

February 19, 2019

**PROCEEDINGS**

**Lordstown Village Council Regular Meeting**

**(WHEREAS, the regular meeting before the Lordstown Village Council commenced on Tuesday, February 19, 2019, at 6:05 p.m. and proceedings were as follows:)**

**(Lord's Prayer and Pledge of Allegiance to the Flag.)**

MAYOR HILL: Bill, roll call, please.  
MR. BLANK: Mayor Hill?  
MAYOR HILL: Present.  
MR. BLANK: Mr. Bond?  
MR. BOND: Here.  
MR. BLANK: Mr. Liming?  
MR. LIMING: Here.  
MR. BLANK: Mr. Radtka?  
MR. RADTKA: Present.  
MR. BLANK: Mrs. Jones?  
MRS. JONES: Present.  
MR. BLANK: Mr. Sheely?  
MR. SHEELY: Present.  
MR. BLANK: Mr. Reider?  
MR. REIDER: Present.  
MR. BLANK: Clerk Blank, present.  
Treasurer, George Ebling?  
MR. EBLING: Here.  
MR. BLANK: Vito Abruzzino?  
ATTY. ABRUZZINO: Present.  
MR. BLANK: Police Chief Brent Milhoan?  
CHIEF MILHOAN: Present.  
Mr. Blank: Fire Chief Travis Eastham?  
CHIEF EASTHAM: Present.  
MR. BLANK: Planning and Zoning, Economic Development, Kellie Bordner?  
MS. BORDNER: Present.  
MR. BLANK: Parks, Buildings, Grounds, Street Commissioner, Dale Grimm?  
(NO RESPONSE — ABSENT.)  
Recreation, Marty Gibson? (NO RESPONSE — ABSENT.)  
Board of Public Affairs?  
MR. DIETZ: Present.  
MR. BLANK: Engineer, Chris Kogelnik?  
MR. KOGELNIK: Present.  
MAYOR HILL: I'll entertain a motion to excuse Dale. He gave me a call earlier and said another obligation came up. And, also, Marty said she'd miss two meetings in a row. Today is a Tuesday, so she couldn't make it.  
MRS. JONES: So moved.  
MR. LIMING: Second.  
MAYOR HILL: Moved by Jones; second Liming. Comments?  
(NO RESPONSE FROM COUNCIL.)  
All in favor?  
COUNCIL: Aye.  
MAYOR HILL: Opposed?  
(NO RESPONSE FROM COUNCIL.)

**(VOTE: 6, AYE; 0, NAY; 0, ABSTAINED.)**

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Motion carried.  
I'll entertain a motion for adoption of the agenda.  
MR. RADTKA: So moved.  
MAYOR HILL: Moved by Radtka. Second?  
MR. REIDER: Second, Mr. Mayor.  
MAYOR HILL: Second by Reider. Comments?  
(NO RESPONSE FROM COUNCIL.)  
All in favor?  
COUNCIL: Aye.  
MAYOR HILL: Opposed?  
(NO RESPONSE FROM COUNCIL.)

**(VOTE: 6, AYE; 0, NAY; 0, ABSTAINED.)**

Motion carried.  
I'll entertain a motion for disposal of the minutes of the regular meeting February 4, 2019.  
MR. SHEELY: So moved.  
MR. BOND: Second.  
MAYOR HILL: Moved by Sheely; second by Bond. Comments?  
(NO RESPONSE FROM COUNCIL.)  
All in favor?  
MRS. JONES: Aye.  
MR. REIDER: Aye.  
MR. RADTKA: Aye.  
MR. SHEELY: Aye.  
MR. BOND: Aye.  
MAYOR HILL: Opposed?  
(NO RESPONSE FROM COUNCIL.)  
MR. LIMING: I abstain. I wasn't here.

**(VOTE: 5 AYE; 0, NAY; 1, ABSTAINED.)**

MAYOR HILL: Okay. 5, ayes; 1, abstention. Motion carries.  
I'll entertain a motion for payment of the bills.  
MR. RADTKA: So moved.  
MAYOR HILL: Moved by Radtka. Second?  
MR. SHEELY: Second.  
MAYOR HILL: Second by Sheely. Comments?  
(NO RESPONSE FROM COUNCIL.)  
All in favor?  
COUNCIL: Aye.  
MAYOR HILL: Opposed?  
(NO RESPONSE FROM COUNCIL.)

