

Motion by Hochstein, second by Surman, to introduce Ordinance 2025-01. Voting: Ayes – 5. Motion carried.

Chairperson Todd read Ordinance 2025-01 entitled:

ORDINANCE NO. 2025-01

AN ORDINANCE OF THE VILLAGE OF EAGLE, CASS COUNTY, NEBRASKA, TO AMEND CHAPTER 2, ARTICLE 2, SECTION 2-201, OF THE MUNICIPAL CODE OF THE VILLAGE OF EAGLE, NEBRASKA AS THE SAME RELATES TO THE PLANNING COMMISSION OF THE VILLAGE OF EAGLE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR THE SEVERABILITY OF ANY SECTION, CLAUSE, PROVISION OR PORTION FOUND UNCONSTITUTIONAL OR INVALID; TO PROVIDE THAT THIS ORDINANCE SHALL BE PUBLISHED AND SHALL BE IN FULL FORCE AND TAKE EFFECT FROM AND AFTER ITS PASSAGE AND APPROVAL, AS PROVIDED BY LAW AND AS PROVIDED HEREIN; AND TO PROVIDE THAT THE PROVISIONS OF THIS ORDINANCE SHALL BECOME AND BE MADE A PART OF THE MUNICIPAL CODE OF THE VILLAGE OF EAGLE, NEBRASKA, AND THE SECTIONS OF THIS ORDINANCE MAY BE RENUMBERED TO ACCOMPLISH SUCH INTENTION.

WHEREAS, the authorization legislation for Planning Commissions has been modified and the municipal code is in need of amendment to comply,

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

Section 1. Chapter 2, Article 2, Section 2-201 of the Village of Eagle, is amended as indicated:

§2-201 PLANNING COMMISSION

The Governing Body shall appoint the Planning Commission which shall consist of up to seven (7) members who shall represent, insofar as is possible, the different professions or occupations in the Municipality and who shall be residents of the Municipality. However, two (2) of such members may be residents of the area over which the Municipality is authorized to exercise extraterritorial zoning and subdivision regulations. An alternate member may be appointed and said term shall be for the same time-period prescribed to members. The alternate may attend any meeting and may serve as a voting and participating member of the commission at any time when less than the full number of regular commission members is present and capable of voting.

The members of the Commission shall serve a three (3) year term of office unless reappointed by the Governing Body. The terms of office shall be staggered in such a

way that one-third (1/3) of the Commission members shall be newly appointed or reappointed every calendar year. The appointment of said members and alternates shall be by majority vote of the village board.

At the time of the Commission's first (1st) meeting in January of each year, the Commission shall reorganize by selecting from its membership a Chairperson and Secretary. It shall be the duty of the Secretary to keep the full and correct minutes and records of all meetings. Those same minutes shall be filed with the Municipal Clerk either in written form or on audio tape recordings if their length compels such formats. If the records are on audio tape, the Municipal Clerk shall transcribe and distribute copies to the appropriate parties. Copies shall also be kept on file in the Municipal Clerk's office where they shall be available for public inspection at any reasonable time.

The Planning Commission shall be funded by the Governing Body from time to time out of the General Fund. A majority of the Commission shall constitute a quorum for the purpose of doing business. Special meetings may be held upon the call of the Chairperson of the Commission, or any three (3) members of the Commission.

It shall be the duty of the Commission to make and adopt plans for the physical development of the Municipality, including any areas outside its boundaries which, in the Commission's judgment, bear relation to the planning of the Municipality. All actions by the Commission shall be subject to the review and supervision of the Governing Body. Recommendations from the Commission shall be received by the Governing Body within 30 days after the Commission renders a decision relating to the comprehensive development plan, capital improvements, building codes, subdivision development, the annexation of territory, or zoning. The Commission shall be responsible for making such reports and performing such other duties as the Governing Body may, from time to time, designate.

~~No member of the Governing Body, or other Municipal Official, except where otherwise specifically provided, shall serve as a member of the Planning Commission while serving any other term of office.~~ A regular or alternate member of the Planning Commission may hold any other municipal office except (a) mayor, (b) a member of the city council or village board of trustees, (c) a member of any community redevelopment authority or limited community redevelopment authority created under section 18-2102.01, or (d) a member of any citizen advisory review committee created under section 18-2715. No member of the Planning Commission shall serve in the capacity of both the Chairperson and Secretary of the Commission.

The Commission shall hold at least one regular meeting in each calendar quarter, except the Governing Body may require the Commission to meet more frequently and the Chairperson of the Commission may call for a meeting when necessary to deal with business pending before the Commission. The Commission shall adopt rules and regulations for the transaction of business and shall keep a record of resolutions, transactions, findings and determinations which shall be public record. It shall have

all powers provided by Nebraska Statute now existing or hereinafter amended. (Ref. 19-924 to 19-929 RS Neb.)

Section 2. 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.

Section 3. 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 4. That should any section, paragraph, sentence of this Ordinance hereby adopted be declared for any reason invalid, it is the intent of the Chair and Governing Body of the Village of Eagle, Nebraska, that it would have passed all other portions of this Ordinance independent of the elimination here from of any such portion as may be declared invalid.

Section 5. 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 on the 15th day from and after its passage, approval, and publication, as provided herein.

Section 6. That it is the intention of the Chair and Governing Body of the Village of Eagle, Nebraska, and it is hereby ordained that the provisions of this Ordinance shall amend the Municipal Code of the Village of Eagle, Nebraska, and the sections of this Ordinance may be renumbered to accomplish such intention.

