE OF EAGLE, NEBRASKA, ITS SUCCESSORS, ASSIGNS, AND FRANCHISEES, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS; THAT THE INTEREST TO BE ACQUIRED IN THE ABOVE-DESCRIBED REAL ESTATE IS A PERMANENT EASEMENT; 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, PROVISION OR PORTION FOUND UNCONSTITUTIONAL OR INVALID; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM AND THE EFFECTIVE DATE THEREOF; AND TO PROVIDE THAT THIS ORDINANCE SHALL NOT BE MADE A PART OF THE MUNICIPAL CODE OF THE VILLAGE OF EAGLE, NEBRASKA.

Motion by Dobbins, second by Meier, to accept the first reading of Ordinance 2024-06. Voting: Ayes – 3. Motion carried.

Motion by Meier, second by Dobbins, to set August 11, 2024 as the closing date for the Eagle Pool for the 2024 season. Voting: Ayes – 3. Motion carried.

Motion by Meier, second by Dobbins, to approve an Eagle Lifeguard Pool Party on August 12, 2024 from 7:00pm-9:00pm. Voting: Ayes – 3. Motion carried.

Motion by Dobbins, second by Meier, to approve the rental of a Bobcat Mini Excavator for ditch maintenance from Hamilton Equipment Company for the estimated amount of \$1,254.00. Voting: Ayes – 3. Motion carried.

Motion by Meier, second by Dobbins, to approve minutes as typed for the previous meeting. Voting: Ayes – 3. Motion carried.

The meeting was adjourned at 7:28 p.m.

Nick Nystrom
Village Clerk

Marcus Hochstein
Chairperson Pro Temp

VILLAGE OF EAGLE

July 15, 2024

The Village Board of Trustees met in regular session at 7:00 p.m. on July 15, 2024 with Hochstein, Meier and Dobbins present. Todd and Caylor were 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 Pro Temp, at the beginning of the meeting, informed the public about the location of the posted current copy of the Open Meetings Act. Chairperson Pro Temp Hochstein 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.

Report from Fire & Rescue – Meier said two radios that were ordered by Rural Fire have arrived; the two additional radios approved by the Village Board have been ordered.

Open Forum – Carl Berggren read a letter written by his wife to the Village Board requesting an amendment to the golf cart regulations that currently require children under the age of eight years old to be restrained by a child passenger restraint system. An online article titled, “JPMA Statement Against Use of Car Seats and Belt-Positioning Booster Seats in Golf Carts” was also provided to the Village Board. Rodney Hoppe asked if there is an ordinance prohibiting the blowing of grass clippings onto the street. Nystrom said yes. James Dobbins said he continues to work on the Village monument sign at 4th & Highway 34. Eli Kalyushik introduced himself as the individual that was recently issued a citation and had his golf cart impounded for violating the child passenger restraint system requirement found in the current golf cart ordinance; he expressed his opinion that this section of the ordinance should be amended as to not require child passenger restraint systems. Tom Spaulding asked why law enforcement just recently enforced this law if it has been in effect for two years. Dobbins said there were some issues with the citation process that have since been resolved.

Motion by Meier, second by Dobbins, to introduce Ordinance 2024-06. Voting: Ayes – 3. Motion carried.

The Village Clerk read Ordinance 2024-06 entitled:

ORDINANCE NO. 2024-06

AN ORDINANCE OF THE VILLAGE OF EAGLE, CASS COUNTY, NEBRASKA, TO ACQUIRE AN INTEREST IN REAL ESTATE BY PURCHASE OR EMINENT DOMAIN FOR THE PURPOSE OF SURVEYING, CONSTRUCTING, RECONSTRUCTING, RELOCATING, ALTERING, INSPECTING, REPAIRING, REPLACING, ADDING TO, MAINTAINING AND A PERMANENT UTILITY EASMENT AT ANY TIME, OVER, ACROSS, AND UNDER THE FOLLOWING-DESCRIBED REAL ESTATE, TO WIT: A PART OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 9 EAST OF THE 6TH P.M., CASS COUNTY, NEBRASKA, MORE SPECIFICALLY DESCRIBED HEREIN, AND A 30-FOOT WIDE INGRESS

AND EGRESS WEST OF THE DESCRIBED AREA, WITH APPURTENANCES AND ACCESSORIES THERETO OF THE VILLAGE OF EAGLE, NEBRASKA, ITS SUCCESSORS, ASSIGNS, AND FRANCHISEES, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS; THAT THE INTEREST TO BE ACQUIRED IN THE ABOVE-DESCRIBED REAL ESTATE IS A PERMANENT EASEMENT; 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, PROVISION OR PORTION FOUND UNCONSTITUTIONAL OR INVALID; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM AND THE EFFECTIVE DATE THEREOF; AND TO PROVIDE THAT THIS ORDINANCE SHALL NOT BE MADE A PART OF THE MUNICIPAL CODE OF THE VILLAGE OF EAGLE, NEBRASKA.