**(VOTE: 6, AYE; 0, NAY; 0, ABSTAINED.)**

Motion carried.  
Mayor's report. I went to Columbus with the Regional Chamber and some of the Union members and talked to our elected officials down there to get support for trying to bring another project to General Motors. I believe it was a very good, worthwhile endeavor.  
Also, if you've been reading the paper at all, there's been litigation between L.E.C., the Lordstown Energy Center, and the Future T.E.C., the Trumbull Energy Center. And, I

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believe, that will be finalized and resolved by Thursday. If it is, I'll be sending a notice out. There will probably be a press conference on Friday stating what the next steps are for T.E.C. but that depends on how the hearing goes Thursday. So Council can expect something in their box one way or another Thursday. That's it for the Mayor's report.

Is there a Clerk's report?

MR. BLANK:

No report.

MAYOR HILL:

Solicitor's report?

ATTY. ABRUZZINO:

No report.

MAYOR HILL:

Treasurer's report?

MR. EBLING:

No report.

MAYOR HILL:

Board of Trustees of Public Affairs report?

MR. DIETZ:

No report.

MAYOR HILL:

Village Engineer's report?

MR. KOGELNIK:

One item, Mayor. We've been testing the warning system. We have an issue with Number 2, and that is on Highland Avenue towards the railroad tracks to the southeast. So, we're working that issue out with Federal Signal and the contractor right now. We'll be in communication with both Don and Chief Milhoan about that.

Other than that, we continue to stay busy with the TJX plan review process.

Any questions?

MAYOR HILL:

Questions for Chris?

(NO RESPONSE FROM COUNCIL.)

Special reports. Police Chief Milhoan?

CHIEF MILHOAN:

No report, Mr. Mayor.

MAYOR HILL:

Questions for Brent?

(NO RESPONSE FROM COUNCIL.)

Fire Chief Eastham?

CHIEF EASTHAM:

No report.

MAYOR HILL:

Questions for Travis?

(NO RESPONSE FROM COUNCIL.)

Planning and Zoning Administrator and Director of Economic Development, Kellie?

MS. BORDNER:

Yes, Mayor. We have a Planning Commission meeting coming up on Wednesday, February 27th at 6:30. That will be for the amended petition to vacate a portion of Hallock Young Road and relocate that vacated portion by creating a thru street. So that will be at 6:30, February 27.

MAYOR HILL:

Questions for Kellie?

(NO RESPONSE FROM COUNCIL.)

Mr. Grimm is excused. Marty is excused.

Do we have any correspondence this evening, Bill?

MR. BLANK:

No correspondence.

MAYOR HILL:

Public remarks. If you'd like to make a public remark, after I acknowledge you, please come to the microphone and give your name and address so we can get it recorded correctly.

Public remarks?

MR. DICKSON:

Brent Dickson, 2860 Pleasant Valley Drive, S.W. D-i-c-k-s-o-n. Folks, I'll be quick tonight. Mayor, the letter that came up about the Commissioners, I understand we're about to mirror that letter from this Council. I'd like to express my displeasure with that. I think the EPA should have the opportunity to take a look at things. When I do a storm

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water—I got a chance to look at the site plan—thank you, Kellie—I understand that the pond is about a six-acre pond and the impervious structure is going to be about 105 acres. A one-inch rain event will make nine-acre feet of water. It's about three million gallons. On October 20th of 2016, we had a four-inch rain event. That's 12 million gallons of water. The dirt infiltrates at about a half inch an hour, which means a one-inch rain event, before construction, half that water went into the ground. Afterwards, it's all going to run off. Ninety-eight percent of that water will go into the pond very efficiently and very effectively and very quickly. And it will be concentrated into a 36-inch pipe exiting the pond. Now, I'm not a civil engineer, but I think that needs looked at by the folks that understand what they're looking at, and that's the EPA. I implore this Council to not send that letter. I will be in front of the commissioners tomorrow to ask them to rescind theirs. Thank you.

MAYOR HILL:

Are there any other public remarks? Jerry?

