

**RECORD OF PROCEEDINGS**  
***Minutes of CADIZ VILLAGE COUNCIL Meeting***  
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The Cadiz Village Council met May 24, 2018 in regular session at 7:00 PM in Council chambers. Attending were Council members: Terry Capers, Thomas Crawshaw, Mike McPeak, Dan Ossman, Chace Smith, John Vermillion, Clerk-Treasurer Amy Ossman, Mayor Zitko, and Solicitor Mastros. Village Administrator Charley Bowman was absent due to another commitment.

Mayor Zitko brought the May 24, 2018 Council meeting to order, opening with the Pledge of Allegiance to the flag.

**APPROVAL OF MINUTES:** Mayor Zitko asked for approval of the minutes of the May 10, 2018 council meeting. Councilman Ossman moved to approve the minutes of the May 10, 2018 Council meeting, with Councilman Vermillion seconding; vote all ayes with Councilman Crawshaw abstaining.

**AGENDA:**

Mayor Zitko welcomed Mr. Dale Davis to the meeting. Mr. Davis was in attendance this evening as a 9 year President of the Lion's Club, and was extending his thanks to council for all the years they have allowed them the use of Wallace Lodge. He gave some highlights of the recent Easter Egg Hunt, with \$250 of monies donated going to the Food Pantry, 18 bikes given away received at cost from Orme's, and 211 children registered for the Egg Hunt.

He continued, informing members that he was also President of "Sally Buffalo Days", with this year being the 4<sup>th</sup> consecutive year to be celebrated. A full line-up is planned, with a Princess Pageant for girls aged 6-12, as well as 2 days of bands and entertainment on the main stage. The stage was a big concern however, as it is getting old and is not big enough to host some of the groups they have in. Davis' understanding was that some time ago, a grant was looked into for an amphitheater that fell through. He hoped that possibly the Park Board/Village could look into that possibility again which could let a better stage be erected. He also informed members that the auxiliary at the hospital has gotten involved to start their Harrisonian Motorcycle Run back up. They would leave the Park around noon and return at 4:00, and there is entertainment planned until 8:00 PM. One of the big additions this year is the Harrison Alumni taking over the games, including kayak races, capture the flag, etc., holding activities all day long, and the Lion's club is providing \$500 for prizes. The Harrison County Track team will be holding a 5K Run/Walk on Sunday, and also the Lion's Club will be holding their 7<sup>th</sup> annual car show which is named after John Tabacchi, who will be celebrating his 101 birthday. A breakfast will be held both days, and 2 tents will be set up for crafts.

Mr. Davis offered thanks to John Vermillion who saw to it that the existing electrical work that was left from the Coal Festival grant back in 1994 in the amount of \$10,000. Approximately \$16,000 has been spent on upgrades, with most of the expense being for drop-boxes, and this needs further improvement to allow more hook-ups. Davis noted that the Village had donated \$500 towards the festivities, and asked if that could possibly be revisited. Councilman Crawshaw made motion to donate \$500 to the Harrison Regional Chamber of Commerce towards the 2018 Sally Buffalo Days, with second from Councilman McPeak and vote all ayes. Mayor Zitko added that help from Mark Puskarich could possibly be enlisted towards helping with a new stage.

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Mr. Davis brought up another highlight with the Harrison Historical Society of a possibility of the “Muffins Baseball Team” coming on Saturday with the Women’s team who play by the rules of 1880’s. They were also looking into having the President of the Historical Society, Dr. Scott Pendleton, play Cy Young, a local umpire and pitcher, along with having Ken Mason play Moses Fleetwood, who was the first colored baseball player in the 1870’s. Sally Buffalo Days will be held on September 15-16, noting that it has been the 3<sup>rd</sup> weekend of September each year. They are hoping to get on the “Festival Circuit” after the 5<sup>th</sup> year in existence. Davis added that if anyone had any ideas or suggestions, they meet the last Tuesday of each month at the Visitor’s Center, with meetings only lasting an hour or so. Mayor Zitko thanked Mr. Davis for attending.

At this time, Councilman Capers made motion to go into executive session for pending litigation, with second from Councilman McPeak and vote all ayes. Members returned with no action taken.

**COMMITTEE REPORTS**

**Administrator’s Report:** (in packets for review in Mr. Bowman’s absence)

1. Microcystins (HAB) Readings
2. Part-Time Summer Help (John Hojonski + Austin Goodlan)
3. Maplewood Drive
4. Kerr Avenue
5. Connection Ban Variance Procedure
6. Property Maintenance
7. Water Line Project

Councilman Crawshaw made motion to hire John Hojonski for part-time summer help at the Water department, second from Councilman Capers; vote all ayes.