WHEREAS, it is in the best interests of the citizens of the Village of Eagle, Cass County, Nebraska, for public purposes, to acquire a permanent easement in the following-described real estate that shall be utilized for public utilities with appurtenances and accessories thereto, of the Village of Eagle, Nebraska, its successors, assigns, and franchisees, to wit:

UTILITY EASEMENT AREA: A PART OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 9 EAST OF THE 6TH P.M., CASS COUNTY, NEBRASKA, AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 29; THENCE NORTH 87°10'13" EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, 907.60 FEET; THENCE SOUTH 2°49'47" EAST, 65.00 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF HIGHWAY 34 AND THE POINT OF BEGINNING; THENCE NORTH 87°10'13" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 52.00 FEET; THENCE SOUTH 2°49'47" EAST, 21.00 FEET; THENCE SOUTH 87°10'13" WEST, 52.00 FEET; THENCE NORTH 2°49'47" WEST, 21.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,092 SQUARE FEET MORE OR LESS,

AND, A PERMANENT ACCESS EASEMENT FOR PURPOSES OF INGRESS AND EGRESS TO THE UTILITY EASEMENT AREA, TO WIT: THE NORTH 30 FEET OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 9 EAST OF THE 6TH P.M., CASS COUNTY, NEBRASKA WEST OF THE ABOVE-DESCRIBED UTILITY EASEMENT AREA.

WHEREAS, Neb. Rev. Stat. §18-1755 provides that a village acquiring an interest in real property by purchase or eminent domain shall do so by ordinance, adopted after at a public meeting of the governing body, after notice and public hearing,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF EAGLE, NEBRASKA, as follows:

Section 1. That the findings hereinabove made should be, and are hereby made a part of this Ordinance as fully as if set out at length herein.

Section 2. That it is in the best interests of the citizens of the Village of Eagle, Nebraska, that the Village of Eagle, Nebraska, acquire a permanent easement for utilities, with appurtenances and accessories thereto, by the Village of Eagle, Nebraska, its successors, assigns, and franchisees, over, across, and under the following-described real estate, to wit:

UTILITY EASEMENT AREA: A PART OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 9 EAST OF THE 6TH P.M., CASS COUNTY, NEBRASKA, AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 29; THENCE NORTH 87°10'13" EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, 907.60 FEET; THENCE SOUTH 2°49'47" EAST, 65.00 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF HIGHWAY 34 AND THE POINT OF BEGINNING; THENCE NORTH 87°10'13" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 52.00 FEET; THENCE SOUTH 2°49'47" EAST, 21.00 FEET; THENCE SOUTH 87°10'13" WEST, 52.00 FEET; THENCE NORTH 2°49'47" WEST, 21.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,092 SQUARE FEET MORE OR LESS,

AND, A PERMANENT ACCESS EASEMENT FOR PURPOSES OF INGRESS AND EGRESS TO THE UTILITY EASEMENT AREA, TO WIT: THE NORTH 30 FEET OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 9 EAST OF THE 6TH P.M., CASS COUNTY, NEBRASKA WEST OF THE ABOVE-DESCRIBED UTILITY EASEMENT AREA.

Section 3. That the above-described tract of real estate is owned by Joe Marvin Carr.

Section 4. That the Chair and the Clerk of the Village of Eagle, Nebraska, are hereby authorized and directed to take all actions and to execute all documents necessary to acquire the interest as aforementioned in the above-described real estate for consideration as deemed appropriate. Upon execution of the Easement Agreement, the same shall be filed by the Clerk with the Cass County Register of Deeds.

Section 5. That should any section, paragraph, sentence or word of this Ordinance hereby adopted be declared for any reason to be invalid, it is the intent of the Board of Trustees of the Village of Eagle, Nebraska, that it would have passed all other portions of this Ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

Section 6. That all Ordinances and parts of Ordinances passed and approved prior to the passage, approval, and publication of this Ordinance, in conflict herewith, are hereby repealed.

Section 7. That this Ordinance shall be published within the first fifteen days after its passage and approval in pamphlet form and shall be effective on the fifteen days from and after its passage and approval as provided by law.

Section 8. That this Ordinance shall not be made a part of the Municipal Code of the Village of Eagle, Nebraska.

Motion by Dobbins, second by Meier, to accept the first reading of Ordinance 2024-06. Voting: Ayes – 3. Motion carried.

Motion by Meier, second by Dobbins, to set August 11, 2024 as the closing date for the Eagle Pool for the 2024 season. Voting: Ayes – 3. Motion carried.

Motion by Meier, second by Dobbins, to approve an Eagle Lifeguard Pool Party on August 12, 2024 from 7:00pm-9:00pm. Voting: Ayes – 3. Motion carried.

Motion by Dobbins, second by Meier, to approve the rental of a Bobcat Mini Excavator for ditch maintenance from Hamilton Equipment Company for the estimated amount of \$1,254.00. Voting: Ayes – 3. Motion carried.

Report on Streets and Maintenance – The report on Streets and Maintenance was provided as a written report from the Maintenance Department. Terry Caddy said the aluminum trim project around the pool house was completed last week.

Report on Wells and Sewer – The report on Wells and Sewer was provided as a written report from the Maintenance Department.

Motion by Meier, second by Dobbins, to approve minutes as typed for the previous meeting. Voting: Ayes – 3. Motion carried.

Report from Committees and Boards – Meier said an incident occurred at the pool last week which resulted in a patron being suspended for a few days due to inappropriate behavior. An employee safety meeting was held earlier this month.

The meeting was adjourned at 7:28 p.m.

I, the undersigned Village Clerk for the Village of Eagle, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Chair Pro Temp and Board of Trustees on July 15, 2024 at 7:00 p.m. and that all of the subjects included in the foregoing proceedings were contained in the Agenda for the meeting, kept continually current and readily available for public inspection at the office of the Village Clerk; that such subjects were contained in said Agenda for at least twenty-four (24) hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten (10) working days and prior to the next convened meeting of said body; that all news media requesting

notification concerning meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Seal

Nick Nystrom
Village Clerk

Marcus Hochstein
Chairperson Pro Temp