

RECORD OF PROCEEDINGS
Minutes of CADIZ VILLAGE COUNCIL Meeting
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The Cadiz Village Council met August 3, 2017 in regular session at 7:00 PM in Council chambers. Attending were Council members: Terry Capers, Thomas Crawshaw, James Drexler, Dan Ossman, Larry Sickle, Mayor Ken Zitko, Mike McPeak, Clerk-Treasurer Amy Ossman, Village Administrator Charley Bowman and Solicitor Costa Mastros.

Mayor Zitko brought the August 3, 2017 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 July 20, 2017 council meeting. Councilman McPeak moved to approve the minutes of the July 20, 2017 council meeting, with Councilman Ossman seconding and vote all ayes.

AGENDA

Mayor Zitko announced that Chuck Kidder/Kidder Law Firm and Patty Wynne/Shell Pipeline would not be in attendance this evening as stated on the agenda.

Mayor Zitko then welcomed Lynn Grabits, a resident of 342 St. Clair Avenue. She was attending this evening regarding a meeting held last December addressing a “barking dog” issue, and wanted to know how other municipalities were handling the situation, as well as the Village of Cadiz. She was told by the dog warden to direct her complaints to the Police department, and repeated complaints to them resulted in receiving a letter from the Prosecutor’s office warning her of harassment. Grabits went on to say that she is surrounded by dogs, but there is only 1 that is a problem, and wanted to know what her rights were and how she should handle this going forward. Solicitor Mastros then commented that he has seen the letters from the Prosecutor’s office, and that they stated there was not substantial evidence to file charges at this time. The Village has a “barking dog” ordinance, which has to be enforced through the Prosecutor’s office, so there is really nothing that the Village could do. He recommended some other self-help alternatives, such as calling a private attorney, or filing a nuisance complaint through the courts. Councilman Crawshaw then proceeded to read Ordinance 505-309, section B (on file). Mastros added that he had done some research on other areas, and found that they were substantially similar to ours. Crawshaw added that in prior discussions, a suggestion of putting a 15 minute limit on the barking was made, but when would that limit start, and also agreeing with Ms. Grabits that it was a terrible nuisance. Councilman Drexler suggested that she document the times and dates of occurrence, to which she replied she already had. Crawshaw remarked that we could possibly ask the Prosecutor to look into this again, with Mastros adding that Ms. Grabits should give the Prosecutor a copy of the recordings of the barking dog, which may persuade him to look into it further. Discussion continued, with Mastros offering to answer any other questions. Mayor Zitko thanked her for attending.

Mayor Zitko then announced a request for Tag Day from Harrison Central Junior High Football to be held September 1 from 3:00 – 6:00 PM. Councilman Drexler motioned to approve the request, with second from Councilman McPeak and vote of all ayes.

COMMITTEE REPORTS

Administrator: Mr. Bowman then addressed council, touching on the following areas in his report:

1. Fire Hydrants (5 out of order)
2. Microcystins (HAB) Readings
3. Sally Buffalo Park/Wi-Fi request
4. OPWC Applications
5. Disabled Parking Space Request/Senior Center
6. Shell Oil RUMA

Mayor Zitko remarked that some years ago, 30 fire hydrants were replaced, with Councilman Crawshaw adding that it was unacceptable to have 5 hydrants not working.

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A motion to approve Administrator's report was made from Councilman Drexler, with second from Councilman McPeak; vote all ayes.

Councilman Crawshaw motioned to designate a handicap parking space (2 hour limit) and purchase signage at the Senior Center on North Main Street (corner of the alley), with second from Councilman McPeak and vote all ayes.

Police: Councilman Crawshaw reported only that there would be a Police committee meeting on August 16 at 5:00 PM in council chambers.

Emergency Services: Councilman Capers reported a meeting to be held August 16 at 8:30 PM.

Property: Councilman Ossman offered thanks to the Village Street department for getting the corner lot (Custer Hotel) mowed. He also commented on "Liming Lake", adding that it looks like it's been taken care of.

Lights: Councilman Sickle reported 4 lights to AEP for repair.

Streets: Councilman Sickle reported the department has been out cleaning up after recent storms.

Finance: No report

Cemetery: No report

Employee Relations: Councilman Drexler reported a meeting held earlier in the evening with discussion about the employee handbook regarding compensatory time, holidays, vacation days, etc. An ordinance will be forthcoming with changes concerning those issues.

