

RECORD OF PROCEEDINGS
Minutes of CADIZ VILLAGE COUNCIL Meeting
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The Cadiz Village Council met October 4, 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, Solicitor Mastros, and Village Administrator Charley Bowman. Mayor Zitko was out of town.

Council President Crawshaw brought the October 4, 2018 Council meeting to order, opening with the Pledge of Allegiance to the flag.

APPROVAL OF MINUTES: Councilman Crawshaw asked for approval of the minutes of the September 20, 2018 council meeting. Councilman McPeak moved to approve the minutes of the September 20, 2018 Council meeting, with Councilman Vermillion seconding; vote all ayes.

AGENDA:

Ms. Leanne Mikesell appeared before council stating that she felt there were incomplete facts reported in the paper regarding the last council meeting. She felt she did not personally attack anyone, to which Solicitor Mastros replied that was a question for the newspaper. She went on to say that she had been interrupted by Mr. Crawshaw, and contradicting what she had originally said at that meeting. Mikesell went on to comment that she did not want to be “maligned” by the paper with incorrect facts and wanted that to be noted. She then went on to say that at the last council meeting under Streets on the agenda, Blackie’s and Mannik Smith were mentioned; she asked what they were going to be doing. Councilman Vermillion replied that Blackie’s would be paving, and that Mannik Smith were general engineers under contract.

COMMITTEE REPORTS

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

1. Microcystins/very good to date
2. Water Main projects
(Route 9 closure to truck traffic only from 7AM-7PM for water main project;
“Notify Now” phone contacts)
3. Road project bid
4. Country Club Road Improvement project (\$299K)
5. Bulk Water station (\$40-80K)
6. Flood study @ Sparrow Dam
7. Preliminary floor plan for Army Reserve building

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

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Police: Councilman Crawshaw called members attention to the Police report showing 117 complaints, 32 citations, 10 accident reports, 15 incarcerated arrests. Shown also was the K9 report, with 4 “free air sniffs”, 2 assists and 1 call out. Hiring of additional officers was discussed, with recommendation from Chief McCann to hire Keasha Barz as a patrolman with 6 month probationary period. Councilman Capers motioned to hire Ms. Barz as a FT patrol, second from Councilman Vermillion; vote all ayes.

Emergency Services: Councilman Capers reported the next meeting will be October 17 at 8:30PM.

Property: Councilman Ossman inquired if Liming Lake would be addressed this year; also mowing on Charleston and 820 E. Market Streets. Ossman also asked if Chief McCann had looked into the cars by the gas station on East Market, with McCann replying that he had made contact with the owner who claims that he had permission from the property owner to leave the cars there. He will contact the property owner to get more details. Councilman Vermillion commented that there was an ordinance stating that the vehicles have to be titled and licensed and he knew that there were 2 vehicles that had not been titled since 2014, adding that it looked like a junkyard.

Lights: 12 lights reported to AEP

Streets: Councilman Vermillion reported a meeting scheduled for October 25 at 5:30PM.

Finance: Councilman Capers reported a meeting held earlier; budget review for 2019 November 1 @ 6:30PM.

Cemetery: Councilman Ossman reported a meeting held earlier; budget review on tap for November meeting.

Employee Relations: Councilman Smith reported being past due for a quarterly meeting; will schedule one ASAP.

Youth & Recreation: Councilman Crawshaw reported a Park Board meeting held last week; several items on that agenda. Gate total from July 4 was approximately \$1100.00. Playground being discussed; financing an issue with total cost being \$200K. Board requesting copies of by-laws; Councilman McPeak reported giving Administrator Bowman some drawings for new stage; Park board would like to see the stage built in the back where there is existing electrical hook-ups. Park sub-committee meeting scheduled for October 18 at 5:30PM.

Old Business: No report

New Business: Councilman Crawshaw reiterated the discussion from last meeting with Mr. Denver Smith, who commented that the Village should be responsible for replacing a line to the curb stop. He wanted to make sure that we were all on the same page, with Mr. Bowman adding that we do not charge the customer for re-taps.

