

RECORD OF PROCEEDINGS
Minutes of CADIZ VILLAGE COUNCIL Meeting
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The Cadiz Village Council met September 20, 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, Solicitor Mastros, and Village Administrator Charley Bowman.

Mayor Zitko brought the September 20, 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 September 6, 2018 council meeting. Councilman McPeak moved to approve the minutes of the September 6, 2018 Council meeting, with Councilman Capers seconding; vote all ayes.

AGENDA:

Harrison Central High School Band requesting Tag Day Saturday, September 29, 2018 from 9:00-11:00. Motion to grant request from Councilman Crawshaw with second from Councilman Vermillion; vote all ayes.

Scott Memorial United Methodist Church and local churches are requesting the use of the Green Space at the square during the Village Trick or Treat on October 27th from 4-6 PM. Motion to grant request from Councilman Capers with second from Councilman Crawshaw. Clerk Ossman explained that permission was going to come through her office, and then would be presented to council for approval. Final vote all ayes.

COMMITTEE REPORTS

Administrator's Report: Village Administrator Bowman gave the following report:

1. Microcystins/very good to date
2. Water Main projects
3. Road Project Bid-65% over engineer estimate
4. Telephone Notification Service

Councilman Crawshaw motioned to approve the Administrator's report with second from Councilman Capers; vote all ayes.

Councilman Crawshaw motioned to reject the bid for the road paving project on Maplewood, North Muskingum, and West Spring Street as it came in at 65% over the engineer estimate; second from Councilman Capers and vote all ayes.

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Police: Chief McCann requesting a voice vote to hire Jason Simmerman as a full-time officer, as his probationary period had expired. Councilman Crawshaw made the motion, with second from Councilman Capers; vote all ayes.

Councilman Crawshaw called members attention to a resignation letter handed in by Lt. Mazeroski. Chief McCann was recommending to promote Detective Sergeant Carter to the lieutenant position, and also to promote K9 officer Byers to Detective plus to still handle the K9 duties. Lt. Mazeroski's last day will be October 5, and Crawshaw would like to have the promotions read as an emergency ordinance at the next meeting so that the positions will be filled. He then motioned to have Solicitor Mastro and Administrator Bowman to make up a new ordinance to be read at the next meeting; motion seconded by Councilman Capers. Councilman McPeak inquired if this would bring the department up to where the current staff used to be at 10 officers, or will this be adding on an additional officer. Crawshaw explained the process, adding that 1 more officer would be hired, enabling more manpower for traffic. After some discussion, final vote all ayes.

Emergency Services: Councilman Capers reported a meeting had been held the night before, with the next scheduled for October 3 @ 8:30 PM.

Property: Councilman Ossman inquired about the property beside the school, also the property beside Nancy's Florist. Bowman added that he had spoken with that property owner. Councilman Smith requested to get a list of properties in question at next council.

Lights: 12 lights reported to AEP

Streets: Councilman Vermillion reported a meeting had been held September 13; decision to have Blackie's pave the uptown parking lot. Also met with Mannik Smith to discuss the Maplewood, Muskingum, West Spring project; street committee was pleased with their proposal. Councilman Crawshaw inquired if the Liming Drive project was on the 2018 calendar, with Bowman replying that he did hope to get it completed.

Finance: Councilman Capers reported the next meeting scheduled for October 4 @ 6:30.

Cemetery: Councilman McPeak reported the next meeting scheduled for October 3 @ 12

Employee Relations: Councilman Smith reported a meeting had been held last week; reminded members of the "retire/rehire" ordinance on tonight's agenda.

Youth & Recreation: Councilman Crawshaw reported Trick or Treat to be held October 27 from 4-6 PM, as well as Trunk or Treat at the square. Meeting with ODNR regarding the geese problem was still being addressed. Crawshaw commended Park Superintendent Porter on a good job of keeping the walking path clear. Park Board meeting to be held Tuesday, September 25 at 6:00PM at the Lodge.

Councilman Smith added that the Playground project looked promising, with the addition of some blueprints and 3-D lay-outs.

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Old Business: Councilman Crawshaw questioned the progress of the dog park, with Administrator Bowman replying that he and Councilman Capers needed to get together on that project.

Councilman McPeak asked once again about the gas station beside Modern Auto, and if anything was being done about the junk cars sitting there. Administrator Bowman replied that he had been swamped, but that Chief McCann would be working on getting the license plates of these vehicles.

