

RECORD OF PROCEEDINGS
Minutes of CADIZ VILLAGE COUNCIL Meeting
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The Cadiz Village Council met August 9, 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-Mayor Assistant Debbie Meadows, Mayor Zitko, and Solicitor Mastros. Clerk-Treasurer Ossman was absent due to another commitment, and Village Administrator Bowman was out town.

Mayor Zitko brought the August 9, 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 July 26, 2018 council meeting. Councilman McPeak moved to approve the minutes of the July 26, 2018 Council meeting, with Councilman Vermillion seconding; vote all ayes with Councilman Smith abstaining.

AGENDA:

Request from Bonnie Cowans/AME Church requesting road closure from corner of Spring and Buffalo Streets to Roan Avenue on from 8:00 AM August 25 to 8:00 AM August 26.

Councilman McPeak moved to grant this request, barring any road paving/construction; second by Mr. Crawshaw and vote of all ayes.

Mayor Zitko welcomed Bob Allen, along with Tom Brooks, attending this evenings' meeting to give an update on the Water system project. Mr. Allen provided hand-outs, (see attached) touching on the following points:

1. Design Standards
2. Design Approval Process
3. Project components
4. Project Costs/Funding
5. Project Scope/Status
6. Water Customer Impacts
7. Communications

Some discussion ensued, with Mr. Allen welcoming any and all questions. Allen also informed members that there would be a \$950K "grant" coming from a funding agency project partner. In about 2 months there will be a ceremony where the Village will sign the project agreement which will be for the South/Center. This will be funds that will not have to be paid back, and the ceremony will include some pictures along with the funding entity and Congressman Johnson or someone from his office. Mr. Allen was not at liberty to divulge where the funding was coming from at this time. He also explained that in pursuing Ohio EPA funding, he was made aware that the Village of Cadiz was no longer on the list to be eligible for Principal Forgiveness Funding. This was mainly because the unemployment levels were low, and the income level was relatively high, and the population has increased as well. Allen will still be submitting a pre-application in hopes that something will happen to get the funding. The Village does qualify for a 1% loan for up to 45 years or the "useful life" of the asset. A Rural Development Funding application will be submitted as well, as an Archaeological Study has been completed on

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the South/Center project. Once that report is back, the application will be submitted, and the Village should receive a letter after that. Mayor Zitko thanked Mr. Allen for all his work in obtaining this funding, and for all that he does for the Village.

COMMITTEE REPORTS

Administrator's Report: N/A

Police: Councilman Crawshaw called members attention to Chief McCann's Police report with 138 complaints, 39 citations, 5 accident reports, 6 incarcerated arrests, and 14 lights reported to AEP. The K9 report was also read, with the dog's assistance in finding narcotics which led to trafficking charges, and assisting 1 other agency. An update on the speed trailer was also given, as it has been parked out on Deersville Avenue, showing a total of 1911 cars over a 3 day period, clocking 983 speeders. Average speed was 23 MPH, with about 50% of cars going over the speed limit. Discussion ensued, with McCann explaining the details of how the trailer works.

Crawshaw then told members that the Chief was requesting to erect 3 cameras; 1 pointing at the parking lot, another facing down Route 9 towards PNC Bank, and 1 facing towards Shurfast. These would all be off the Coffelt building where Mannik-Smith is housed, with the Coffelts being on board with the request. The cost would be \$2500 from Securicom, and will be included in the next meeting packet. Councilman McPeak asked why we couldn't get a camera out by McDonald's/Wendy's, with Chief explaining that they couldn't go that far as they were wireless, and they had to have a "line of sight" in order to communicate. However, there were 2 cameras on the courthouse that hit the square, and also West Market, with the capability of retrieving approximately 2.5 months of data.

Emergency Services: Councilman Capers reported a meeting to be August 15 @ 7:30.

Property: Councilman Ossman again inquired about property by the High school; Solicitor Mastros offered to put this on the "fast track" with Administrator Bowman to get it resolved as school would be in session soon. Ossman also commented on the yard by the Dairy Isle which still hasn't been mowed.

Lights: Chief McCann reported 14 lights to AEP

Streets: Councilman Vermillion called members attention to the July monthly report provided by Street Superintendent Hennis. Uptown parking lot and Liming project should be completed soon. Councilman Ossman commented on the amount of semi's traveling over Deersville Avenue, also the hole in front of John's Lawns.

Finance: Next meeting will be September 6 at 6:30.

Cemetery: Councilman McPeak reported a meeting scheduled for September 5 at noon.

Employee Relations: N/A

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Youth & Recreation: Councilman Crawshaw reported that the second meeting of the Park Sub-committee had been held earlier. Councilman McPeak went over the following points discussed to try and have in place for next year:

1. Quotes for new stage
2. Pricing on docks
3. Water activities
4. Dog Park fencing

Next regular Park Board meeting will be held August 28 at 6:00 at the Lodge. Crawshaw also spoke with people from ODNR regarding the geese, and a resource officer will be at the next meeting to discuss different options in eradicating them.