Councilman Crawshaw made motion to hire Austin Goodland for part-time summer help at the Water department, second from Councilman Capers; vote all ayes.

Councilman Crawshaw added that the Connection Ban Variance as stated in Bowman’s report was a very good thing, and was paying off for the Village. Solicitor Mastros voiced his agreement as well.

Councilman McPeak motioned to approve the Administrator’s report, second from Councilman Capers; vote all ayes.

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**Police:** No report

**Emergency Services:** Councilman Capers reported “Night at the Races” was held last Saturday, May 19, and next meeting will be June 6.

**Property:** Councilman Ossman reported that 28 certified letters at a cost of \$120.00 had been sent out for property violations. Solicitor Mastros added that these property owners in violation could have tax liens added to their properties. Mayor Zitko reported that the recent property forfeited by the county had been acquired. Councilman McPeak inquired about the Gasland property, with trash still piled up around the lot. He also asked how long we have to keep abandoned trailers on hold at Sally Buffalo.

**Lights:** 7 lights were reported to AEP. Councilman Crawshaw inquired of progress of the uptown lights; again waiting on everything to “dry out.”

**Streets:** Councilman Vermillion reported that the street department was able to get all the US flags up for Memorial Day, and mowing and weed-eating is being done as well. A Parking lot ordinance will be read this evening, also the possibility of getting a contract with a towing service.

**Finance:** Councilman Capers reported next meeting scheduled for June 7 at 6:00 PM.

**Cemetery:** Councilman McPeak reported next meeting scheduled for June 6 at 11:00 AM.

**Employee Relations:** No report (Meeting planned for June 7 at noon)

**Youth & Recreation:** Councilman Crawshaw reiterated on Sally Buffalo Days, also Blues for a Cure to be held June 23 at the Lodge. Fireworks will be held on June 30. Audience attendee George Christian added that a Park Board meeting will be held on May 29 at 6:00 at the Lodge.

**Old Business:** Councilman Vermillion inquired about the progress of the “Dog Park”. Councilman Capers replied that he had been asked by Administrator Bowman to take a look at the location in question. Councilman Smith suggested having conversation with Bowman on making decisions.

**New Business:** No report

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**Claims Ordinance 2018-10**

Councilman McPeak made motion to “pay the bills” with second from Councilman Capers and vote all ayes with Councilman Crawshaw abstaining.

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**Ordinance 2018-22  
2<sup>nd</sup> Reading**

**SUPPLEMENTAL APPROPRIATION ORDINANCE FUNDS, AMENDING  
ORDINANCE 2017-69 REVISING GENERAL FUND APPROPRIATIONS**

**Ordinance 2018-23  
2<sup>nd</sup> Reading**

**SUPPLEMENTAL APPROPRIATION ORDINANCE FUNDS, AMENDING  
ORDINANCE 2017-69 REVISING GENERAL FUND APPROPRIATIONS  
AND AUTHORIZING THE VILLGE ADMINISTRATOR TO ENTER INTO  
A CONTRACT WITH JON STEWART EXCAVATING, LLC**

**Ordinance 2018-24  
2<sup>nd</sup> Reading**

**SUPPLEMENTAL APPROPRIATION ORDINANCE FUNDS, AMENDING  
ORDINANCE 2017-69 REVISING GENERAL FUND APPROPRIATIONS  
AND AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER  
INTO A CONTRACT WITH THE EMERALD ENVIRONMENTAL, INC**

**Ordinance 2018-26  
2<sup>nd</sup> Reading**

**SUPPLEMENTAL APPROPRIATION ORDINANCE FUNDS, AMENDING  
ORDINANCE 2017-69 REVISING APPROPRIATIONS FOR THE  
VILLAGE OF CADIZ FOR FISCAL YEAR 2018 IN THE SEWER  
OPERATING FUND**

**Ordinance 2018-27  
1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> Reading/Emergency**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR AND  
CLERK-TREASURER TO ENTER INTO AN AGREEMENT WITH  
WHITAKER MYERS INSURANCE FOR CYBER SECURITY COVERAGE  
AND DECLARING AN EMERGENCY**

Councilman McPeak inquired as to why this ordinance was being read as an emergency, with Clerk Ossman explaining that this coverage was in addition to the Village's regular insurance policy which was already passed, and had to be in effect by the end of the month.