New Business: No report

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Claims Ordinance 2018-18

Councilman McPeak motioned to amend Claims Ordinance 2018-18 with the addition of \$3405.00 to R.K. Landscaping Designs for concrete work (General fund), \$3500.00 to Harrison Community Hospital for a water refund (water fund), and \$60.00 to Ken Mason (CIC fund) for reimbursement of recording fees. Motion seconded by Councilman Capers and vote all ayes.

**Ordinance 2018-53
3rd Reading**

AN ORDINANCE AUTHORIZING PARTICIPATION AND RATIFYING PRIOR PARTICIPATION OF THE VILLAGE OF CADIZ, HARRISON COUNTY, OHIO, WITH THE DEPARTMENT OF THE ARMY CORPS OF ENGINEERS FOR THE DESIGN AND CONSTRUCTION OF THE CADIZ WASTEWATER SYSTEM IMPROVEMENTS PROJECT, AND AUTHORIZING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF CADIZ AND OTHER VILLAGE OF CADIZ OFFICIALS, TO ACT FOR AND ON BEHALF OF THE VILLAGE OF CADIZ, IN EXECUTING, ACCEPTING, OR OTHERWISE APPROVING ALL DOCUMENTS, AGREEMENTS, INSTRUMENTS, OR OTHER NECESSARY PAPERS REQUIRED BY THE DEPARTMENT OF THE ARMY TO IMPLEMENT SAID PARTICIPATION IN THE PROJECT

Councilman Crawshaw motioned to adopt Ordinance 2018-53 with second from Councilman Vermillion; vote all ayes.

**Ordinance 2018-55
1st, 2nd, 3rd Reading/Emergency**

AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO A CONTRACT WITH THE HARRISON COUNTY HIGHWAY DEPARTMENT FOR THE PURPOSE OF PAVING ROADWAYS AT SALLY BUFFALO PARK AND DECLARING AN EMERGENCY

Councilman Crawshaw motioned to suspend the rules and have the 2nd and 3rd readings of Ordinance 2018-55 for the preservation and protection of the health, safety and welfare of the citizens of the Village of Cadiz, with second from Councilman Ossman. Councilman Smith inquired as to why this was to be read as an emergency; Administrator Bowman replied that we were on a short time frame, and that he had actually forgotten about it due to a backlog on his desk. Councilman Vermillion asked about where was the paving vs. chip/seal, with Superintendent Porter answering that the chip/seal had been done today off the Industrial Park Road entrance, the remainder had been paved probably 10-12 years ago. Denver Smith, who was in attendance and in the audience inquired if we were paying the county to do this, with Bowman replying that yes, we were, because they charge for it. Mr. Smith then asked why we were being charged since we were within the county? A discussion began regarding charges; Mayor Zitko then announced to move on, and took the vote for Ordinance 2018-55 as all ayes.

**Ordinance 2018-55
2nd, 3rd Reading**

AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO A CONTRACT WITH THE HARRISON COUNTY HIGHWAY DEPARTMENT FOR THE PURPOSE OF PAVING ROADWAYS AT SALLY BUFFALO PARK AND DECLARING AN EMERGENCY

Councilman Capers motioned to adopt Ordinance 2018-55, with second from Councilman Vermillion; vote all ayes.

**Ordinance 2018-56
1st Reading**

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE HARRISON SOIL AND WATER CONSERVATION DISTRICT AS IT RELATES TO THE TAPPAN LAKE STREAM BANK PROTECTION PROGRAM

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**Ordinance 2018-57
1st Reading**

AN ORDINANCE AMENDING ORDINANCE 2017-12

Councilman McPeak motioned to table Ordinance 2018-57 until further notice under the recommendation of the sub-committee meeting members until a finance meeting is held; second from Councilman Capers and vote all ayes.

**Ordinance 2018-58
1st Reading**

(Councilman Crawshaw motioned to waive the 24 hour submittal rule for Ordinance 2018-58 to enable it to be read at tonight's meeting; second from Councilman Vermillion and vote all ayes.)

