

VILLAGE OF HAMERSVILLE
 OFFICE OF THE CLERK TREASURER
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SPECIAL COUNCIL MEETING

MONDAY April 15, 1996 6:30 P.M.

Present: Mayor Steven Bowyer, Clerk Treasurer Martha Hanes, Council Members Glen Boling, Joyce Craig, Jesse Nester, Wyndal Staggs.

Absent: Sue Sowers and Duane Neu.

Also Present: William Dean Sr. and Mack Hanes from the Board of Public Affairs.

Roger Adkins was also present.

Mayor Bowyer called the special meeting to order at 6:30 P.M. and handed the clerk a letter which she read aloud stating that Monday April 22, 1996 at the conclusion of the special council meeting he would be resigning to accept a position in Houston Texas. (The complete letter will become part of these minutes on the last page)

Mayor Bowyer spoke to the council and told them that Brandstetter Carroll was very upset over not being paid their engineering fees.

Mr. Adkins spoke to council on the sewers and what progress was being made. Mr. Adkins discussed MAP Industries and the funding for the sewers.

Mr. Staggs questioned what happens if they (Map Industries) does not up hold their part of the funding agreement; would the village be responsible? Mr. Adkins explained the funding procedure in great length to the council.

The clerk reported that the overhead door on the maintenance building was broken and could not be repaired. The clerk gave council a run down on the cost of doors at different companies. The cost was One thousand three hundred and thirty two dollars at Kibler Milling Co. (\$1332.00) and Six hundred and eighteen dollars and sixty six cents at Carter

Lumber Company (\$618.66) and Five hundred and sixty three dollars and twenty seven cents (\$563.27) at Ballein Lumber in Georgetown. The delivery time is two to three weeks from all three dealers. Mr. Boling motioned to have the clerk order a door from Ballein Lumber in Georgetown, this was seconded by Ms. Crag. All Voted YEA. MOTION CARRIED.

The clerk explained to council that the village needed to purchase a FAX Machine and Mayor Bowyer asked the Board of Public Affairs if they would share the cost of the Fax Machine, when they said they would share the cost Mr. Staggs motioned to have the clerk purchase a Fax machine not to exceed Four hundred Dollars (\$400.00) Mr. Boling seconded the motion. All voted YEA. Nay None. MOTION CARRIED.

The clerk told council that the Village needed to set a spring clean up day and the date was set for Wednesday May 15, 1996 if this is acceptable with Rumpke. The clerk to verify this date and to send notices to the newspapers.

Mr. Dean approached council about coming on the village council when Mr. Neu moves to the Mayors position. Mr. Dean stated that he would be out of town but wanted to let council know that he was interested in moving to council.

Mayor Bowyer asked if there was any other business to come before council; hearing none Mr. Staggs motioned to adjourn, this was seconded by Ms. Craig.

Mayor Bowyer adjourned the meeting reminding everyone of the special council meeting on Monday April 22, 1996 at 7:00 P.M.

Martha Hanes - Clerk Treasurer

Steven Bowyer - Mayor

A motion to adopt the annual appropriations ORDINANCE 1996-10 was made by Mr. Staggs and seconded by Mr. Nester. All Voted YEA. Nay. NONE.

MOTION CARRIED.

The clerk told council that Ms. Johanna Bowyer had an office desk that had been on loan that she would like to sell to the village. She would like to have Fifty Dollars (\$50.00) for the desk.

Mr. Neu motioned and Mr. Boling seconded the motion to purchase the desk from Ms. Bowyer for the sum of Fifty Dollars (\$50.00). All voted YEA. NAY:

None. MOTION CARRIED.

Mayor Bowyer called on Mr. Brandstetter who discussed the applications due on the sewer project. Mr. Brandstetter said that the application was due on Friday April 26, 1996 and asked the clerk for additional information which was needed.

Mr. Brandstetter said he also needed an updated letter from the Western Brown School and Mayor Bowyer said that he had contacted Mr. Wells and he was sending the letter to the village.

Mr. Staggs questioned Mr. Brandstetter on the applications for F.M.H.A.