MR. APGAR:

Jerry Apgar, 2036 Salt Springs Road. What I wanted to know on these recycle bins over here, is it possible to have one just designated for glass? Because I take papers down there and cardboard down there, and I always see glass mixed in there. So, is there anything we can do about that? I think—we'll get in touch with Dale. Dale's the one who has been handling that. We're also finding out that there's one or two village residents who use those there for their own personal garbage disposals. And there's a chance that those dumpsters may be gone because we've been told—by people who are coming and picking up those containers—if there's any more garbage or anything, they're not going to pick it up. So, that means that will throw it back on us to have it sent to the landfill or whatever. So, there's a chance that those may be coming out. They're looking into it right now.

MR. APGAR:

Well, I thought maybe, if at all possible, at least have one marked for glass.

MRS. JONES:

Well, I think that—wasn't the idea that they're totally going to do away with taking glass?

MAYOR HILL:

They're doing away with taking glass.

MRS. JONES:

They're not going to take glass at all.

MR. APGAR:

Oh, no glass at all?

MRS. JONES:

No glass at all.

MR. APGAR:

Have to take it up the street.

MAYOR HILL:

That's Geauga/Trumbull which does that. We're providing the site for them, but that's their rules, Jerry.

MR. APGAR:

Okay. That's it. Thank you.

MAYOR HILL:

Any other public remarks?

MR. DIETZ:

Thomas Dietz, 2821 Hallock Young Road. I don't have any comments on that stuff. I wanted to make sure I can get my money for Memorial Day. It's coming up. I've got to ask for it.

MAYOR HILL:

How much are you asking for, Tom?

MR. DIETZ:

Whatever we got last year. I don't remember what it was.

MR. RADTKA:

I think it was three and a half.

MAYOR HILL:

We'll see if they bring it up under new business, Tom.

MR. DIETZ:

All right.

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MAYOR HILL: Any other public remarks?  
(NO RESPONSE.)  
Hearing none, are there any Council remarks?  
(NO RESPONSE FROM COUNCIL.)  
Hearing none, committee reports. Finance, Mr. Radtka?

MR. RADTKA: No report tonight, Mr. Mayor.

MAYOR HILL: Questions for Ron?  
(NO RESPONSE FROM COUNCIL?)  
Parks, Buildings, Grounds, General Improvements, Streets  
and Sidewalks, Mr. Bond?

MR. BOND: I have no report this evening, Mr. Mayor.

MAYOR HILL: Questions for Bob?  
(NO RESPONSE FROM COUNCIL.)  
Public Safety and Police Department, Mr. Reider?

MR. REIDER: No report, Mr. Mayor.

MAYOR HILL: Questions for Don?  
(NO RESPONSE FROM COUNCIL.)  
Public Safety, Fire and EMS, Mr. Sheely?

MR. SHEELY: No report tonight, Mr. Mayor.

MAYOR HILL: Questions for Howard?  
(NO RESPONSE FROM COUNCIL.)  
Public Utilities, Mrs. Jones?

MRS. JONES: No report.

MAYOR HILL: Questions for Karen?  
(NO RESPONSE FROM COUNCIL.)  
Recreation and Planning, Mr. Liming?

MR. LIMING: No report.

MAYOR HILL: Questions for Lamar?  
(NO RESPONSE FROM COUNCIL.)  
Hearing none, is there any old business Council would like  
to discuss?  
(NO RESPONSE FROM COUNCIL.)  
Hearing none, new business?

MR. RADTKA: Yes, Mr. Mayor. I'd like to make a motion that we authorize  
payment for CT Consultants for the site plan review project  
for the T.E.C. Project, not to exceed \$4,000 and it's  
reimbursable.

MAYOR HILL: Everybody heard the motion by Ron. Is there a second to  
that motion?

MR. LIMING: Second.

MAYOR HILL: Second by Liming. Comments or questions?  
(NO RESPONSE FROM COUNCIL.)  
All in favor?

COUNCIL: Aye.

MAYOR HILL: Opposed?  
(NO RESPONSE FROM COUNCIL.)