Old Business: No report

New Business: Chief McCann reported that he had attended the last CBA meeting, and that they are starting to discuss/work on “Christmas” for this year. Ideas submitted included a possible Nutcracker theme, and holding a 2 night event with tree lighting and parade all held at the square. If anyone has ideas, the group is welcoming any discussion and/or help. Last year’s parade included at least 72 units, with hopes to make it even bigger. Discussion ensued with members presenting different ideas.

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Claims Ordinance 2018-15

Councilman McPeak motioned to “pay the bills” with second from Councilman Vermillion; vote all ayes with Councilman Crawshaw abstaining.

Ordinance 2018-41

1st, 2nd, 3rd Reading/Emergency

(Solicitor Mastros advised council of the email that went out last week, regarding to the announcement of the power plant. An ordinance authorizing the Mayor and Clerk-Treasurer to sign the enterprise agreement and any other ancillary documents, which we did not have at that time. We finally did receive the donation agreement, which was as negotiated after we got the numbers. He is advising to withdraw this ordinance.)

AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK-TREASURER TO EXECUTE THE OHIO ENTERPRISE ZONE AGREEMENT AND THE TAX INCENTIVE DONATION AGREEMENT RELATING TO EH NATURAL GAS ELECTRIC GENERATING FACILITY AS PROPOSED BY HARRISON POWER, LLC AND DECLARING AN EMERGENCY

Councilman Crawshaw moved to withdraw Ordinance 2018-41, with second by Councilman McPeak; vote all ayes.

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Ordinance 2018-43

1st, 2nd, 3rd Reading/Emergency

(Solicitor Mastros advised council to table this ordinance, as we are very close to finalizing negotiations regarding this, and council will receive an email from himself and Mr. Bowman regarding the particulars, allowing this to be voted on at the next meeting.)

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PIPELINE RIGHT-OF-WAY AGREEMENT AND OTHER ASSOCIATED DOCUMENTS WITH MARK WEST LIBERTY MIDSTREAM & RESOURCES, LLC AND DECLARING AN EMERGENCY

Councilman Crawshaw moved to table Ordinance 2018-43 until the next meeting of August 23, 2018, with second from Councilman McPeak; vote all ayes.

Ordinance 2018-45

2nd Reading

SUPPLEMENTAL APPROPRIATION ORDINANCE, AMENDING ORDINANCE 2017-69 REVISING APPROPRIATIONS FOR THE VILLAGE OF CADIZ FOR FISCAL YEAR 2018 IN THE GENERAL FUND FOR CHANGE ORDER #6 FOR THE 2018 WATERLINE AND ROADWAY IMPROVEMENTS PROJECT: MAPLEWOOD DRIVE, DEERSVILLE AVENUE AND NORTH MUSKINGUM STREET

Ordinance 2018-47

2nd Reading

SUPPLEMENTAL APPROPRIATION ORDINANCE, AMENDING ORDINANCE 2017-69 REVISING APPROPRIATIONS FOR THE VILLAGE OF CADIZ FOR FISCAL YEAR 2018 AND AUTHORIZING POLICE CHIEF RYAN MCCANN TO PURCHASE A 2018 MODEL POLICE VEHICLE FROM STATEWIDE FORD LINCOLN AND TO PURCHASE VEHICLE ACCESSORIES AND DECLARING AN EMERGENCY

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**Ordinance 2018-48
1st, 2nd, 3rd Reading/Emergency**

**SUPPLEMENTAL APPROPRIATION ORDINANCE, AMENDING
ORDINANCE 2017-69 REVISING APPROPRIATIONS FOR THE
VILLAGE OF CADIZ FOR FISCAL YEAR 2018 AND AUTHORIZING
POLICE CHIEF RYAN MCCANN TO PURCHASE A 2019 MODEL
POLICE VEHICLE FROM LEBANON FORD LINCOLN AND TO
PURCHASE VEHICLE ACCESSORIES AND DECLARING AN
EMERGENCY**

