

**VILLAGE OF HAMERSVILLE
OFFICE OF THE CLERK TREASURER
202 WEST MAIN STREET P.O. BOX 146
HAMERSVILLE, OHIO 45130
PHONE 937-379-1851 FAX 937.379.1851**

Regular Village Council Meeting

November 4, 1996 7:00 P.M.

Present: Mayor Duane C. Neu, Clerk Treasurer Martha Hanes and the following members of the village council Glen Boling, Joyce Craig, William Dean Sr. and Wyndol Staggs. And the Village Solicitor George P. Leicht.

Also Present: Michael and Carolyn Washburn, Chief James Canter, Eunice Ott from the Brown County Press, Mack Hanes from the Hamersville Board of Public Affairs and Keith Gray and Kenny Green.

Absent: Council Members Sue Sowers and Donna Souder.

Mayor Neu called the meeting to order and recognized Michael and Carolyn Washburn who was present to see if the village could offer any help in maintaining the parking lot at their business located adjacent to the village offices and the post office; due to the fact that so many of the post office customers and people paying their utility bills use their parking lot. After much discussion it was decided that the village could not help with the parking lot since it was private property; however the village can repair the storm drains along the street. It was suggested that perhaps the village could lease the parking lot from the Washburns however the village solicitor told the council that this would not be feasible due to the liability insurance. Kenny Green was instructed by the Mayor to check out the grates and storm drains and make the necessary repairs.

Ms. Washburn thanked the council and left the meeting.

Mayor Neu asked for a motion to accept the minutes of the October 7, 1996 meeting and Mr. Dean motioned to accept the minutes as presented this as seconded by Ms. Craig. Voting: All YEA. Opposed None. **MOTION CARRIED.**

OLD BUSINESS:

No report from the street committee on the animals in the park.

No report on the permit number on the flashing light for the fire department.

No thru trucks on the village streets: Mr. Leicht told the council that they needed to have any engineer determine the width of the streets, how much right of way the village has, and how much weight the streets can bear; before the village can enact an ordinance regulating thru trucks on the streets.

SEWERS:

The conference memo from Brandstetter on the meeting with FMHA was discussed and when more funding would be available from FMHA. The application for State Issue II Funds has been submitted and the county ranked the village number two (2) on the list.

NEW BUSINESS:

The council interviewed Mr. Keith B. Gray who had submitted a resume for a position on the village police department and Mr. Dean motioned to hire Mr. Gray on a six months probationary period at the pay rate of four dollars and seventy five cents per hour (\$4.75) And if Mr. Gray leaves the department within one year he will reimburse the village for the cost of his uniforms. This was seconded by Mr. Staggs. All Voted YEA. Opposed NONE. **MOTION CARRIED.**

ADDENDUM TO GARBAGE CONTRACT:

The addendum to the Rumpke Garbage contract to raise the rates to Seven dollars and Forty Five Cents per customer (\$7.45) with no garbage pick up to be made before six o'clock in the A.M. (6:00 A.M.) Mr. Boling motioned to accept the

addendum this was seconded by Mr. Dean. All Voted YEA. Opposed NONE.

MOTION CARRIED. (The entire addendum will become part of these minutes on the last page)

Mr. Staggs motioned to raise the garbage rates in the village from eight (\$8.00) to eight dollars and twenty five cents (\$8.25) and from ten dollars (\$10.00) to ten dollars and twenty five cents (\$10.25) for the pick ups out of the village effective February 1, 1997. This was seconded by Mr. Dean . All voted YEA. Opposed NONE. **MOTION CARRIED.**

EXTENDED AREA SERVICE FOR THE TELEPHONE COMPANY was discussed and the clerk told the council that the ballots had indicated that enough people was interested and the village will be getting the E.A.S. with in the next year.

THERE WAS NO REPORT FROM THE STREET COMMITTEE.

THERE WAS NO REPORT FROM THE POLICE COMMITTEE.

Mr. Staggs reported that he had checked on the cost of a back hoe and the cost was out of the villages range at the present time.

The clerk to contact Mr. Ralph Shaffer and schedule a meeting with the street committee to see if Mr. Shaffer could do some repair work for the village

Mayor Neu reported to council that the county engineer Jim Beasley would be willing to do some grade levels and ditching for the village.

