

**VILLAGE OF HAMERSVILLE
OFFICE OF THE CLERK TREASURER
202 WEST MAIN STREET P.O. BOX 146
HAMERSVILLE, OHIO 45130-0146
PHONE 937-379-1851 FAX 937.379.1851**

REGULAR VILLAGE COUNCIL MEETING

MAY 12, 1997 7:00 P.M.

Present: Mayor Duane C. Neu, Clerk Treasurer Martha Hanes and the following village council members William Dean Sr., Donna Souder, Sue Sowers, Bryan Stewart, Wyndal Staggs.

Absent Joyce Craig.

Also Present: Eunice Ott from the Brown County Press, Chief James Canter from the Hamersville Police Department, Kenny Green, James and Mary Hanselman and Jeff Royalty from the Western Brown School and the Village Solicitor Cecelia Potts.

Mayor Neu called the meeting to order at 7:00 P.M. and recognized Mr. And Mrs. James Hanselman who asked the council what the village was going to do about the bad condition of North Avenue. Mr. Hanselman said "that there has been cars off the street in the ditch and that repair work is desperately needed". Mayor Neu told Mr. Hanselman that the village was trying to get a grant for North Avenue: however the street committee would look at North Avenue and see what they would recommend.

Mr. Hanselman asked when the village was going to put more gravel on the tile in his ditch? Mayor Neu referred this to the street committee to check out.

Mayor Neu recognized Mr. Jeff Royalty from the Strategic Planning Committee of the Western Brown School. Mr. Royalty explained to the council what the "Statistic Planning Committee was trying to do and asked for help from the village council members. Mr. Royalty thanked the council for their time and left the meeting.

Mr. And Mrs. Hanselman thanked the council for their time and left the meeting. Mayor Neu called for a motion to adopt the minutes from the April 15, 1997 and the May 9, 1997 meeting.

Mr. Dean motioned to accept the minutes as presented and Mr. Stewart seconded the motion. All voted YEA. Opposed None. **MOTION CARRIED.**

Martha Hanes explained to the council that there was one line left out of RESOLUTION 1997-14 and that the council need to pass this again as revised. Mayor Neu called for a motion to suspend the rules and give the second and third readings by title only.

Mr. Dean motioned and Mr. Staggs seconded the motion to suspend the rules and give the second and third readings of RESOLUTION 1997-14 by title only.

All voted YEA. Opposed None. **MOTION CARRIED.**

Mayor Neu called for a motion to adopt RESOLUTION 1997-14 (AS REVISED) A RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING A SEWER COLLECTION SYSTEM, PUMP STATION AND FORCE MAIN IN THE VILLAGE OF HAMERSVILLE AND DECLARING AN EMERGENCY.

MR. Dean motioned to adopt RESOLUTION 1997-14 AS REVISED and Ms.. Souder seconded the motion. All Voted YEA. Opposed None. **MOTION CARRIED.**

(Resolution 1997-14 will become part of these minutes on the last pages)

The question was asked what has to be done to annex property into the village and who can request the annexation. Ms Potts told the council that a majority of the property owners must request the annexation or the village can file for an annexation.

New Business:

The question on having the village cleaned up arose and Mayor Neu directed the police department to give out warnings on the clean up and give the people thirty (30) days to get rid of their junk.

The Tile in front of the Johnson property on Walnut Street was discussed and Mayor Neu said he would discuss this with Mr. Johnson and see if it could not be opened up.

The street committee will be having a meeting in the near future to check the village out and make recommendations for needed repairs on the street and ditches.

POLICE DEPARTMENT REPORT:

Chief Canter told the council that Officers Keith Gray and Robby J. McKinzie had resigned.

Mayor Neu read the letter of resignation from Officer McKinzie. Mr. Staggs motioned to accept the resignation and Mr. Dean seconded the motion .All voted YEA. Opposed None. **MOTION CARRIED.**

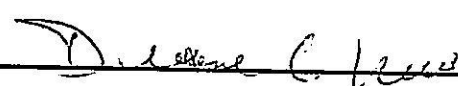
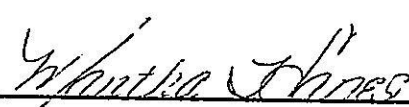
The question of the Officers paying for their uniforms was discussed and the clerk is to research the exact cost and notify the Officers so they can reimburse the village for the uniforms since they had not been employed by the village for one (1) Year. Mr. Staggs motioned to send Officer Gray and Officer McKinzie a letter telling them when they pay for their uniforms they can pick up their final check.

