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Village of Hamersville
Regular Council Meeting
December 6, 1993 - 7:00 P.M.

Present: Jim Johnston, Duane Neu, Jesse Nester, Cheri Craig, Wyndal Staggs, Mayor Steve Bowyer, Clerk-Treasurer Joyce Craig, William Dean, Jr. enter during the meeting.

Also Present: Jim Canter, Betty Kirpatrick, Eunice Ott of Brown County Press, Visitors from Hamersville Baptist Church, Solicitor Leicht, Bruce Brandstetter & partner.

Mayor Bowyer called the meeting to order.

Mayor Bowyer asked for approval of the November 1, 1993. Johnston moved to accept the minutes as written. Nester seconded the motion. **VOTING:** YEA: Johnston, Nester, Craig, Neu, Staggs.
MOTION CARRIED.

Mayor Bowyer informed Council of the following:

Angler Shack sign was taken down by Mr. Bunton and Mr. Dunn.

Regarding the August break-in and the insurance coverage. The Village does not have Criminal coverage, therefore when money was taken from the collector's desk, it is lost—no replacement by insurance. Solicitor Leicht said to have collector make a list of the people who paid by check. We can ask customer to re-issue. However, those that paid by cash on that day - we will not be able to collect.

SR 774 situation - Mayor -- must write Deputy Director in Chillicothe to have road repaired. This repair will be made at no charge to the Village.

Mayor Bowyer asked Bruce Brandstetter to inform Council of the meeting with FmHA. Mr. Brandstetter informed Council that there are three main questions/objections that need to be worked on: 1. How to collect and treat sewage, 2. Treatment of the sewer, and 3. Funding of sewer system.

Presently we do have a pre-application on file with FmHA that can be amended. Project is eligible and most likely can be funded. FmHA is asking for a preliminary report for collecting sewage, treatment and how we are going to pay. We will need also input from EPA as we proceed on line. FmHA could grant up to 50% and loan the rest for 40 years. However, we may not get a grant of 50%.

Mr. Brandstetter handed out a couple of charts about the sewer system, one was a month by month guideline of what will take place, the other was an estimated break down cost of how much it will cost each customer. Council members do not want the customers to pay over \$30.00 per month. Mr. Brandstetter stated that he understood Council feelings, but he was working from previous figures and said that was a starting place. Now they have a solid figure goal to work towards. Mr. Brandstetter also stated that FmHA does not like to see over \$35.00 per household for a sewer bill.

Mr. Brandstetter wanted permission to do a preliminary engineering study. (Fees are reimbursable in FmHA loan). The preliminary engineering study will cost \$5,000. There is a \$4,000 balance that is unused from a previous EPA Loan for a preliminary engineering study. It is possible that we can still use part of the \$5,000. This is a non interest planning loan. If there is no balance in loan, the Village Council can re-apply for another planning grant/loan. Preliminary Engineering Study fees are reimbursable in FmHA Loan. Discussion followed.

Johnston moved, Neu seconded to agree for Brandstetter & Carroll to do a Preliminary Engineering report costing approximately \$5,000. Johnston included in his motion that if the \$4,000 balance is not available, Brandstetter & Carroll have authority to seek other funding. **VOTING:** YEA: Johnston, Neu, Craig, Dean, Staggs, Nester. NAY: None **MOTION CARRIED.**

Johnston moved, Dean seconded the motion to suspend the rules and to read by title only Ordinance 1993-26. Authorizing Brandstetter & Carroll to do a preliminary Engineering Report for sewers and declaring it an emergency. **VOTING: YEA: Johnston, Dean, Craig, Nester, Neu, Staggs. NAY: None. MOTION CARRIED.**

Johnston moved to adopt Ordinance 1993-26, Staggs seconded the motion. **VOTING: YEA: Johnston, Staggs, Neu, Craig, Nester, Dean. NAY: None. MOTION CARRIED.**

Mr. Brandstetter also reminded us that we had asked one of the members of the Brandstetter & Carroll to work on a plan for our sidewalks (putting in handicap ramps & some improvement of sidewalks). He stated that we have received CBG Funds for a sidewalk grant of \$18,000. Mayor Bowyer said that the total sidewalk project will be approximately \$1,7000, plus 10%. The Village will have to match funds of \$1,800 from the Street Construction Fund.

