

VILLAGE OF EAGLE

April 1, 2025

The Village Board of Trustees met in regular session at 7:00 p.m. on April 1, 2025 with Todd, Hochstein, Meier, Dobbins and Surman 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 Todd 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 Todd opened the public hearing at 7:00 p.m. for the purpose of hearing testimony concerning a Conditional Use Permit at Eagle – Outlots Tax Lot 49 located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 20, Township 10 North, Range 9 East of the 6th P.M., or more commonly known as 725 South 1st Street in Eagle, Nebraska, for the use of a shipping container for exterior storage. The Eagle Planning Commission met on March 18, 2025, and recommended approval of the Conditional Use Permit with contingencies. The initial plan for a 40' container on the south side of the primary building was not feasible due to side yard setback requirements. A revised plan for a 20' container in the rear yard has now been proposed, which will meet setback requirements. Todd asked if there were any public comments. There were no comments or questions from the public.

The public hearing was closed at 7:04 p.m.

Motion by Surman, second by Hochstein, to introduce Resolution 2025-03. Voting: Ayes – 5. Motion carried.

Chairperson Todd read Resolution 2025-03 entitled:

RESOLUTION NO. 2025-03

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR EXTERIOR SHIPPING CONTAINER STORAGE ON THE PROPERTY ADDRESSED AS 725 SOUTH 1ST STREET, AND LEGALLY DESCRIBED AS EAGLE – OUTLOTS TAX LOT 49 LOCATED IN THE SE $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 20, TOWNSHIP 10 NORTH, RANGE 9 EAST OF THE 6TH P.M., EAGLE, CASS COUNTY, NEBRASKA.

WHEREAS, B. Weber, Inc., has petitioned the Village of Eagle for a Conditional Use Permit to allow for exterior shipping container storage on the property legally described as Eagle – Outlots Tax Lot 49 located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 20, Township 10 North, Range 9 East of the 6th P.M., Eagle, Cass County, Nebraska.

WHEREAS, the subject property is presently zoned I-2 (Heavy Industrial) wherein exterior storage in conjunction with another primary use is permitted upon processing and approval of a Conditional Use Permit.

WHEREAS, the Eagle Planning Commission conducted a public hearing on March 18, 2025 to consider said Conditional Use Permit application, and at the conclusion of said hearing passed a motion recommending a Conditional Use Permit be granted for the property addressed as 725 South 1st Street, and legally described as Eagle – Outlots Tax Lot 49 located in the SE¼ of the SE¼ of Section 20, Township 10 North, Range 9 East of the 6th P.M., Eagle, Cass County, Nebraska, to allow for exterior cargo container storage, subject to the following conditions found in Exhibit A.

WHEREAS, the Village of Eagle Board of Trustees conducted a public hearing on April 1, 2025 to consider said Conditional Use Permit application.

WHEREAS, concerns regarding the safety, the necessity for setback distance, visual and valuation concerns for conformity with the surroundings, clarification regarding any possible signage or nuisance led to the conditions recommended and approved in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of Trustees of the Village of Eagle, Nebraska, that the findings set forth above are hereby incorporated herein and that a conditional use permit be granted as requested conditional upon the Conditions set forth in Exhibit A, subject to enforcement by the Zoning Administrator. In the event the container is moved from the location that was submitted in the application to another location on the parcel, a new permit must be secured.

This Resolution shall become effective immediately upon its passage and approval.

Motion by Hochstein, second by Meier, to adopt Resolution 2025-03. Voting: Ayes – 5. Motion carried.

Open Forum – Megan Stovall addressed the Village Board regarding her chickens and requested a postponement of the 10-day notice to remove them until the end of April to gather public support for legalization. The Village Board acknowledged the request and stated they would take it under advisement. The possibility of adding the issue to a future agenda was discussed. Travis Moore provided an update on the Pickleball grant application submitted to Cass County Tourism, with letters of support received from board members Dobbins, Meier, Hochstein, and Surman. A decision on the grant funds is expected by no later than May 31, 2025.

