

1. Report from Fire & Rescue.
2. Open Forum.
3. Discuss/possible action: First reading of Ordinance 2024-06 – Acquisition of a permanent utility easement.
4. Discuss/possible action: Set closing date of August 11, 2024 for the Eagle Pool for the 2024 season.
5. Discuss/possible action: Approve Eagle Lifeguard Pool Party on August 12, 2024.
6. Discuss/possible action: Approve rental of Bobcat Mini Excavator for ditch maintenance from Hamilton Equipment Company for the estimated amount of \$1,254.00.
7. Report on Streets and Maintenance.
8. Report on Wells and Sewer.
9. Discuss/possible action: Approve or deny minutes as typed for the previous meeting.
10. Report from Committees and Boards.

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 aforesaid 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)



HAMILTON EQUIPMENT COMPANY

8801 HIGHWAY 6-LINCOLN, NEBRASKA 68507
PHONE: 402-464-6381-FAX: 402-464-5989
www.hamiltonequipmentco.com



Cust: 02748

Document: R00036925R

Date: 06/28/2024

VILLAGE OF EAGLE
P.O. BOX 130
EAGLE, NE 683470130

Contact Information		Page 1 of 1
CURTIS. P.O. BOX 130 EAGLE, NE 683470130	PO Number: Salesman: JI	
M: (none) W: (402) 781-2748 H: (none)		

Segment ID	Description		Totals
------------	-------------	--	--------

0001	Class Reservation	Contact: CURTIS .	
	Family: RENTAL	Location:	
	Group: BOBCAT MX	Out Date: 06/28/2024 10:07AM	
	Class: E20	Expected Return: 07/05/2024 10:07AM	
	Job Number:	Actual Return:	
	Adjustment RENTAL PROTECTION of 14.00% applied to this item.		
Rates:	Half Day	Quantity: 0.00	Rate: \$200.00
	Daily	Quantity: 0.00	Rate: \$300.00
	Weekly	Quantity: 1.00	Rate: \$900.00
	Monthly	Quantity: 0.00	Rate: \$2700.00
			900.00
Surcharge/Adj:	Type: Surcharge	Description: RENTAL PROTECTION	Percentage: 14.000000 Extended: 126.00
			126.00
			Estimated Segment Total: 1026.00
			Deposit Total: 0.00

0002	Class Reservation	Contact: CURTIS .	
	Family: RENTAL	Location:	
	Group: TRAILERS	Out Date: 06/28/2024 10:07AM	
	Class: TRAILER - SA- Tilt Bed	Expected Return: 07/05/2024 10:07AM	
	Job Number:	Actual Return:	
	Adjustment RENTAL PROTECTION of 14.00% applied to this item.		
Rates:	Half Day	Quantity: 0.00	Rate: \$35.00
	Daily	Quantity: 0.00	Rate: \$50.00
	Weekly	Quantity: 1.00	Rate: \$200.00
	Monthly	Quantity: 0.00	Rate: \$600.00
			200.00
Surcharge/Adj:	Type: Surcharge	Description: RENTAL PROTECTION	Percentage: 14.000000 Extended: 28.00
			28.00
			Estimated Segment Total: 228.00
			Deposit Total: 0.00

Estimated Reservation Total: 1254.00

(Plus Applicable Sales Taxes)

Deposit Total: 0.00

Rental Rates are based on: 8 Hours per Day 40 Hours per Week 160 Hours per Month

BEFORE SIGNING: Hamilton hereby leases to Customer the Equipment (as defined in the Terms and Conditions on the reverse side) and Customer hereby accepts all TERMS AND CONDITIONS listed in this rental agreement, including the Terms and Conditions set forth on the reverse side which the undersigned has read and understands. REMINDERS: (1) Rates do not include fuel or delivery; (2) Damage Waiver charge is 14% of the total rental charge for covered Equipment; (3) Customer pays for all time the Equipment is out, including Saturdays, Sundays and Holidays; (4) This rental agreement supersedes all other purchase orders or terms and conditions contained in any of Customer's agreements or forms; (5) Customer assumes all risk and is responsible for all damages and other costs, including late charges. Details of the above as well as other obligations and responsibilities are contained in the TERMS AND CONDITIONS ON REVERSE. THE INDIVIDUAL SIGNING BELOW AS OR ON BEHALF OF CUSTOMER: (1) AGREES TO ALL OF THE TERMS AND CONDITIONS ON THE REVERSE SIDE OF THIS RENTAL AGREEMENT, (2) ACKNOWLEDGES RECEIPT OF THE EQUIPMENT IN GOOD WORKING ORDER AND, (3) IS FAMILIAR WITH ITS OPERATION AND USE.