**AN ORDINANCE ESTABLISHING A RETIRE/REHIRE POLICY FOR
THE VILLAGE OF CADIZ**

Resolution 2018-04

**A RESOLUTION AUTHORIZING THE MAYOR AND/OR VILLAGE
ADMINISTRATOR TO ACT ON BEHALF OF THE VILLAGE OF CADIZ
FOR THE PURPOSE OF RECEIVING FEDERAL PROPERTY**

Councilman Capers motioned to adopt Resolution 2018-04; second from Councilman Ossman; vote all ayes.

Public Comment: Denver Smith appeared before council this evening, informing members that he had worked for the Village for 30 years. He went on to say that some of the water projects that are being done in the Village are not to the benefit of the property owners. He has observed that the specs for these jobs are not being done correctly. He recommended that the Village was responsible from the main to the curb box, and said that the fittings being used were incorrect, passing out a sample of a plastic line that was being used. The lines are being spliced in the middle of the road, and when that is done, the line expands and contracts, thus eventually cutting the fitting, re-tapping on the new main, not replacing the curb box of each residence. Smith went on to say that the property owner should not be responsible for replacing this down the line, when it is not being done correctly. He recommended an ordinance to be made that the Village, not the property owner, would be responsible from the main line tap to the curb box. He gave other examples of things that were engineered incorrectly throughout the Village, and also that every time he saw the inspector, he was sitting in the truck. In his opinion, something needed to be done to protect the homeowner.

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Chris Kowalski then appeared before council, remarking that she was a new resident of Cadiz, living at Country Club Manor. She complained that at the bottom of Country Club Manor, the road was always flooded, and wanted to know why. She went on to say the Street department had put up High Water signs, but it was impassable. She added that someone took pictures, who she believed to be Village employees. Administrator Bowman ensured her that it would be followed up on.

Mrs. Leanna Mikesell from Jones Avenue then appeared, informing members that the Water Transport trucks were still using Deersville Avenue, and she had the times, dates and truck numbers listed. She went on to say also that the door hangers that were being passed out were insufficient. Mikesell remarked that she attended the last public hearing with Bob Allen from E.L. Robinson, and attacked councilmen for not being in attendance. When Councilman Crawshaw gave his reason for not attending, Mikesell loudly told him she did not care. Mayor Zitko then told her that she did not need to come to these meetings to attack councilmen, with Crawshaw remarking that we (councilmen) all had lives.

Mikesell was very argumentative, telling members that they were getting a paycheck to do these things to which Crawshaw replied that she could have his \$200.00. Mikesell then went on to say that per the newspaper, McPeak felt that the valves should be handled by the water department, to which she agreed. She felt the biggest problem was not miscommunication, but it was with Enyart having the contract with the Village. She also remarked that with Administrator Bowman not having enough time to get things accomplished, maybe council should help him out, and “wasn’t that your job? Today the water was running down Oakwood onto St. Clair and there was an E.L. Robinson truck parked by Cope’s Lane at the exact same time. You guys hired Enyart, and that’s the problem.” Councilman Smith then spoke, telling Ms. Mikesell that we appreciate when any Village resident comes in to discuss things, and that he encourages that wholeheartedly. He went on to say that anytime someone personally attacks a part-time employee (Mikesell interrupting at this point, saying that “she did not mention anyone by name”) of the Village, which is the governing body, it is our job to make the Village the best place we can. With that said, if we can’t make it to a meeting, because of a family issue, in his opinion her demeanor in attacking council was inappropriate. Ms. Mikesell then replied that if Smith wanted to attack her, they could discuss it outside, with Smith saying that this was not what he intended, only that her attacks were getting old. Public opinions were encouraged and appreciated, but her personal attacks were out of place.

Councilman Vermillion asked Ms. Mikesell why she felt there should have been council representation at said meeting, with Mikesell replying that “they were all at the first meeting, with 3 residents and there were 9 residents at the second one.” Vermillion went on to say that not only do they hear from people such as her coming to council, but from other people all over the Village with complaints, not in open meetings. He added that councilmen are paid only \$200.00 per month, but that was not the reason he was a councilman. Vermillion also encouraged public participation, but reiterated Councilman Smith’s remarks on having other aspects of their lives as well.

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Next meetings:

Finance & Sub-Committee October 4, 2018 @ 6:00 PM
Regular Council October 4, 2018 @ 7:00 PM

(No attendance issues noted)

MEETING ADJOURNED

APPROVED: _____
Kenneth Zitko, Mayor

ATTEST: _____
Amy Ossman, Clerk-Treasurer

DIGITAL COPY OF MEETING ON FILE