Motion by Meier, second by Surman, to approve the purchase of rubber mulch for the park playground equipment in the total amount of \$1,411.42. Voting: Ayes – 5. Motion carried.

Motion by Hochstein, second by Meier, to approve the donation of two individual pool passes to Eagle Vision for the annual Easter Egg Hunt on April 13, 2025. Voting: Ayes – 5. Motion carried.

Motion by Dobbins, second by Surman, to approve the purchase of streaming equipment for board meetings from 323.TV and Amazon Marketplace in the amount of \$7,261.99. Voting: Ayes – Surman, Dobbins. Nays – Hochstein, Meier, Todd. Motion failed.

Motion by Meier, second by Surman, to introduce Resolution 2025-04. Voting: Ayes – 5. Motion carried.

Chairperson Todd read Resolution 2025-04 entitled:

RESOLUTION NO. 2025-04

WHEREAS, the Municipal Code of the Village of Eagle, Nebraska, and in particular Ordinance §3-223, provides the following:

The sum of \$4.00 shall be charged for each 1000 gallons of water used based upon the average amount of water metered for the premises, occupied by the current occupant or tenant, per month during the preceding winter quarter (January, February, and March). If there is no established usage for the previous January, February and March period for the premises occupied by the current occupant or tenant, **then a flat monthly rate set by resolution by the Governing Body, annually, shall be charged, until a January, February and March water usage average can be established.**

WHEREAS, the Chair and Board of Trustees of the Village of Eagle, Nebraska deem it in the best interests of the citizens of the Village of Eagle, Nebraska, that said flat monthly rate be established for the period this Resolution is passed, until the anniversary of passage,

NOW, THEREFORE, be it resolved by the Chair and Board of Trustees of the Village of Eagle, Nebraska, as follows:

- 1 That the findings here and above made should be and are hereby made a part of this Resolution as fully as if set out at length herein.
- 2 That the flat monthly rate required by the Ordinance set forth above shall be the amount of \$20.00 per month.
- 3 That the effective date of this rate shall be May 1, 2025 and shall expire on April 30, 2026.

Motion by Surman, second by Meier, to adopt Resolution 2025-04. Voting: Ayes – 5. Motion carried.

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

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

Approved Claims: Wages 12,475.72, Board Wages 1,000.00, A-1 Flags 516.20, ABC Termite & Pest Control 55.00, Allied Benefit Systems 4,802.00, Amazon Marketplace 1,781.61, American Exchange Bank 750.00, Black Hills Energy 620.70, Bound Tree Medical 1,823.14, Capital Business Systems 240.90, Casey's 651.45, Cass Co Sheriff's Dept 3,145.21, Compliance Signs 61.88, Constellation Energy 319.33, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 4,031.90, ESO Solutions 4,132.75, Google LLC 144.00, Grainger 25.16, Hestermann, Rick 87.67, Intuit Quickbooks 1,399.00, John Deere Financial 88.68, John Hancock Investments 489.09, Kidwell 3,925.00, Klabenes, Curtis 910.00, Lincoln Winwater Works 126.00, Maguire 3,907.00, Matheson Tri-Gas 270.63, Menards-South 152.75, Midwest Labs 126.70, Motorola Solutions 5,482.24, NE Dept of Rev 2,149.03, NE Public Health Env Lab 822.00, NE Works 51.30, Norland Pure 7.95, Nystrom, Taira 450.00, One Billing Solutions 570.84, One Call Concepts 35.26, OPPD 5,419.47, Quik Dump Refuse 2,199.85, Snyder & Associates 2,053.20, Summit Fire Protection 907.30, UNUM 704.60, US Postmaster 280.00, USA Bluebook 189.11, Verizon Wireless 749.41, Voice News 123.27, Windstream 620.67. Total of bills: **\$72,366.97**.

Approved Park Claims: Black Hills Energy 50.33, Lincoln Winnelson Supply 417.86, OPPD 112.54, Windstream 33.90. Total of bills: **\$614.63**.

The meeting was adjourned at 8:21 p.m.

Nick Nystrom
Village Clerk

Terri Todd
Chairperson