Received by _____ Date: _____

VILLAGE OF EAGLE

July 2, 2024

The Village Board of Trustees met in regular session at 7:03 p.m. on July 2, 2024 with Todd, Hochstein, Meier and Dobbins present. Caylor was 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, 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.

Open Forum – No public comment.

Motion by Todd, second by Hochstein, to approve the purchase of two APX 4000 radios from Motorola Solutions for Eagle Fire & Rescue in the amount of \$5,265.68. Voting: Ayes – 4. Motion carried.

Motion by Hochstein, second by Dobbins, to approve the purchase of bunker gear for Eagle Fire & Rescue from MacQueen in an amount not to exceed \$4,400.00. Voting: Ayes – 4. Motion carried.

Motion by Dobbins, second by Meier, to approve Change Order No. 1 with Pavers in the amount of \$23,881.50 as part of the 2024 Mill & Overlay Improvements Project. Voting: Ayes – 4. Motion carried.

Motion by Hochstein, second by Todd, to approve Application for Payment No. 1 with Pavers in the amount of \$85,997.00 as part of the 2024 Mill & Overlay Improvements Project contingent upon final inspection by the Eagle Street Committee. Voting: Ayes – 4. Motion carried.

Motion by Hochstein, second by Dobbins, to approve the First Amendment to Subdivision Agreement between MDC Eagle One, SID No. 12 of Cass County and the Village of Eagle. Voting: Ayes – 4. Motion carried.

Motion by Todd, second by Meier, to approve two Eagle Park & Recreation sponsored pool parties with dates to be determined based on availability. Voting: Ayes – 4. Motion carried.

The Village Board acknowledged the resignation of Justin Davison from the Eagle Planning Commission.

Motion by Hochstein, second by Todd, to approve minutes as typed for the previous meeting. Voting: Ayes – 4. Motion carried.

Motion by Todd, second by Hochstein, to approve claims as presented. voting. Ayes – 4.
Motion carried.

Approved Claims: Wages 14,523.81, Board Wages 1,000.00, ABC Termite & Pest Control 186.00, Adkins, Ashley & Kenneth 300.00, Allied Benefit Systems 5,485.56, Amazon Marketplace 130.12, American Exchange Bank 1,125.00, Black Hills Energy 185.07, Bound Tree Medical 103.99, Capital Business Systems 235.58, Casey's 909.68, Cass Co Sheriff's Dept 3,145.21, Constellation Energy 8.33, Davis, Robert 100.00, Dollar General 45.64, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 5,897.00, Etherton, Thomas 300.00, Frontier Cooperative 339.13, Google LLC 172.80, Haynes, James & Rebecca 300.00, Hestermann, Rick 477.40, Hotsy Equipment 270.00, JLC Construction 2,389.00, John Hancock Investments 532.50, Knee Deep LLC 4,800.00, LMN Properties 300.00, Maguire 3,721.00, Matheson Tri-Gas 233.39, Menards-South 427.30, Midwest Labs 180.75, NE Dept of Rev 3,606.05, NE Public Health Env Lab 30.00, NE Rural Water Assn 350.00, NE Works 25.62, Norland Pure 15.20, Nystrom, Taira 400.00, One Billing Solutions 680.64, One Call Concepts 30.28. OPPD 5,114.68, Peterson, Kelsey 300.00, Power Manager 370.67, Quik Dump Refuse 1,833.20, Radio Maintenance Fund 890.00, Safeguard 742.55, Snyder & Associates 4,325.96, UNUM 982.54, US Postmaster 570.00, Verizon Wireless 748.13, Voice News 335.46, Wiedenfeld, Derek 300.00, Windstream 598.84. Total of bills: **\$71,566.08**.

Approved Park Claims: Wages 8,468.58, ABC Termite & Pest Control 500.00, Aqua Chem 1,071.48, Black Hills Energy 90.80, Booe, Amy 100.00, Eagle Nursery 540.00, Kreikemeier, Julie 231.00, Lambrecht, Michelle 147.00, OPPD 447.42 Windstream 52.10. Total of bills: **\$11,648.38**.

The meeting was adjourned at 7:43 p.m.

Nick Nystrom
Village Clerk

Terri Todd
Chairperson

VILLAGE OF EAGLE

July 2, 2024

The Village Board of Trustees met in regular session at 7:03 p.m. on July 2, 2024 with Todd, Hochstein, Meier and Dobbins present. Caylor was 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, 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.

Report from Law Enforcement – Law enforcement not present. No report was received prior to the meeting.

Report from Building & Zoning Administrator – Hestermann reported 2 new building permits, 1 certificate of occupancy and 6 inspections during the month of June. There are 13 total open permits to date. There were no comments or questions from the Village Board or public.

Open Forum – No public comment.

