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Lourdine Florek
 owner/publisher
Just the Facts ©
 Thursday, September 21, 2006
 Hoopeston's only locally-owned daily news publication
P.O. Box 441, Hoopeston, IL. 60942 **www.justthefacts.net**
 Phone/Fax: (217) 283-9348
 Email: publish@justthefacts.net

City, Hoopeston Foods, Inc. approve settlement agreement

A lawsuit filed by Hoopeston Foods, Inc., involving two previous city officials has been settled.

The Hoopeston City Council on Tuesday unanimously approved a settlement agreement with Hoopeston Foods that ends the company's suit against former Mayor Bob Ault and then-city clerk Chalmers Flint.

The suit stemmed from a 1998 contract between Hoopeston Foods and the city. City officials denied the validity of the contract because a corresponding resolution was not found among city documents, said city water committee chairman Bill Crusinberry.

Under terms of that contract, HFI agreed to pay for its wastewater to be treated chemically at pretreatment lagoons the city purchased from the company in 1996, Crusinberry said. Officials later switched from chemical treatment to an aeration system that eliminated the odor coming from the lagoons. HFI claimed the elimination of chemical treatment meant its treatment costs should be lowered. When the city disagreed, the company filed suit.

Under terms of the settlement agreement, HFI agreed that its first 100,000 gallons of wastewater will be charged the same amount Hoopeston residents pay for treatment, \$2.58 per gallon. The amount is to be prorated so that the more wastewater is treated, the less per gallon HFI will pay.

The agreement is good for 12 years. During that time, if the base rate increases, HFI's rate will also increase. However, Crusinberry said, the rate may only go up once during the first six years of the agreement and once in the second half. After the 12 years, the rate may increase by percentage, he said.

Additionally, Hoopeston Foods agreed to pay operational costs for wastewater that goes through the pretreatment lagoons rather than a per-gallon fee. Crusinberry said that will be a help to the city if electric rates

climb this year. "We're going to recapture our costs," he said.

Finally, the agreement bans both sides from filing suit again on the matter and neither side will receive any money from the settlement.

With the agreement, Hoopeston will see more income from HFI's treated wastewater. Since the 1998 agreement and subsequent cessation of chemical treatment, Crusinberry said Hoopeston Foods has been paying "what they thought was their fair share" of \$2.40 per 1,000 gallons for pretreatment and an equal amount for wastewater at the sewage treatment plant.

Crusinberry said he has been negotiating a settlement since August. "To me this is a very fair thing," he said. "It's been approved. There shouldn't be (any) snags."

In the 15 or so months since the suit was filed, the city has spend more than \$50,000 fighting the suit, including agreeing to pay attorney fees for Ault and Flint, Crusinberry said.

In unrelated business, Alderman Bill Goodwine, finance committee chairman, said Jim and Megan Collins, who received a revolving loan to open Hoops 'N Stitches embroidery business, closed the shop and have not made a payment on the loan.

In June, the couple requested \$15,000 to open the business.

Goodwine said officials need to get more firm in collecting from some revolving loan recipients. "I think sometimes patience is equated with softness," he said. While some recipients have paid off loans through bankruptcies and businesses closing, others ignore their responsibility.

In the case of the Collinses, Goodwine said the city is looking at wage garnishment as a means of getting repaid.

See HOOPESTON on other side

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4/40 oz. (10#) Melon Mix		\$16.99
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4/40 oz. (10#) Sliced Peaches		\$20.99
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4/40 oz. (10#) Red Raspberries		\$28.99
4/40 oz. (10#) Whole Strawberries		\$20.99
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4/40 oz. (10#) Asparagus		\$19.99
4/40 oz. (10#) Yellow Corn		\$13.99
4/40 oz. (10#) Super Sw. White Corn		\$13.99
4/40 oz. (10#) Green Peas		\$13.99
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Hoopeston continued from other side

In other business, Alderman Brandon Hamilton questioned Mayor Bill DeWitt about reports of him driving a city truck in Danville and Champaign and the recent acquisition of a Sam's Club card billed to the city.

DeWitt said he and his wife, Claudia, chairman of the beautification committee, went to Champaign via Danville to pick up mums donated by County Market. As for the Sam's Club card, DeWitt said while it is in his name, it is for city use.

Regarding the mums, Claudia DeWitt said the flowers from County Market were not salable and were used as perennials in gardens around the city where they will flower next year.

Mums for planters throughout the city were purchased

Weather



Mostly sunny today. High 68. Tonight, chance of thunderstorms. Low 54. Tomorrow, chance of thunderstorms. High 73, low 57.

For current weather conditions, call Hoopeston Weather Service (217) 283-6221.

Thursday Lunch Special

Pan Fried Chicken

Lunch served 11-1:30

Sunday:

Bears game & \$1.25 beers

BJ's Pump 

Bar & Package Liquor Store

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H.A. Sports Booster

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Thursday, Sept. 21

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Sandwich, chips & drink only \$5

Carry-outs available

Join us for dinner, Cornjerker soccer & volleyball!

All proceeds benefit athletic programs

from Farming With Flowers; 20 have been purchased so far and nine more are needed, she said.

As for questioning her husband on using the truck, Mrs. DeWitt talked about how she and her husband donated six hours of their time on the project. "I think there should be some appreciation, not suspicion," she said.



every Thursday

7 p.m.

Hoopeston American Legion

502 E. Penn

Classifieds

BUSINESS OPPORTUNITIES

Wanted: Someone to lease vendor building week of Vermilion County Fair, June 2007. 60'x120'. Will choose by Oct. 5. (217) 443-9056

HOUSES FOR RENT

709 W. Penn, Hoopeston. 3 BR, 1 bath, 2 car garage. No pets. \$550/mo. + deposit. (217) 283-5248

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RUMMAGE SALES

621 S 5th St., Hoopeston. 9/22 & 9/23 8 am to ?. HP 17 inch monitor, PA systems, amplifier, small tools and general miscellaneous.

33605 N. 1090 E Rd., 4 mi. west of Rossville (follow the signs) Sept. 22 & 23, 9 a.m.-4 p.m. Multi-family sale. New & used gift, pet & household items.

607 N. Seventh St., Hoopeston. Thurs., 4-7, Fri. & Sat., 7-4. Lots misc., some furniture, Victor Victrola & records.

619 S. Sixth Ave., Hoopeston. Thurs., noon-? Loads of goodies!

506 N. Seventh Ave., Hoopeston (Hiltz Portable Sanitation). Sat., 8-12. 1/2 price sale. Everything must go! Lots of free stuff!

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