Youth & Recreation: Councilman Crawshaw reported a meeting to be held sometime in August. Councilman McPeak asked for support for the Harrison County Cancer Crusaders event to be held August 5 from 9:00 AM – 10:00 PM with numerous events going on throughout the day.

Old Business: Mayor Zitko turned the floor over to Village Administrator Bowman regarding concerns over the Zambelli Fireworks Display being pushed back to June 30. Bowman remarked that he spoke with Park superintendent Porter regarding the change in date. Councilman Crawshaw explained that the reason Porter wanted to change the date was that the Blues for a Cure concert was held the week before, and in that 2 weeks stretch, it is easier to hold the fireworks display when everything is already set up, such as trash receptacles, picnic tables, etc. This also decreases the amount of work by Park employees to go out and take everything down and put back up again. Discussion continued regarding the change, with all in agreement that the display was normally held the Saturday before the 4th.

Councilman McPeak questioned as to the complaint from Keyser's regarding the drainage situation at Mattern Tire. Administrator Bowman replied that he had talked with Solicitor Mastros concerning potential legal remedies, and that it was not going to get done in the next 2-3 weeks. Mastros added that he would research it further when he gets back from vacation.

McPeak also revisited the idea of "doggy stations" around town, and that he had verbal complaints as well as social media comments from several people that walk their dogs around town with no place to deposit the dog waste. He was again making a recommendation of placing stations around the town and at the park to counteract this problem. Pricing was discussed, with McPeak adding that he found some for approximately \$187, and motioned to purchase at least 4 to be placed around the Village. Motion seconded by Councilman Crawshaw with vote all ayes.

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Mayor Zitko remarked that the trash receptacles in the uptown area were not for citizens to use to put their garbage in, and wanted the media persons present this evening to put that in the newspaper. The landlords need to find a way for their tenants to dispose of their trash, not to be using the Village cans. The receptacles have been overflowing, making it more of a problem for the Street department when they do empty them on Fridays.

New Business: No report

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Claims Ordinance 2017-15

Councilman Drexler made a motion to approve Claims Ordinance 2017-15, with second from Councilman Crawshaw; vote of all ayes.

**Ordinance #2017-23
3rd Reading**

**AN ORDINANCE AUTHORIZING AND ADOPTING THE NEWLY CREATED
POLICIES AND PROCEDURES FOR THE CADIZ POLICE DEPARTMENT**

Councilman Crawshaw made motion to adopt Ordinance 2017-23, with second from Councilman McPeak and vote of all ayes.

**Ordinance #2017-24
3rd Reading**

**AN ORDINANCE ADOPTING AND DEDICATING THE ROAD TO BE KNOWN AS
COMMERCE DRIVE**

Councilman Drexler made motion to adopt Ordinance 2017-24, with second from Councilman Crawshaw and vote of all ayes.

**Ordinance #2017-29
1st, 2nd, 3rd Reading/Emergency**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO
AN AGREEMENT AND TO SIGN A PERMANENT EASEMENT AND TEMPORARY
WORKSPACE AGREEMENT WITH SHELL PIPELINE COMPANY, LP AND
DECLARING AN EMERGENCY**

Councilman Crawshaw made motion to suspend the rules and have the 2nd and 3rd reading of Ordinance 2017-29 for the preservation and protection for the health, safety and welfare of the citizens of the Village of Cadiz. Motion seconded by Councilman Sickle, and vote of all ayes.

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**Ordinance #2017-29
2nd, 3rd Reading**

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT AND TO SIGN A PERMANENT EASEMENT AND TEMPORARY WORKSPACE AGREEMENT WITH SHELL PIPELINE COMPANY, LP AND DECLARING AN EMERGENCY

Councilman Sickle made motion to adopt Ordinance 2017-29, with second from Councilman Ossman and vote of all ayes.

Public Comment: No one appeared for comment this evening

Mayor Zitko announced the following meetings:

CIC	August 17, 2017 @ 6:00 PM
Next regular Council meeting	August 17, 2017 @ 7:00 PM

(Councilman Ossman and Solicitor Mastros commented that they would not be in attendance at the above mentioned meetings.)

With nothing further to discuss, Councilman Crawshaw made motion to adjourn.

APPROVED: _____
Kenneth Zitko, Mayor

ATTEST: _____
Amy Ossman, Clerk-Treasurer

DIGITAL COPY OF MEETING ON FILE