Mr. Stewart second this motion. All Voted YEA. Opposed None. **MOTION CARRIED.**

Mayor Neu reported that the water line over the White oak Creek was progressing well and should be completed in the next week if the weather stays good.

Mayor Neu called for a motion to pay the village bills as presented on the voucher and Mr. Dean motioned to pay the bills; Mr. Staggs seconded the motion. All Voted YEA. Opposed None. **MOTION CARRIED.**

Mayor Neu asked if there was any further business to come before the council. Hearing none Mr. Staggs motioned to adjourn and Ms. Souder seconded the motion. All Voted YEA. Opposed None. **MOTION CARRIED.**

Duane C. Neu - Mayor Martha Hanes - Clerk Treasurer

VILLAGE OF HAMERSVILLE, OHIO

1997-
RESOLUTION NO. 14

**A RESOLUTION DECLARING THE NECESSITY OF
CONSTRUCTING A SEWER COLLECTION SYSTEM,
PUMP STATION AND FORCE MAIN IN THE
VILLAGE OF HAMERSVILLE, OHIO
AND DECLARING AN EMERGENCY.**

WHEREAS, this council has heretofore proposed the necessity of (i) the installation of a sanitary sewer collection system consisting of approximately 25,400 linear feet of pipe and approximately 165 grinder pumps and associated restoration and work, (ii) the construction of a pump station, and (iii) the installation of approximately 42,000 linear feet of force main to transport the sewage to the Mt. Orab Wastewater Treatment Plant and associated restoration (herein the "Improvements") to be paid for in part by special assessments; and

WHEREAS, plans, specifications and profiles of the Improvements, showing the proposed grade of the street and Improvements after completion with reference to property abutting thereon, and an estimate of the cost of the Improvements have been prepared and are filed in the office of the clerk of council and are open to the inspection of all persons interested; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Hamersville (hereinafter the "Village"), County of Brown, Ohio, three-fourths of all members elected thereto concurring;

SECTION 1. That it is necessary to make sewer improvements in the Village by (i) installing a sanitary sewer collection system consisting of approximately 25,400 linear feet of pipe and approximately 165 grinder pumps and associated restoration and work, (ii) constructing a pump station, and (iii) installing approximately 42,000 linear feet of force main to transport the sewage to the Mt. Orab Wastewater Treatment Plant and associated restoration as shown on the plans, specifications and profiles of the Improvements, referred to in the Preambles hereof. The sewer collection system will be installed on the property and the parcels of land to be assessed, as set forth on Exhibit A attached hereto and made a part hereof.

SECTION 2. That it is hereby determined and declared that the Improvements are conducive to the public peace, health, safety and welfare of the Village and the inhabitants thereof.

SECTION 3. That the plans, specifications, profiles and estimate of cost of the Improvements are hereby approved.

SECTION 4. That of the total estimated cost of the Improvements, including the costs of issuing debt to finance the cost of the Improvements, of \$1,850,000, approximately \$500,000 will be paid from the proceeds of a State of Ohio Issue II grant, approximately \$400,000 will be paid from the proceeds of the Village's sewer system mortgage revenue bonds, which will be paid from the payments paid by Western Brown Local School District pursuant to the provisions of an installment sale agreement, approximately \$350,000 will be paid by special assessments paid by residential and commercial customers or debt issued in anticipation of the levy and collection of such special assessments, approximately \$215,000 will be paid from prepaid tap fees from residential and commercial users, and approximately \$385,000 will be paid from the proceeds of the Village's sewer system mortgage revenue bonds, which will be paid from the payments made by residential and commercial users of the system.

SECTION 5. That the method of levying said special assessments shall be in proportion to the benefit to be received and shall be as follows: \$3,000 per residential customer and \$5,000 per commercial customer; provided that any customer who pays his, her or its special assessment in full prior to June 30, 1997 shall receive a \$500 discount on the amount of his, her or its assessment, i.e., \$2,500 per residential customer and \$4,500 per commercial customer. In addition, Western Brown Local School District shall be assessed \$400,000.