Funding. Mr. Brandstetter explained that this was a back funding and would not be available before 1997.

It was reported that Loyd Scott could not repair the village dump truck and Mr. Dunn had checked with Bob Jewell at Jewells Auto Repair and he will repair the clutch for less the Loyd Scott would. (THE EXACT AMOUNT NOT AVAILABLE)

Ms. Craig motioned and Mr. Neu seconded the motion to take the truck to Jewells on Tuesday for the repair work. All Voted YEA: Nay. NONE. **MOTION CARRIED.**

The clerk told council that she had received complaints about the holes in the streets at Sisterville Road and S.R. 125 and Travis Avenue and North Avenue. Ken Green to be notified of the holes.

Mayor Bowyer discussed his resignation and Mr. Staggs motioned to accept the resignation; this was seconded by Mr. Boling. All Voted YEA. MOTION CARRIED.

Mr. Staggs motioned and Ms. Craig seconded the motion to take a recess until the Village Solicitor arrived. All voted YEA: MOTION CARRIED.

The council took a short recess until the village solicitor arrived.

The council was reconvened and Village Solicitor George Leicht then swore in Duane Neu as the new mayor.

Mayor Neu then asked for a nomination for a new president of Council and Mr. Boling nominated Mr. Staggs; this was seconded by Ms. Craig. All voted YEA. except Mr. Staggs who abstained from the vote. Mr. Staggs is the new president of Council.

Mayor Neu then worked on the street committee and the following was appointed.

Jesse Nester-Chairman, Wyndal Staggs and Glen Boling.

The mayor will adjust the other committees when the new council member has been appointed.

Ms. Ott to put a notice in the newspaper asking for any one interested in being on the Village Council to be at the next Council meeting.

Mayor Neu said he had checked with the Board of Elections and that the Mayor would have to run for office in 1997.

Mr. Leicht the discussed the problem with the payment of the engineering fees for Brandstetter Carroll. Mr. Leicht said that he felt the village should proceed

with the payment of the fees for the preliminary plans(\$5,000.00) plus the out of pocket

expense (\$5,000.00) Brandstetter Carroll had incurred so far on the project.

Mr.Brandstetter said this would amount to around ten thousand dollars (\$10,000.00)

Mr. Leicht made the following recommendations to the village council:

1. That council pass the necessary Ordinance to issue the general obligation notes in the amount of seventy five thousand dollars (\$75,000.00).
2. Pay Brandstetter Carroll the Ten Thousand dollars (\$10,000.00) Five thousand dollars in engineering fees plus the out of pocket expense.
3. Albatraze the remainder of the funds until they are needed to pay additional engineering fees.

Mr.Brandstetter said he could accept this as long as his firm has a commitment that the village is acting in good faith, however his firm has received no payment so far and they feel they are long over due for some compensation.

Mr. Leich says the village does not need to be bogged down in litigation and this should solve the dilemma.

The Maximum to be paid to Brandstetter Carroll at the present time is ten thousand dollars (\$10,000.00)

A motion to suspend the rules and give second and third readings by title only for Ordinance 1996-11 Sewer Improvement Bond Anticipation Notes was made by Mr. Staggs and seconded by Mr. Boling. All voted YEA. MOTION CARRIED.

A motion to adopt ORDINANCE 1996-11 For Sewer Improvement Bond Anticipation Notes was made by Mr. Boling and seconded by Mr. Staggs.

Voting: Mr. Staggs YEA: Mr. Boling: YEA, Ms. Craig: YEA, Mr. Nester: YEA, Ms. Sowers: YEA: VOTING NAY: None. MOTION CARRIED.

The clerk to contact Higginsport Bank, Society Bank and National Bank and Trust Company and invite them to bid for the deposit of these funds.

After a short question and answer period Mr. Staggs motioned to adjourn. This was seconded by Mr. Boling.

Mayor Neu adjourned the meeting...

Martha Hanes

Martha Hanes - Clerk Treasurer

Duane C. Neu

Duane C. Neu - Mayor