

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

Mayor Zitko brought the September 7, 2017 Council meeting to order, opening with the Pledge of Allegiance to the flag. After the pledge, Mayor offered sympathies to the family of Chester Porter, who had recently passed away.

APPROVAL OF MINUTES: Mayor Zitko asked for approval of the minutes of the August 17, 2017 council meeting. Councilman McPeak moved to approve the minutes of the August 17, 2017 council meeting, with Councilman Drexler seconding and vote all ayes.

AGENDA

Mayor Zitko announced a request from Harrison Central Cross Country to hold a meet at Sally Buffalo Park on September 20, 2017. Motion to approve from Councilman Crawshaw and second from Councilman Capers; vote all ayes.

COMMITTEE REPORTS

Administrator: Mr. Bowman took the floor, reporting on the following items:

1. Sidewalk Bids
2. Microcystins (HAB) Readings (being done on a weekly basis)
3. East Market Street Parking lot bids (none received; may enlist our Street crew to complete)
4. Water Meters
5. Lincoln Avenue Storm Sewer (1 quote received/Kovarik Excavating)
6. September 18/Harrison County will double chip & seal Old Steubenville Pike + Gable Ave.

Councilman Crawshaw made motion to approve the Administrator's report, with second from Councilman Capers and vote of all ayes.

Police: Councilman Crawshaw report of a department meeting being held the day before, where they had discussed current parking fines, and felt that Ordinance 351.031 could be amended as follows:

- All Parking tickets: \$5.00 to \$20.00
- Handicap Zone \$250.00 (currently \$50)
- Parking in front of fire hydrant: \$100.00
- Parking in paid parking lot: \$100.00

Crawshaw then made motion to amend the ordinance, with second from Councilman Sickle and vote of all ayes.

Crawshaw also informed members that Chief McCann would like to raise the following hourly wages:

- Patrolman Jason Simmerman to Level 3 pay scale
- Patrolman Gene Grim to Level 2 pay scale

He would like to make that in form of a motion, but Solicitor Mastros commented that he thought this was not the proper way to go about increasing a wage, and that he would look into it. Clerk Ossman recommended waiting until January 1.

Crawshaw then reported that Canine officer CJ Byers and Chief McCann had been collecting donations for the Police K9 Association to take to Houston for Harvey Hurricane victims. 4 semi-trailers had been driven down, with Byers manning one of the trucks. Crawshaw offered thanks to Byers for his aid.

Police report for the month included 102 complaints, 21 citations, 2 accident reports, 7 incarcerated arrests, and 0 K9 indications/tracks/assists. There was also a recent major drug bust.

Emergency Services: Councilman Capers reported a meeting held the night before, with another meeting scheduled for September 30 at 8:30 PM.

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Property: Councilman Ossman offered his thanks to the Street department for their good work. He also reported of garbage being piled up on the corner of Warren and South Street. Mayor Zitko added that the Police could look into that problem. Solicitor Mastros informed members that he, Mr. Bowman, and Mayor Zitko took a trip around town recently to identify some priority properties. He has a complaint completed on one of the properties, and would like to go through a process that would allow us to demolish some properties legislatively. He thought this would cut down on time, and could be another remedy for the Village to use. He will have more information forthcoming.

Councilman Sickle then directed a problem to Administrator Bowman concerning Atlas Gas on the ramp entering US 22 that needed to be mowed. Bowman agreed to look into it.

Lights: Councilman Sickle reported 3 lights to AEP for repair.

Streets: Councilman Sickle reported that the Street Department had laid out the alley behind the bank, and had some spring issues on West Warren.

Finance: No report

Cemetery: Councilman McPeak reported the next meeting will be September 13 at 11:00 AM.

Employee Relations: Councilman Drexler and Administrator Bowman will confer on setting an Employee Relations meeting soon.

Youth & Recreation: Councilman Crawshaw reported that there were rumors circulating on Facebook of Park prices being increased by \$250.00, and that this was false. He also reported of Sally Buffalo Days coming up on September 16 & 17.