SECTION 6. That the lots or parcels of land to be assessed for the Improvements shall include all lots and lands described in Exhibit A, attached hereto and made a part hereof, all of which said lots and lands are hereby determined to be specially benefited by the Improvements.

SECTION 7. That the cost of the Improvements to be paid for directly or indirectly, by funds derived from special assessments may include but is not limited to: (a) the purchase price of real estate or any interest therein when acquired by purchase, or not more than fifty per centum (50%) of the cost of acquiring such real estate or any interest therein when acquired by appropriation; (b) the cost of preliminary and other surveys; (c) the cost of preparing plans, specifications, profiles, and estimates; (d) the cost of printing, serving, and publishing notices, resolutions, and ordinances; (e) the cost of all special proceedings; (f) the cost of labor and material, whether furnished by contract or otherwise; (g) interest on bonds or notes issued in anticipation of the levy and collection of the special assessments; (h) the total amount of damages, resulting from the Improvements, assessed in favor of any owner of lands affected by the Improvements and interest thereon; (i) the cost incurred in connection with the preparation, levy, and collection of the special assessments, including legal expenses incurred by reason of the Improvements; and (j) incidental costs directly connected with the Improvements.

SECTION 3. That the plans, specifications, profiles and estimate of cost of the Improvements are hereby approved.

SECTION 4. That of the total estimated cost of the Improvements, including the costs of issuing debt to finance the cost of the Improvements, of \$1,850,000, approximately \$500,000 will be paid from the proceeds of a State of Ohio Issue II grant, approximately \$400,000 will be paid from the proceeds of the Village's sewer system mortgage revenue bonds, which will be paid from the payments paid by Western Brown Local School District pursuant to the provisions of an installment sale agreement, approximately \$350,000 will be paid by special assessments paid by residential and commercial customers or debt issued in anticipation of the levy and collection of such special assessments, approximately \$215,000 will be paid from prepaid tap fees from residential and commercial users, and approximately \$385,000 will be paid from the proceeds of the Village's sewer system mortgage revenue bonds, which will be paid from the payments made by residential and commercial users of the system.

SECTION 5. That the method of levying said special assessments shall be in proportion to the benefit to be received and shall be as follows: \$3,000 per residential customer and \$5,000 per commercial customer; provided that any customer who pays his, her or its special assessment in full prior to June 30, 1997 shall receive a \$500 discount on the amount of his, her or its assessment, i.e., \$2,500 per residential customer and \$4,500 per commercial customer. In addition, Western Brown Local School District shall be assessed \$400,000.

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SECTION 7. That the cost of the Improvements to be paid for directly or indirectly, by funds derived from special assessments may include but is not limited to: (a) the purchase price of real estate or any interest therein when acquired by purchase, or not more than fifty per centum (50%) of the cost of acquiring such real estate or any interest therein when acquired by appropriation; (b) the cost of preliminary and other surveys; (c) the cost of preparing plans, specifications, profiles, and estimates; (d) the cost of printing, serving, and publishing notices, resolutions, and ordinances; (e) the cost of all special proceedings; (f) the cost of labor and material, whether furnished by contract or otherwise; (g) interest on bonds or notes issued in anticipation of the levy and collection of the special assessments; (h) the total amount of damages, resulting from the Improvements, assessed in favor of any owner of lands affected by the Improvements and interest thereon; (i) the cost incurred in connection with the preparation, levy, and collection of the special assessments, including legal expenses incurred by reason of the Improvements; and (j) incidental costs directly connected with the Improvements.

SECTION 8. That the assessments to be levied shall be paid in forty (40) semi-annual deferred payments for the same period as the bonds to be issued in anticipation of the collection thereof; provided, that the owner of any property assessed may, at his, her or its option, pay such assessment in cash within 30 days after the first publication of the notice of the assessment ordinance.

SECTION 9. That bonds of the Village shall be issued in anticipation of the collection of special assessments by installments and in an amount equal thereto and notes of the Village shall be issued in anticipation of the issuance of such bonds and the levy of such assessments.

SECTION 10. That the remainder of the entire cost of the Improvements, after application of the assessments herein provided, shall be paid by the issuance of bonds of the Village in the manner provided by law or from funds available to the Village for this purpose.