Mr. Boling motioned to hire the County Engineer to shoot some grade levels and ditching within the village. This was seconded by Mr. Staggs. All voted YEA.

Opposed NONE. **MOTION CARRIED.** Mayor Neu to contact Beasley and get on the work list.

Chief Canter called the condition of the house next to Irvs Auto Sales to the councils attention saying the house appeared to be in very poor condition and he felt the village should have this situation corrected.

The burned out buildings belonging to Mr. McKinney (Next to the old Bank Building) should be taken care of since they are an eye sore in the village.

A motion to pay the bills as presented on the voucher was made by Ms. Craig and seconded by Mr. Boling. All voted YEA. Opposed NONE. **MOTION CARRIED.**

Mr. Boling told the council that he could assist the village in setting up a blue grass music show to generate some revenue for the village if they was interested. This to be discussed more at the next council meeting.

At the request of the village solicitor Ms. Craig motioned to go into executive session to discuss potential litigation. Mr. Dean seconded the motion. All Voted YEA. Opposed None. **MOTION CARRIED.**

Mr. Dean motioned to come out of executive session this was seconded by Ms. Craig All Voted YEA Opposed NONE. **MOTION CARRIED.**

Mayor Neu asked if there was any other business to come before the council hearing none Mr. Staggs motioned to adjourn this was seconded by Ms. Craig. All Voted YEA.

Mayor Neu adjourned the meeting reminding everyone that the next regular meeting will be Monday December 2, 1996 at 7:00 P.M.

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ADDENDUM

This document serves to add the following to the contract dated January 1, 1991 between the Village of Hamersville and Rumpke Waste, Inc.

It is hereby agreed as follows:

Effective January 1, 1997 through December 31, 1997 the Village's invoice will be based on \$7.45 per unit per month. Any and all applicable surcharges will be in addition to the above quoted rate.

The Contractor agrees to comply with all Federal, State and local laws and regulations in the collection, removal, and disposal of all such waste material. In the event that the Contractor incurs increased costs (such as, but not limited to, tipping fees, disposal fees, surcharge fees, additional fuel costs) as a result of imposition of new governmental regulations not in effect at the time of acceptance of said contract and which regulate the type of material collected, the location for disposition of such material, or the payment of fees for disposing of such materials, then the Village may, after negotiation with Rumpke and approval by the Village Council, adjust the unit cost by an amount commensurate with the increased per unit operating cost incurred by Rumpke.

In the event that either party is unable to perform any of its obligations under this contract or to enjoy any of its benefits because of (or if failure to perform the services is caused by) war, Acts of God, natural disaster, fire, quarantine, labor disputes or strikes, explosion, shortage or failure in the supply of fuel, electric current or other public utility not caused by Contractor's actions, actions or decrees of governmental bodies not caused by Contractor's actions, or any other cause beyond the control of the parties (hereinafter referred

to as a "Force Majeure Event"), the party who has been so affected shall immediately give notice to the other party. Upon receipt of notice, all obligations under this contract shall be immediately suspended. If the period of nonperformance exceeds thirty (30) days from the receipt of notice of the Force Majeure Event, either party may terminate this contract.

Garbage shall be picked up in the village before 6:00 A.M.

**VILLAGE OF
HAMERSVILLE, OHIO**

Wanda Thomas
Title: *CLERK TREASURER*

Witness

Date

11/4/96

RUMPKE WASTE, INC.

Marilyn Canale
Municipal Contract Manager

Sam Lockaby

Witness

Date

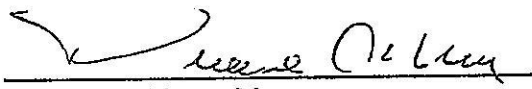
10-10-96

EFFECTIVE FEBRUARY 1, 1997 the Following rates will go into effect for the Pick up of garbage per a motion of the village council on November 4, 1996

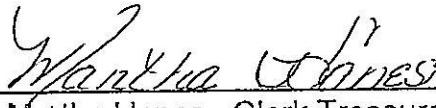
Inside the Village:	Present rate	\$8.00	New Rate	\$8.25
Outside THE Village	Present rate	\$10.00	New Rate	\$10.25

SEE NOVEMBER 1996 minutes for entire motion.....

000679



Duane C. Neu - Mayor



Martha Hanes - Clerk Treasurer