Councilman Crawshaw motioned to suspend the rules and have the 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ordinance 2018-27 for the preservation and protection of the health, safety and welfare of the citizens of the Village of Cadiz, second from Councilman McPeak; vote all ayes.

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**Ordinance 2018-27  
2<sup>nd</sup>, 3<sup>rd</sup> Reading**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR AND  
CLERK-TREASURER TO ENTER INTO AN AGREEMENT WITH  
WHITAKE MYERS FOR CYBER SECURITY COVERAGE AND  
DECLARING AN EMERGENCY**

Councilman Capers motioned to adopt Ordinance 2018-27, second from Councilman Crawshaw; vote all ayes.

**Ordinance 2018-28  
1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> Reading/Emergency**

**AN ORDINANCE AUTHORIZING THE PAYMENT AND THE  
APPROPRIATION OF FUNDS FOR THE SEWER LINE EASEMENT AND  
DECLARING AN EMERGENCY**

Councilman Crawshaw motioned to suspend the rules and have the 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ordinance 2018-28 for the preservation and protection of the health, safety and welfare of the citizens of the Village of Cadiz, second from Councilman Capers; vote all ayes.

**Ordinance 2018-28  
2<sup>nd</sup>, 3<sup>rd</sup> Reading**

**AN ORDINANCE AUTHORIZING THE PAYMENT AND THE  
APPROPRIATION OF FUNDS FOR THE SEWER LINE EASEMENT AND  
DECLARING AN EMERGENCY**

Councilman Capers motioned to adopt Ordinance 2018-28, second from Councilman McPeak; vote all ayes.

**Ordinance 2018-29  
1<sup>st</sup> Reading**

**AN ORDINANCE CREATING AN OVERNIGHT PARKING LOT  
LOCATED AT 131 EAST MARKET STREET**

**Ordinance 2018-30  
1<sup>st</sup> Reading**

**AN ORDINANCE REGARDING LONGEVITY PAY FOR VILLAGE OF  
CADIZ EMPLOYEES**

(Clerk Ossman explained that this was an OPERS requirement and that the longevity pay starts at \$2.40 per anniversary year and tops out at \$23.08)

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**Ordinance 2018-31  
1<sup>st</sup> Reading**

**SUPPLEMENTAL APPROPRIATION ORDINANCE FUNDS, AMENDING  
ORDINANCE 2017-69 REVISING GENERAL FUND APPROPRIATION  
AND AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER  
INTO A CONTRACT WITH MANNIK SMITH GROUP**

**Ordinance 2018-32  
1<sup>st</sup> Reading**

**SUPPLEMENTAL APPROPRIATION ORDINANCE FUNDS, AMENDING  
ORDINANCE 2017-69 REVISING GENERAL FUND APPROPRIATION  
AND AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER  
INTO A CONTRACT WITH MANNIK SMITH GROUP**

**Ordinance 2018-33  
1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> Reading/Emergency**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE VILLAGE  
ADMINISTRATOR TO ENTER INTO AN ADDENDUM WITH THE  
MUSKINGUM WATERSHED CONSERVANCY DISTRICT WATER  
SUPPLY AGREEMENT AND DECLARING AN EMERGENCY**

Councilman Crawshaw explained that this ordinance would be for selling water to the Harrison Power Plant if it goes in, and we are only allowed a set amount of water per day. This will be to compensate for the additional water that the power plant may need. This comes from a board of 7 judges that meet the 1<sup>st</sup> of June every year, and we had to get this out as an emergency for their approval.

Councilman Crawshaw motioned to suspend the rules and have the 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ordinance 2018-33 for the preservation and protection of the health, safety and welfare of the citizens of the Village of Cadiz, second from Councilman Capers; vote all ayes.

**Ordinance 2018-33  
2<sup>nd</sup>, 3<sup>rd</sup> Reading**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE VILLAGE  
ADMINISTRATOR TO ENTER INTO AN ADDENDUM WITH THE  
MUSKINGUM WATERSHED CONSERVANCY DISTRICT WATER  
SUPPLY AGREEMENT AND DECLARING AN EMERGENCY**

Councilman Crawshaw motioned to adopt Ordinance 2018-33, second from Councilman Capers; vote all ayes.