Councilman Crawshaw motioned to suspend the rules and have the 2nd and 3rd readings of Ordinance 2018-48 for the preservation and protection of the health, safety and welfare of the citizens of the Village of Cadiz, with second by Councilman Capers. Mayor Zitko asked for discussion, with Councilman McPeak questioning why this had to be an emergency, as it was voted against at the last meeting. Councilman Crawshaw replied that this was to speed things up, as if we waited, we would not be guaranteed to purchase a 2018, so if we miss the opportunity, this ordinance is to see if we can purchase a 2019 like we are supposed to. Councilman Vermillion interjected, asking that if it is being said that if Ordinance 2018-48 passes tonight, would we not purchase a 2019 model; would we wait to see if Ordinance 2018-47 passes to see if we can purchase a 2018 model first? He reiterated, asking Solicitor Mastros to confirm, that the way 2018-47 reads, that the vehicle + accessories purchased as an emergency, do we still waive the 30 days. Mastros replied that after the 3rd reading, since it is an emergency, you have to have at least 5 yeas, and then it goes into effect immediately. Vermillion then stated that if this passes on August 23, then McCann can purchase the vehicle on the 24th, correct? To which Mastros replied yes, on Ordinance 2018-47. Crawshaw added that this (Ordinance 2018-48) was “kind of like” a contingency, that if 2018-47 passes, then we can forego 2018-48. Councilman Capers then asked the Chief if he would rather have the 2018 or the 2019, with McCann stating that it really didn’t matter to him, and that he was only reaching out to try and save money. He spoke with the dealer earlier and was told that he has 5 2018’s coming on to his lot in September, and that he (McCann) had to give him a PO to hold one, enabling him to get it at the 2018 price. The 2019 will be \$1100-\$1200 more, and he will have to submit a PO to secure by September 23, with no guarantee, as Ford can cancel at anytime, as they are revamping the entire vehicle. Discussion continued, McCann stating that the dealer told him it was first come-first serve, and that a PO was definitely required to hold the car. Councilman Smith stated that his issue was not necessarily regarding the purchase of a car, but relating to having so many emergency ordinances needing passed. We have had 40+ ordinances this year, with more than half being emergency; he did not think this was how emergency ordinances were to be utilized. Mayor Zitko interjected, saying that we had the 1st and 2nd to suspend the rules, it has been debated, and now we need to vote. **As follows:** Capers: yea, McPeak: nay, Vermillion: nay, Crawshaw: yea, Ossman: nay, Smith: nay. Solicitor Mastros stated that this was now the 1st reading.

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**Ordinance 2018-49
1st Reading**

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR AND CLERK-TREASURER TO ENTER INTO AN AGREEMENT WITH PERL AND VIKKI RICHARDS FOR THE PURPOSE OF ACQUIRING A TEMPORARY AND PERMANENT DEED OF EASEMENT FOR THE CADIZ WATER DISTRIBUTION SYSTEM

**Ordinance 2018-50
1st Reading**

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR AND/OR CLERK-TREASURER TO ENTER INTO A MUTUAL ENCROACHMENT AGREEMENT WITH SHELL PIPELINE COMPANY, LP

**Ordinance 2018-51
1st Reading**

AN ORDINANCE ESTABLISHING A 35MPH SPEED LIMIT FROM ST. CLAIR AVENUE SOUTH TO THE VILLAGE LIMITS

**Ordinance 2018-52
1st, 2nd, 3rd Reading/Emergency**

SUPPLEMENTAL APPROPRIATION ORDINANCE VARIOUS FUNDS, AMENDING ORDINANCE 2017-69 REVISING APPROPRIATIONS FOR THE VILLAGE OF CADIZ FOR FISCAL YEAR 2018 FOR THE GENERAL FUND #1000, STREET, CONSTRUCTION, MAINTENANCE & REPAIR FUND #2011, WATER FUND #5101, SEWER FUND #5201 TO MEET OBLIGATIONS THRU YEAR END AND DECLARING AN EMERGENCY

Councilman Capers motioned to suspend the rules and have the 2nd and 3rd readings of Ordinance 2018-52 for the preservation and protection of the health, safety and welfare of the citizens of the Village of Cadiz, with second by Councilman McPeak; vote all ayes.

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**Ordinance 2018-52
2nd, 3rd Reading**

**SUPPLEMENTAL APPROPRIATION ORDINANCE VARIOUS FUNDS,
AMENDING ORDINANCE 2017-69 REVISING APPROPRIATIONS FOR
THE VILLAGE OF CADIZ FOR FISCAL YEAR 2018 FOR THE
GENERAL FUND #1000, STREET, CONSTRUCTION, MAINTENANCE &
REPAIR FUND #2011, WATER FUND #5101, SEWER FUND #5201 TO
MEET OBLIGATIONS THRU YEAR END AND DECLARING AN
EMERGENCY**

Councilman Capers moved to adopt Ordinance 2018-52, with second from Councilman Crawshaw; vote all ayes.

Public Comment: No one appeared for Public Comment this evening

Next meetings:

CIC Meeting	August 23, 2018 @ 6:00 PM
Regular Council	August 23, 2018 @ 7:00 PM

Councilman Capers reported that he would not be in attendance for the August 23 meeting; Solicitor Mastros reiterated that there had to be 5 members present due to emergency meetings. He also indicated that he may not be present, but that he would call to let Clerk Ossman know for sure.

MEETING ADJOURNED

APPROVED: _____
Kenneth Zitko, Mayor

ATTEST: _____
Amy Ossman, Clerk-Treasurer

DIGITAL COPY OF MEETING ON FILE