Councilman McPeak added that he would like to act on the Tobacco Free Outdoor Spaces as recommended by the Carroll County Health District a few meetings back. Discussion ensued on possibly making all Village areas smoke-free. Councilman Crawshaw made motion to have Solicitor Mastros draw up an ordinance to make Village areas smoke-free; second from Councilman Drexler and vote of all ayes.

Old Business: Zambelli Fireworks Display pending upcoming Park board meeting

New Business: Councilman Sickle expressed concern regarding the unfortunate event of the Post Office closing. He stated that he had been told numerous times that the Post office was *leased* to the Postal Department for this space. He was asking that *“this council immediately for the person/whoever was leasing this property to the postal service, if they did not conform in making that a safe place, we already know that it is a dilapidated or attention needing structure, that we take immediate action on the owner to conform to a safe building. Otherwise if the postal department has deemed that unsafe, then it needs attention. Before it gets drug along and then whatever, whatever, whatever, we’ve seen it all and I want us to be proactive and start on this immediately. We would be sending a message to the owner that basically I can’t speak for the owner, but I don’t know what they were thinking to where they won’t do anything to keep the postal department there and also with the Coffy building.....”* Mayor Zitko, along with Councilman Crawshaw, then interjected at this point that the Federal Government owns the Post office, there is no one leasing the building to them. Zitko continued that there was a committee together consisting of himself, Charley Bowman, Ken Mason, and Mike Sliva. The first day the post office closed, this committee called Senator Johnson’s office and spoke with his representatives. The committee has gotten together and talked to several postal people on the chance of getting a temporary, or down the line, permanent location. We are being proactive, and are doing all we can do. Councilman McPeak added that the Village had as much notice as the public did, we did not have any forewarning. Janet McGonigal added her comments from the audience. Clerk Ossman added that she knew first hand that the Mayor and Mr. Mason were working diligently to get this resolved.

Sickle then questioned if anything had been done regarding the Coffy’s grocery store, with Clerk Ossman replying that there was a committee working on that as well.

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Councilman Crawshaw informed members that the city of Steubenville had approved letting a medical marijuana dispensary locate there. Since it was already legal in the state of Ohio, he felt that we needed to be proactive on this issue. If this happens in Steubenville, it may create more jobs and business, and he felt that it could be something the Village could look into. Solicitor Mastros added that Steubenville did not approve or disapprove this action, but the enabling legislation allows municipalities to do a number of things, such as banning, limiting the number of dispensaries, regulate/zone it, or do nothing and let the process take its place. Under the revised code, there are certain regulations that have to be met. This is kind of like a pharmacy, and can be zoned as such. It comes in several forms, such as pills or vapor, and it is not like you would get... (“dime bags of weed” as interjected by Councilman Crawshaw)...and can only be obtained with a prescription. Everyone was in agreement that this is something to think about.

Village Administrator Bowman then commented that we would need a couple months to research it, let the Planning Commission have hearings, or decide what the most appropriate zoning district is. Discussion continued, and members were asked to be aware of the situation.

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Claims Ordinance 2017-17

Councilman Drexler made motion to pay the bills, with second from Councilman McPeak and vote of all ayes; Councilman Crawshaw abstaining.

**Ordinance #2017-30
2nd, 3rd, Reading/Emergency**

**SUPPLEMENTAL APPROPRIATION AMENDING ORDINANCE 2016-71 AND
INCREASING THE APPROPRIATIONS IN FUND #2905 NORTH SIDE TIFF FUND
FOR FISCAL YEAR 2017 AND DECLARING AN EMERGENCY**

This ordinance was tabled at a previous meeting. Councilman Crawshaw made motion untable the ordinance, with second from Councilman McPeak; vote all ayes. Councilman Drexler motioned to amend ordinance 2017-30, and decrease the appropriations to \$17,097.56 with second from Councilman Capers; vote all ayes with Councilman Crawshaw abstaining. Councilman Drexler motioned to suspend the rules and have the 2nd and 3rd reading of ordinance 2017-30 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 with Councilman Crawshaw abstaining.