Motion by Hochstein, second by Meier, to accept the first reading of Ordinance 2025-01. Voting: Ayes – 5. Motion carried.

Discussion: Surman said the last paragraph of Ordinance 2025-01 states, in part, the Planning Commission shall hold at least one regular meeting in each calendar quarter; he asked if this is a requirement because it does not happen currently. Freeman-Caddy said State Statute requires quarterly meetings; however, if no business is pending before the Planning Commission, the Chairperson may cancel a quarterly meeting, but no more than three quarterly meetings may be canceled per calendar year.

Motion by Hochstein, second by Dobbins, to suspend the rules of three consecutive readings of Ordinance 2025-01. Voting: Ayes – 5. Motion carried.

Motion by Dobbins, second by Hochstein, to adopt Ordinance 2025-01. Voting: Ayes – 5. Motion carried.

Discuss/possible action: Resolution 2025-01 – Installation of “No Parking” signage on the south side of F Street, beginning at Wulf Drive, for a distance of eighty-two feet –

Dobbins asked what the primary reason is to prohibit parking in this area. Nystrom said it was mentioned at the last meeting that when vehicles are parked in this area, particularly during a snow event, it can result in congested traffic, and this street is also a school bus route. Todd said there have been no complaints issued by the public regarding parking in this area. Dobbins said it seems excessive to prohibit parking in this location.

Motion by Surman, second by Hochstein, to introduce Resolution 2025-01. Voting: Ayes – Surman. Nays – Dobbins, Meier, Hochstein, Todd. Motion failed to carry.

Motion by Hochstein, second by Todd, to approve the 2025 Groundbreaking Level Annual Investment with Cass County Nebraska Economic Development Council in the amount of \$1,000. Voting: Ayes – Meier, Dobbins, Hochstein, Todd. Nays – Surman. Motion carried.

Motion by Hochstein, second by Todd, to approve the transfer of \$1,824.00 from the General Account to the USDA Reserve Account for Eagle Facilities & Grounds Association (EFGA). Voting: Ayes – 5. Motion carried.

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

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

Approved Claims: Wages 13,189.70, Board Wages 1,000.00, ABC Termite & Pest Control 186.00, Allied Benefit Systems 7,203.00, Amazon Marketplace 426.57, American Exchange Bank 750.00, Black Hills Energy 696.76, Bound Tree Medical 4,337.28, Buel Trucking 518.72, Capital Business Systems 238.30, Casey's 606.04, Cass Co Sheriff's Dept 3,145.21, Colby, Jeanne 300.00, Constellation Energy 551.30, Core & Main 763.80, Custom Cooling & Heating 1,094.73, Dollar General 60.75, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 4,007.46, Frontier Cooperative 423.64, GBE-CPA-PC 3,500.00, Google LLC 154.78, Hestermann, Rick 689.33, HOA Leasing 16,500.00, HOA Solutions 907.57, Home Depot Credit Svc 157.95, Inland Truck Parts & Svc 2,120.41, Iowa Pump Works 3,960.40, John Hancock Investments 515.20, Kidwell 7,327.36, Klabenes, Curtis 750.00, League of NE Municipalities-Utilities Section 130.00, Lonergan, Makinsey 750.00, Lovell Excavating 1,250.00, Maguire 3,907.00, Malware Bytes 42.19, Matheson Tri-Gas 263.65, Menards-South 289.01, Midwest Labs 126.70, Motorola Solutions 316.02, Municipal Supply of Omaha 169.85, Nebraska.gov 5,901.00, NE Dept of Rev 2,212.69, NE Public Health Env Lab 228.00, Norland Pure 18.20, Nystrom, Taira 450.00, One Billing Solutions 618.25, One Call Concepts 11.96, OPPD 5,101.57, Pavers 7,480.30, Quik Dump Refuse 1,763.00, Rixstine Recognition 25.80, School District 145 20.00, Signs Now 292.00, Stryker Sales 7,355.50, UNUM 982.54, US Postmaster 280.00, Verizon Wireless 749.31, Voice News 281.47, Windstream 610.07. Total of bills: **\$119,200.34.**

Approved Park Claims: Black Hills Energy 44.54, OPPD 107.67, Windstream 69.19.
Total of bills: **\$221.40.**

Report from Attorney – Freeman-Caddy said the annual SAM registration renewal was submitted for EFGA this evening. No comments have been received at this time from the Lower Platte South NRD regarding MoPac Trail access at Eagle’s Landing. Freeman-Caddy will begin updating pages of the Municipal Code book based on the ordinances adopted last year.

Report from Clerk/Treasurer – Nystrom said all required filings have been submitted to NDEE regarding the Wastewater Consulting Agreement with Curtis Klabenes. The public drinking water sanitary survey with NDEE will be January 14, 2025 at 8:00AM. Nystrom said third quarter grant proceeds in the amount of \$3,125.80 was received for the Eagle Recycling Program. EFGA will have its annual meeting on January 8, 2025 at 6:30PM. Nystrom will be sending an email to the Village Board to determine availability for a strategic planning meeting with MAPA to be scheduled sometime in late January or early February. Terry Caddy presented the Village Board with an end-of-year summary. Nystrom said the total monthly income ending December 31, 2024 was \$87,999.27.

The meeting was adjourned at 8:05 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 and Board of Trustees on January 7, 2025 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

Terri Todd
Chairperson