SECTION 11. That the clerk of council has caused to be prepared and filed in the office of said clerk of council the estimated assessments of the cost of the Improvements in accordance with the method of assessment set forth in this resolution, showing the amount of the assessment against each lot or parcel of land to be assessed.

SECTION 12. That it is found and determined that all formal actions of this council concerning and relating to the adoption of this resolution were adopted in an open meeting of this council; and that all deliberations of this council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 13. That this resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the Village, and for the further reason that the immediate construction of the Improvements are necessary to protect the health of the inhabitants of the Village; therefore, this resolution shall be in full force and effect from and immediately after its adoption.

ADOPTED May 9, 1997.

MAYOR Deane C. New
Presiding Officer

Attest:

Martha Jones
Clerk of Council

**NOTICE OF THE ADOPTION OF
RESOLUTION OF NECESSITY
AND FILING OF THE
ESTIMATED ASSESSMENTS.**

You are hereby notified, pursuant to the provisions of Section 727.13, Revised Code, that the Council of the Village of Hamersville, Ohio adopted a resolution of necessity with respect to the installation of a sanitary sewer collection system, the construction of a pumping station and the installation of a force main on May 9, 1997, and that the estimated assessments with respect to such improvements have been filed under Section 727.12, Revised Code.

The estimated assessments are on file in the office of the Clerk-Treasurer of the Village, 202 Main Street, Hamersville, from 8 a.m. until 1:00 p.m., Monday-*Thurs* ~~Thurs~~ *Thurs* ~~through~~ *from 1 P.M. to 6 P.M.* Friday. *Thurs + Wed*

VOUCHER
VILLAGE OF HAMERSVILLE
VILLAGE COUNCIL BILLS

CHECK #	VENDOR	AMOUNT	FUND	NOTES:
May 12, 1997				
17456	Village of Hamersville Payroll	\$5,371.05	Gen./Stre./Elec./ Wtr./ Garb.	Payroll April 1997
17457	Internal Revenue Service (Medicare)	\$21.72	General/Stre./Elec./ Wtr/	Medicare April 1997
17458	P.E.R.S.	\$727.84	Gen./Str./Elec./Wtr.	PERS April 1997
17459	Duane C. Neu.	\$277.45	General/Water	Mileage/Photos /Telephone.
17460	Buckeye Flags	\$60.00	Street Const.	Signs for school Area.
17461	Fettlers Oil Co.	\$1,543.87	Gen./Street/Elec./Wtr.	Gasoline
17462	Martha Hanes	\$77.22	General	Mileage
17463	GTE NORTH		General	Phone 379-1851
17464	Ohio Bureau Workers Comp.		Gen./Str./ Elec./Wtr/	

FOR THE RECORDS ONLY:

3180 Glen Boling	\$18.01	April 1997	Payroll Clearing Acct
3181 James Canter	\$477.42	April 1997	Payroll Clearing Acct
3182 Joyce Craig	\$18.30	April 1997	Payroll Clearing Acct
3183 William Dunn Sr	\$18.01	April 1997	Payroll Clearing Acct
3184 Lynn Dunn	\$627.83	April 1997	Payroll Clearing Acct
3185 Kay Elliott	\$578.80	April 1997	Payroll Clearing Acct
3186 Darwin Emmert	\$166.16	April 1997	Payroll Clearing Acct
3187 Keith Gray	\$51.32	April 1997	Payroll Clearing Acct
3188 Kenny Green	\$553.69	April 1997	Payroll Clearing Acct
3189 Martha Hanes	\$400.00	April 1997	Payroll Clearing Acct
3190 Bety Kirkpatrick	\$283.47	April 1997	Payroll Clearing Acct
3191 Edward Martin	\$18.01	April 1997	Payroll Clearing Acct
3192 Robby J. McKinzie	\$99.51	April 1997	Payroll Clearing Acct
3193 Duane C. Neu	\$97.56	April 1997	Payroll Clearing Acct
3194 Lonny Riley	\$126.76	April 1997	Payroll Clearing Acct