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**Public Comment:** Mrs. Leanna Mikesell appeared before council this evening, stating that this is her first time to attend a meeting, blaming herself for not being more proactive in her attendance, being a concerned citizen of Cadiz, living here all her life. She went on to say that she knows most of the councilmen, and that she was “appalled” and “what happened to transparency” as everyone got up and went behind closed doors for about 10 minutes, asking “what was that about?” and “shame on you, you are cowards.” She went on to say that “if there wasn’t something that can’t be talked about in front of a citizen who elected some of you, then shame on you, and I’m not done.” Mrs. Mikesell continued on to say that it sounded like Charley Bowman does everything, questioning why do we have “you guys.” Councilman Crawshaw spoke up and said that we have an administrator because council was a governing body, not an administrative one. Mikesell inquired as to when “this administrator business” started, as Cadiz had never had one in the past. Mayor Zitko replied that Cadiz did have an administrator back in the 80’s; with Councilman Crawshaw adding that having an administrator had been tried several times, but voted down. Mikesell then commented that it sounds like he (Bowman) was the only one doing the job, asking what his salary was. Mayor Zitko replied that it was approximately \$60,000, with Crawshaw adding that it was public record, and that Clerk Ossman could get that information for Mikesell. Mayor Zitko continued, saying that council is permitted to go into executive session, with Solicitor Mastros adding that it is permitted at every meeting, twice a meeting, or however many times it is needed. The ORC has certain exceptions at open meetings for a governing body to go into executive session to discuss things that should be kept private for any number of reasons, i.e. litigations, confidentiality, negotiation of contracts, terms of purchase of real estate, union contracts, which are not discussed outside the meeting until they are ready, or while they are pending. This is a proper form of government to go into executive session to discuss things collectively, talking freely with no action taken, and has been on the books for years. Councilman Crawshaw added that anything that goes on in executive session eventually comes out to the public, maybe not immediately, but it does get released to the public 90% of the time.

Mikesell then questioned what the water trucks are paying for the water they are hauling up and down Deersville Avenue. Clerk Ossman offered to get that information from the Water clerk. Councilman Crawshaw replied that they typical rate is \$5.00 per thousand, but was not sure if that is what Water Transport is paying. Mikesell also asked how much it cost to repair the road on Deersville Avenue that was recently “tarred.” Mayor Zitko replied that it was blacktopped, with Mikesell retorting “you know what I mean”, and asked if it was worth selling the water, as she thought we were losing money because the trucks were tearing up the road. Solicitor Mastros tried to offer an explanation of the water sales, with Mikesell cutting him off and saying she did not want to talk to him, she was addressing council. Councilman Vermillion asked her if we should NOT have paved Deersville, and her reply was no, that you can pave my street too. She went on to say that the trucks were destroying the road all over town, with Mayor Zitko telling her that they travel on State routes, and are not allowed over side streets. Mikesell added that she was here tonight to get educated, as she did not know these things, but went on to complain about East Market as well. Mayor Zitko informed her that the state was going to re-pave that entire road.

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Mrs. Mikesell continued, saying that she has a drain problem in her driveway at 118 Jones Avenue and would like to repair it, but all the storm drains are on the other side of the street, and nothing goes in them, it all goes into hers. Councilman Vermillion offered to have the Street department come and look at it, with Mikesell replying that there had already been “someone” out there, to no avail. She went on to complain about grass in the street, and garbage on the porches, with Crawshaw adding that letters are sent out, and Vermillion explaining the compliance process. Mayor Zitko remarked that we can make ordinances for people to follow, but that we cannot legislate pride. He also informed her that the Village spent \$30,000 in one instance to get a house torn down. Councilman McPeak added that he appreciated Mrs. Mikesell coming to the meeting, and explained that one reason we have an Administrator is because we no longer have a Board of Public Affairs, who used to govern water and sewer. The Village got into a situation with the EPA, and that is the main reason an administrator was hired, to help with that problem. With nothing further, Mikesell reiterated that she would like to have the figures of what we are being paid for water, how much the Deersville paving cost, and what the Administrator salary was, and Clerk Ossman will provide that information. She was thanked for attending.

**Next meetings:** (No attendance issues reported)

Finance  
Council

June 7, 2018 @ 6:00 PM  
June 7, 2018 @ 7:00 PM

**MEETING ADJOURNED**

**APPROVED:** \_\_\_\_\_  
**Kenneth Zitko, Mayor**

**ATTEST:** \_\_\_\_\_  
**Amy Ossman, Clerk-Treasurer**

**DIGITAL COPY OF MEETING ON FILE**