**Ordinance #2017-30
2nd, 3rd Reading (as amended)**

**SUPPLEMENTAL APPROPRIATION AMENDING ORDINANCE 2016-71 AND
INCREASING THE APPROPRIATIONS IN FUND #2905 NORTH SIDE TIFF FUND
FOR FISCAL YEAR 2017 AND DECLARING AN EMERGENCY**

Councilman McPeak motioned to adopt Ordinance 2017-30 as amended; second from Councilman Drexler and vote of all ayes (as amended) with Crawshaw abstaining.

**Ordinance #2017-31
1st, 2nd, 3rd Reading/Emergency**

AN ORDINANCE AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR TO SIGN A MEMORANDUM OF UNDERSTANDING WITH HARRISON POWER, LLC AS IT RELATES TO FURTHER POSSIBLE WATER SALES AND INFRASTRUCTURE WATER DEVELOPMENT WITH HARRISON POWER, LLC AND DECLARING AN EMERGENCY

Councilman Crawshaw motioned to suspend the rules and have the 2nd and 3rd reading of ordinance 2017-31 for the preservation and protection of the health, safety and welfare of the citizens of the Village of Cadiz; second from Councilman Ossman; vote all ayes.

**Ordinance #2017-31
2nd, 3rd Reading**

AN ORDINANCE AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR TO SIGN A MEMORANDUM OF UNDERSTANDING WITH HARRISON POWER, LLC AS IT RELATES TO FURTHER POSSIBLE WATER SALES AND INFRASTRUCTURE WATER DEVELOPMENT WITH HARRISON POWER, LLC AND DECLARING AN EMERGENCY

Councilman Sickle motioned to adopt Ordinance 2017-31; second from Councilman Crawshaw and vote of all ayes.

**Ordinance #2017-32
1st, 2nd, 3rd Reading/Emergency**

AN ORDINANCE RESTATING PERCENTAGE PICKUP OF VILLAGE EMPLOYEES WHOSE PENSIONS ARE FUNDED THROUGH THE OHIO POLICE AND FIRE PENSION FUND

Councilman Crawshaw motioned to suspend the rules and have the 2nd and 3rd reading of ordinance 2017-32 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 #2017-32
2nd, 3rd Reading**

AN ORDINANCE RESTATING PERCENTAGE PICKUP OF VILLAGE EMPLOYEES WHOSE PENSIONS ARE FUNDED THROUGH THE OHIO POLICE AND FIRE PENSION FUND

Councilman Crawshaw motioned to adopt Ordinance 2017-32; second from Councilman Capers and vote of all ayes. (Per Clerk Ossman: No changes to this ordinance, only that OP&F requires it to be in their format.)

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**Ordinance #2017-33
1st, 2nd, 3rd Reading/Emergency**

AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK-TREASURER TO BORROW UP TO \$150,000.00 FOR THE CONSTRUCTION OF A LIFT STATION TO SERVICE THE DEVELOPMENT KNOWN AS LINCOLN LAND DEVELOPMENT AND OTHER PROPERTIES AND DECLARING AN EMERGENCY

Councilman Crawshaw motioned to suspend the rules and have the 2nd and 3rd reading of ordinance 2017-33 for the preservation and protection of the health, safety and welfare of the citizens of the Village of Cadiz; second from Councilman Sickle; vote all ayes.

**Ordinance #2017-33
2nd, 3rd Reading**

AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK-TREASURER TO BORROW UP TO \$150,000.00 FOR THE CONSTRUCTION OF A LIFT STATION TO SERVICE THE DEVELOPMENT KNOWN AS LINCOLN LAND DEVELOPMENT AND OTHER PROPERTIES AND DECLARING AN EMERGENCY

Councilman Crawshaw motioned to adopt Ordinance 2017-33; second from Councilman Drexler and vote of all ayes.