Motion by Todd, second by Hochstein, to approve the purchase of two APX 4000 radios from Motorola Solutions for Eagle Fire & Rescue in the amount of \$5,265.68. Voting: Ayes – 4. Motion carried.

Motion by Hochstein, second by Dobbins, to approve the purchase of bunker gear for Eagle Fire & Rescue from MacQueen in an amount not to exceed \$4,400.00. Voting: Ayes – 4. Motion carried.

Motion by Dobbins, second by Meier, to approve Change Order No. 1 with Pavers in the amount of \$23,881.50 as part of the 2024 Mill & Overlay Improvements Project. Voting: Ayes – 4. Motion carried.

Motion by Hochstein, second by Todd, to approve Application for Payment No. 1 with Pavers in the amount of \$85,997.00 as part of the 2024 Mill & Overlay Improvements Project contingent upon final inspection by the Eagle Street Committee. Voting: Ayes – 4. Motion carried.

Motion by Hochstein, second by Dobbins, to approve the First Amendment to Subdivision Agreement between MDC Eagle One, SID No. 12 of Cass County and the Village of Eagle. Voting: Ayes – 4. Motion carried.

Motion by Todd, second by Meier, to approve two Eagle Park & Recreation sponsored pool parties with dates to be determined based on availability. Voting: Ayes – 4. Motion carried.

The Village Board acknowledged the resignation of Justin Davison from the Eagle Planning Commission.

Motion by Hochstein, second by Todd, to approve minutes as typed for the previous meeting. Voting: Ayes – 4. Motion carried.

Motion by Todd, second by Hochstein, to approve claims as presented. Voting: Ayes – 4. Motion carried.

Approved Claims: Wages 14,523.81, Board Wages 1,000.00, ABC Termite & Pest Control 186.00, Adkins, Ashley & Kenneth 300.00, Allied Benefit Systems 5,485.56, Amazon Marketplace 130.12, American Exchange Bank 1,125.00, Black Hills Energy 185.07, Bound Tree Medical 103.99, Capital Business Systems 235.58, Casey's 909.68, Cass Co Sheriff's Dept 3,145.21, Constellation Energy 8.33, Davis, Robert 100.00, Dollar General 45.64, Eagle Facilities & Grounds Assn 1,492.00, EFTPS 5,897.00, Etherton, Thomas 300.00, Frontier Cooperative 339.13, Google LLC 172.80, Haynes, James & Rebecca 300.00, Hestermann, Rick 477.40, Hotsy Equipment 270.00, JLC Construction 2,389.00, John Hancock Investments 532.50, Knee Deep LLC 4,800.00, LMN Properties 300.00, Maguire 3,721.00, Matheson Tri-Gas 233.39, Menards-South 427.30, Midwest Labs 180.75, NE Dept of Rev 3,606.05, NE Public Health Env Lab 30.00, NE Rural Water Assn 350.00, NE Works 25.62, Norland Pure 15.20, Nystrom, Taira 400.00, One Billing Solutions 680.64, One Call Concepts 30.28, OPPD 5,114.68, Peterson, Kelsey 300.00, Power Manager 370.67, Quik Dump Refuse 1,833.20, Radio Maintenance Fund 890.00, Safeguard 742.55, Snyder & Associates 4,325.96, UNUM 982.54, US Postmaster 570.00, Verizon Wireless 748.13, Voice News 335.46, Wiedenfeld, Derek 300.00, Windstream 598.84. Total of bills: **\$71,566.08**.

Approved Park Claims: Wages 8,468.58, ABC Termite & Pest Control 500.00, Aqua Chem 1,071.48, Black Hills Energy 90.80, Booe, Amy 100.00, Eagle Nursery 540.00, Kreikemeier, Julie 231.00, Lambrecht, Michelle 147.00, OPPD 447.42 Windstream 52.10. Total of bills: **\$11,648.38**.

Report from Attorney – Freeman-Caddy said a pre-application meeting will be held next week regarding a proposed subdivision. The Village Board was advised to study fee payment requirements in lieu of parkland dedication in the Subdivision Regulations to determine if the current \$1,500 per lot is adequate based on projected growth. Hochstein discussed possible revisions to the sanitary sewer design standards in new developments.

Report from Clerk/Treasurer – Nystrom said the Community Needs Assessment Survey town hall meeting will be held at Immanuel Lutheran Church on July 8th from 7:00-8:30 p.m. The 6th Street Water Main Extension project is likely to commence next week. Nystrom said the Budget Workshop will be held next month and encouraged the Village Board to begin planning accordingly. Meier asked if the office is still collecting sidewalk assessment fees from adjacent residents after the last F Street improvement project. Nystrom said yes. The total monthly income ending June 30, 2024 was \$110,568.28.

The meeting was adjourned at 7:43 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 July 2, 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

Terri Todd
Chairperson