Johnston moved, Neu seconded to suspend rules and read by title only, Ordinance 1993-27. An Ordinance authorizing contract with Brandstetter & Carroll for the sidewalk project. **VOTING: YEA: Johnston, Neu, Craig, Nester, Dean, Staggs. NAY: None. MOTION CARRIED.**

Craig moved to adopt Ordinance 1993-27, Johnston seconded. **VOTING: YEA: Craig, Johnston, Staggs, Dean, Neu Nester. NAY: None MOTION CARRIED.**

There was a discussion about a proposal from the Hamersville Baptist Church to put a modular structure behind the church for Sunday School Classes. According to Solicitor Leicht there is an Ordinance from 1969 clearly stating structures are to be 30' feet from property line and stipulating a minimum lot size. Solicitor Leicht said that Council would have to either change Ordinance or say no to the church's request on placing a modular structure behind church. He further stated that the Ordinance is primarily a Health Ordinance and does need some "cleaning up". If there was zoning in the Village, the church could seek variance, but this is a Health Ordinance. Council can not grant variance to this Ordinance. Also enforcement procedures in Ordinance say you can not hook electricity up to structure unless restrictions are adhered to.

Increased density using existing health facilities put increasing pressure on facilities.

Council may want to review Ordinance and still do as a Health Ordinance. However, Solicitor Leicht suggested to have someone that knows rules and regulations, such as the Brown County Health Department. Solicitor Leicht continued that there are inadequacies in Ordinance #245. Some restrictions may be obsolete due to county standards, etc. Perhaps Village could ask Brandstetter & Carroll for their input on the Ordinance.

Church can build on extra rooms, with out a problem. A Garage is not for human habitation and could not be a solution to church's problem.

Council suggested perhaps church could lease lot behind church and would have enough space to place modular structure.

Council wanted church to understand that they (council) would like to help and will put forth an effort to help find a suitable solution for both sides.

The Church members thanked the Council and left the meeting.

The Mayor said that there was a Loud Noise Ordinance #285 and asked Solicitor Leicht to review the Ordinance.

A question was raised about disturbing the peace. Solicitor suggested that an audiometer could be to used determine the amount of the noise.

Village will have a Community Spirit contest for Christmas Lights. The displays will be judged on December 19 at 7:00 P.M. by four members of the Village Council and Board of Public Affairs.

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Council discussed the subject of the tile by Mrs. Blanton's property parallel to Lucas road, now owned by McKinney. The tile needs to be removed. Duane Neu will talk to Mr. McKinney to see if he will remove the tile. The Village will pay \$150 maximum to help cover expenses.

The garage doors for the police/utility building was brought up. The doors cost more than the quote. Johnston moved to pay the additional \$35.73 for door. Craig, seconded the motion. **VOTING: YEA:** Johnston, Craig, Neu, Staggs, Nester, Dean. **NAY: None MOTION CARRIED.**

Mayor informed Council that he appointed Barbara Craig as Clerk-Treasurer for the unexpired term until 1996. Council concurred with the appointment.

Mayor also stated that the village need to purchase one fire extinguisher, to inspect and tag two fire extinguishers and needed three exit lights.

Neu moved to buy, inspect and tag, Craig seconded the motion. **VOTING: YEA:** Neu, Craig, Johnston, Staggs, Nester, Dean. **NAY: None MOTION CARRIED.**

Chief Canter gave the Police Report. He also asked the Solicitor about the dismissal form for out of state warrants that are old and have not been collected.

There will be a final meeting for the 1993 year to pay the bills and talk about appropriations on December 29, 1993 at 7:00 P.M.

There being no further business. Staggs moved, Dean seconded the motion to adjourn the meeting. **VOTING: YEA:** Staggs, Dean, Craig, Johnston, Nester, Neu. **NAY: None MOTION CARRIED.**

MAYOR



CLERK-TREASURER