**Ordinance #2017-34
1st, 2nd, 3rd Reading/Emergency**

AN ORDINANCE AWARDING THE 2017 WATERLINE AND ROADWAY IMPROVEMENTS: MAPLEWOOD DRIVE, NORTH MUSKINGUM STREET AND DEERSVILLE AVENUE TO BORDER PATROL, LLC AND DECLARING AN EMERGENCY

Councilman Crawshaw motioned to suspend the rules and have the 2nd and 3rd reading of ordinance 2017-34 for the preservation and protection of the health, safety and welfare of the citizens of the Village of Cadiz; second from Councilman Sickle; vote all ayes.

**Ordinance #2017-34
2nd, 3rd Reading**

AN ORDINANCE AWARDING THE 2017 WATERLINE AND ROADWAY IMPROVEMENTS: MAPLEWOOD DRIVE, NORTH MUSKINGUM STREET AND DEERSVILLE AVENUE TO BORDER PATROL, LLC AND DECLARING AN EMERGENCY

Councilman McPeak motioned to adopt Ordinance 2017-34; second from Councilman Capers and vote of all ayes.

**Ordinance #2017-35
1st, 2nd, 3rd Reading/Emergency**

AN ORDINANCE AWARDING THE 2017 SIDEWALK PROGRAM AND DECLARING AN EMERGENCY

Councilman Crawshaw motioned to suspend the rules and have the 2nd and 3rd reading of ordinance 2017-35 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.

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**Ordinance #2017-35
2nd, 3rd Reading**

AN ORDINANCE AWARDDING THE 2017 SIDEWALK PROGRAM AND DECLARING AN EMERGENCY

Councilman Sickle motioned to adopt Ordinance 2017-35; second from Councilman Drexler and vote of all ayes.

**Ordinance #2017-36
1st, 2nd, 3rd Reading/Emergency**

AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF CADIZ TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSON STATE CAPITAL IMPROVEMENTS AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED FOR THE SAME AND DECLARING AN EMERGENCY

Councilman Capers motioned to suspend the rules and have the 2nd and 3rd reading of ordinance 2017-36 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.

**Ordinance #2017-36
2nd, 3rd Reading**

AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF CADIZ TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSON STATE CAPITAL IMPROVEMENTS AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED FOR THE SAME AND DECLARING AN EMERGENCY

Councilman Sickle motioned to adopt Ordinance 2017-36; second from Councilman Crawshaw and vote of all ayes.

**Ordinance #2017-37
1st, 2nd, 3rd Reading/Emergency**

SUPPLEMENTAL APPROPRIATION AMENDING ORDINANCE 2016-71 AND INCREASING THE APPROPRIATIONS IN FUND #5201 SEWER OPERATING FUND FOR FISCAL YEAR 2017 AND DECLARING AN EMERGENCY

Councilman Drexler motioned to suspend the rules and have the 2nd and 3rd reading of ordinance 2017-37 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 #2017-37
2nd, 3rd Reading**

SUPPLEMENTAL APPROPRIATION AMENDING ORDINANCE 2016-71 AND INCREASING THE APPROPRIATIONS IN FUND #5201 SEWER OPERATING FUND FOR FISCAL YEAR 2017 AND DECLARING AN EMERGENCY

Councilman Capers motioned to adopt Ordinance 2017-37; second from Councilman McPeak and vote of all ayes.

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Public Comment: Janet McGonigal appeared at this evening's council with complaints of potholes on Upper and Lower Lincoln Avenue, and also regarding tanker trucks traveling through town. With no further comments, Mayor Zitko thanked her for attending.

Mayor Zitko announced the following meetings with no attendance issues:

CIC Meeting	September 20, 2017 @ 6:00 PM
Next regular Council meeting	September 20, 2017 @ 7:00 PM

Meeting adjourned.

APPROVED: _____
Kenneth Zitko, Mayor

ATTEST: _____
Amy Ossman, Clerk-Treasurer

DIGITAL COPY OF MEETING ON FILE