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Claims Ordinance 2018-19

Councilman Capers motioned to pay the bills, with second from Councilman McPeak; vote all ayes with Crawshaw abstaining.

**Ordinance 2018-56
2nd 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

**Ordinance 2018-57
1st Reading**

AN ORDINANCE AMENDING ORDINANCE 2017-12

Councilman Vermillion motioned to table Ordinance 2018-57, with second from Councilman Capers; vote all ayes.

**Ordinance 2018-58
2nd Reading**

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

**Ordinance 2018-59
1st Reading**

AN ORDINANCE ESTABLISHING A CREDIT CARD POLICY FOR THE VILLAGE OF CADIZ

(Solicitor Mastros commented that this ordinance will be amended, and he will send out the new version. Audience member Leanne Mikesell requested permission to “say something”; to which Councilman Crawshaw replied that she could do so at the end of the meeting.)

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**Ordinance 2018-60
1st, 2nd, 3rd Reading/Emergency**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE PROMOTION
OF VARIOUS POLICE OFFICERS WITHIN THE VILLAGE OF CADIZ
AND DECLARING AN EMERGENCY**

Councilman Capers motioned to suspend the rules and have the 2nd and 3rd readings of Ordinance 2018-60 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 2018-60
2nd, 3rd Reading**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE PROMOTION
OF VARIOUS POLICE OFFICERS WITHIN THE VILLAGE OF CADIZ
AND DECLARING AN EMERGENCY**

Councilman Capers motioned to adopt Ordinance 2018-60 with second from Councilman Vermillion; Councilman Ossman questioned if this was seniority based; vote all ayes.

**Ordinance 2018-61
1st Reading**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO
ENTER INTO AN EASEMENT AGREEMENT WITH THE COMMUNITY
IMPROVEMENT CORPORATION OF HARRISON COUNTY**

**Ordinance 2018-62
1st Reading**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE VILLAGE
ADMINISTRATOR TO ENTER INTO A SANITARY SEWER
AGREEMENT WITH HARRISON COUNTY**

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**Ordinance 2018-63
1st, 2nd, 3rd Reading/Emergency**

**AN ORDINANCE DESIGNATING THE CADIZ CIC AS THE VILLAGE
AGENT AND AUTHORIZING AND DIRECTING THE MAYOR AND
CLERK-TREASURER TO SIGN AGREEMENT WITH THE CADIZ CIC
REGARDING THE SAME FOR THE PURPOSE OF SELLING REAL
ESTATE TO HARRISON COUNTY AND DECLARING AN EMERGENCY**

(Solicitor Mastros questioned if all members understood this ordinance, stating that the county had a buyer for this property (0.59 acres for water tower), and that we needed to get it back to them using the CIC as the Village agent)

Councilman Capers motioned to suspend the rules and have the 2nd and 3rd readings of Ordinance 2018-63 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 2018-63
2nd, 3rd Reading**

**AN ORDINANCE DESIGNATING THE CADIZ CIC AS THE VILLAGE
AGENT AND AUTHORIZING AND DIRECTING THE MAYOR AND
CLERK-TREASURER TO SIGN AGREEMENT WITH THE CADIZ CIC
REGARDING THE SAME FOR THE PURPOSE OF SELLING REAL
ESTATE TO HARRISON COUNTY AND DECLARING AN EMERGENCY**

Councilman McPeak motioned to adopt Ordinance 2018-63 with second from Councilman Ossman; vote all ayes.