3195 Colby Saylor	\$386.09	April 1997	Payroll Clearing Acct.
3196 Luther Shafer	\$55.73	April 1997	Payroll Clearing Acct.
3197 Timothy Sharp	\$18.01	April 1997	Payroll Clearing Acct.
3198 Donna Souder	\$18.01	April 1997	Payroll Clearing Acct.
3199 Sue Sowers	\$18.01	April 1997	Payroll Clearing Acct.
3200 Wyndal Staggs	\$18.30	April 1997	Payroll Clearing Acct.
3201 Michelle Watson	\$105.56	April 1997	Payroll Clearing Acct.
3202 Internal Revenue	\$575.18	April 1997	Payroll Clearing Acct.
3203 Treas. State Ohio	\$163.03	April 1997	Payroll Clearing Acct.
3204 Internal Revenue (Medicare)	\$21.72	April 1997	Payroll Clearing Acct.
3205 PERS	\$456.56	April 1997	Payroll Clearing Acct.
cks3180 thru 3205=			
TOTAL GENERAL FUND	\$5,371.05		the exact amount of warrant 17456 which was moved to
TOTAL STREET CONST.	\$1,985.80		the payroll clearing account.
TOTAL ELECTRIC	\$445.50		
TOTAL WATER	\$1,775.50		
TOTAL CARBAGE	\$1,114.25		
<u>GRAND TOTAL</u>	<u>\$50.00</u>		
	<u>\$5,371.05</u>		

APPROVED BY:

[Signature]
 JOYCE CRAIG
 [Signature]
 WYNDAL STAGGS
 [Signature]
 SUE SOWERS

TREASURERS CRETIFICATION:

I HEREBY CERTIFY THAT MONIES ARE AVAILABLE AND UNENCUMBERED
FOR ANY OF THE ABOVE INVOICES FOR WHICH A PURCHASE ORDER HAS NOT BEEN ISSUED

[Signature]
 MARTHA HANES

CLERK TREASURER

DATE MAY 12 1997

<u>BANK STATEMENT NATIONAL BANK AND TRUST</u>					
<u>DATE</u>	<u>FOR MONTH ENDING</u>				
		April 30, 1997			
					\$181,064.41
			>>>>>>>>>>>>>>>>>>>>>>		\$13,281.80
			>>>>>>>>>>>>>>>>>>>>>>		\$12,892.98
			>>>>>>>>>>>>>>>>>>>>>>		\$181,453.23
			CHECK DATE PAID TO		
			NUMBERS AMOUNT		
			694 \$1.25	17409 \$28.82	4/14/97 Internal Revenue Service (Medicare)
			734 \$20.00	17432 \$10,000.00	4/21/97 Mil. Hamersville Emerg. Elec.
			735 \$50.00	17433 \$1,000.00	4/21/97 Mil. Hamersville Water Replace.
			12683 \$0.31	17435 \$240.00	4/21/97 J.D. Stine
			13400 \$5.80	17437 \$10.14	4/21/97 Hamerville Food Mart
			13401 \$11.56	17439 \$1,019.00	4/21/97 Suncraft Const. Co.
			13451 \$9.78	17440 Void	
			13452 \$1.53	17445 Void	
			14446 \$10.00	17451 \$39.00	4/21/97 Jackson (Utility Trust)
			14458 \$1.00	17452 32	4/21/97 U.S. Postal Service(100 Stamps)
			14459 \$150.00	17453 131	4/21/97 Fastsigns(Signs for trucks)
			15819 \$11.34	17454 \$13.00	4/21/97 U.S. Postal Service (Box Rent)
			15840 \$5.00	17455 \$64.00	4/21/97 U.S.Postal (Sewer Mailing)
			16174 \$38.45		
			16241 (\$288.74)		
			\$0.00		
			\$0.00		
			\$0.00		
TOTALS		\$316.02		\$12,576.96	
FUNDS IN TRANSIT					
STAR OHIO			\$8.86		CHECKING ACCOUNT BALANCE \$181,453.23
Kay Elliott			\$0.00		STAR OHIO \$2,000.00
M.Hanes			\$13,272.94		CD # 00000330 \$100,000.00
TOTAL			\$13,281.80		STAR OHIO (SEWERS) \$78,856.49
					CASH BANK MAYORS CT \$100.00
					Petty Cash M. Hanes \$150.00
					GRAND TOTAL ALL FUNDS \$362,559.72