Public Comment: Curt Crawshaw appeared for public comment this evening, stating that he was not in attendance regarding the controversy over the “public hearing” that had been addressed at last meeting. He stated that a public hearing was just that, a hearing for the public. Before such a meeting is held, councilmen already know what is going on, and their duty is to have someone at that meeting to answer questions of the “public”. He pointed out that if more than 3 councilmen attended a public meeting, discussing Village matters, this would be a violation of Ohio Revised Code, and would be an unadvertised council meeting, thus breaking the Ohio Sunshine Law. Crawshaw went on to say that if councilmen attended, that was good, but they were in attendance as “public”, not as “council”. Councilmen are under no obligation to explain as to why they were not at such a meeting. He added that in regards to the issue of getting “paid” to attend meetings, that if you take the hours that are put in coming to special meetings, you are not getting anywhere close to minimum wage. We have people that are full-time employees getting paid wages to run the Village; council is an administrative group who decides what needs to be done, or what ordinances need to be passed, they do not run this Village. The Mayor, Administrator, department heads and employees do that. Mr. Crawshaw then thanked council for listening, and reiterated that a public meeting was for the public, not for the council.

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Public Comment: (continued)

Leanne Mikesell again asked for permission to speak, to which Councilman Crawshaw denied, telling her that she had been on the agenda, she made her comments, now it was the next person on the list to speak. Mikesell replied that she thought since she was on the agenda, she did not know what was going to be said at the meeting or on the agenda, and she thought she could comment and that is why she signed in as well as being on the agenda. Crawshaw then told her that she could speak after Ms. Kowalski, who was on the sign-in sheet. Ms. Kowalski then asked if anyone had gone to Country Club Road to check on the flooding, as she had asked at last meeting. Councilman Ossman replied that he did, and Administrator Bowman added that Street Superintendent Hennis had viewed it as well. The area floods every time we get rain, and it was not a simple fix, it will continue to flood every time it rains. Kowalski then asked for explanation of the credit card policy, to which Solicitor Mastros explained that it was to keep track of the authorization and charges of the Village credit cards. Kowalski then inquired as to who all had a credit card, and Clerk Ossman replied that all the credit cards were kept in the Village safe, and that employees were not "carrying them around." Permission had to be given from the clerk's office for any department head to use them, and her office keeps track of who takes or returns any given card, adding that this issued/ordinance was being mandated by the state.

Ms. Kowalski then went on, calling attention to the Tuesday, September 18 edition of the Times Leader newspaper, stating that it said Martins Ferry got a new service director. They were considered a city, Cadiz is a Village, she went on to say that their service director gets paid \$39,000/year, why does our service director make \$63,000? Councilman Crawshaw replied that "he" (Bowman) is not a service director, he is a Village Administrator, to which Kowalski replied "it's the same thing." Mr. Bowman interjected that it was not, and Kowalski asked him to "write it down" to have at the next meeting. Bowman suggested that she call Martins Ferry to see what that job description entails. Kowalski began to be argumentative, and Councilman Crawshaw stopped the conversation.

Ms. Mikesell again addressed council, wanting to know who scheduled the 2 Public meetings that had been held; Administrator Bowman answered that he did, and they were scheduled as public meetings, not council. She then commented that a gentleman that had been in earlier said he had a water problem, to which he was directed by Councilman Crawshaw to see Mr. Bowman. She went on to say that she had a water problem also, and went to Mr. Bowman in June, adding that "his last words to me in front of my house were maybe we can get to it in October," and that she has never received any notice, nor does she expect to. Councilman Vermillion interjected that she (Mikesell) was talking about 2 different things here, what Mr. Bowman referred to in June was a possible fix by the Street department. He assumed that the earlier situation with the water running in was for the contractor, to which he (Bowman) could make a phone call tomorrow. Vermillion went on to explain that up until October, the Street department is very busy, and they should be able to look at her problem sometime this month. Mikesell said she still didn't understand, because "the other guy's problem is caused from the contractor, and mine isn't." Vermillion replied that yes, that is why you are waiting until October, and the other gentleman is not.

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Councilman Crawshaw then requested motion to adjourn; announcing the following meetings on the schedule:

Next meetings:

Park Sub-Committee	October 18, 2018 @ 5:30 PM
CIC	October 18, 2018 @ 6:00 PM
Regular Council	October 18, 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