**(VOTE: 6, AYE; 0, NAY; 0, ABSTAINED.)**

MR. REIDER: Motion carried. Mr. Reider?  
Yes, Mr. Mayor. I'd like to make a motion that we send a  
letter to the Ohio EPA stating that we are against imposing  
another hearing. It would be the same as the County  
Commissioners sent.

MAYOR HILL: Is there a second to that motion?

MR. SHEELY: Second.

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MAYOR HILL: Second by Mr. Sheely. Comments or questions?  
MRS. JONES: Yes, Mr. Mayor. I have a few comments. Back in September, we received a letter—I don't know who all received it. I know people on my road and some of the others down in that area received a letter from Army Corps of Engineers requesting input about whether there should be a public hearing or not. I know several residents that responded to that letter. I was one of them and requested that we have that public hearing. So, I could not support this.

ATTY. ABRUZZINO: I just want to be clear. You requested it personally?  
MRS. JONES: We were sent a letter from the Army Corps of Engineers and also told to respond to two people at the EPA and the Wildlife Division and also to the ODNR. I sent my letter to all of them stating that I would like to see a public hearing. And that was in October that I sent my letter to them.

ATTY. ABRUZZINO: Was there a formal complaint made by anybody requesting the hearing?  
MRS. JONES: I don't know about that.  
MAYOR HILL: I was told by the EPA there were two formal complaints. One was Mr. Dickson and one was Mr. Jones.  
MRS. JONES: Well, here is the public notice right here, dated September 27, 2018, with a closing date of October 29, 2018. It said that anyone could request a public hearing.  
ATTY. ABRUZZINO: And you sent a letter requesting a public hearing.  
MRS. JONES: I did and so did some others.  
ATTY. ABRUZZINO: I'm guessing Mr. Jones—that would be your husband—did as well?  
MRS. JONES: Yes.  
ATTY. ABRUZZINO: Mr. Dickson did as well?  
MRS. JONES: Yes. If they missed mine, they missed others too because I know that there were others that got the notice. Whether they responded to it or not, I cannot say.

MAYOR HILL: I was told there were two formal complaints. One being Brent and one being Marvin. I found that—the EPA notified me after that and said there were two formal complaints filed on that.  
MRS. JONES: Well, I have the response from one of the gentlemen that I sent mine to, Chris Moody, at the Ohio EPA stating that he was no longer the EPA Storm Water Coordinator for Trumbull County. So he forwarded my request to Molly Sunkle, S-u-n-k-l-e, of the Ohio EPA.

ATTY. ABRUZZINO: Well, I mean, from a perspective of seconding or voting on something like this, you can't have a personal interest in the objective being pursued at all. We have a conflict of interest, real or perceived. So, I really don't like you making a complaint or whatever it was and your husband as well. It's like Mr. Radtka can't vote on any of this stuff on the TJX complex all together. So, on a motion like this, it's at least your Solicitor's opinion, that both Mr. Radtka and yourself can't vote on the motion itself because of the fact the complaint was launched by yourself and/or somebody you have a close personal relationship with—  
MRS. JONES: Well, I still feel that everybody downstream will be affected by this, all the way to Leavittsburg where it will empty into the Mahoning River. And I believe that the EPA should

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conduct it.

ATTY. ABRUZZINO: I'm just saying for purposes of voting here—

MRS. JONES: Okay.

ATTY. ABRUZZINO: —it's a clear conflict.

MRS. JONES: Okay. That's fine.

MAYOR HILL: Is there any other new business—well, right now we're waiting for a vote—

MR. BOND: Well, no. I have a couple comments on it, too.

MAYOR HILL: Okay.

MR. BOND: The only thing I question on this—this is the Ohio EPA, which is, of course, as we all know, a state agency—

ATTY. ABRUZZINO: You didn't file a complaint too, did you?

MR. BOND: No. I did not.

MRS. JONES: I didn't file a complaint. I just filed a request for a public hearing. It was not a complaint.

ATTY. ABRUZZINO: I don't know what your husband filed. I just have it on good advice it was—

MRS. JONES: Well, do you want to see them? I got what I submitted, and he's got what he submitted.

MAYOR HILL: I believe Bob has the floor right now.

MR. BOND: Let's see. Where was I? Okay, this is Ohio EPA. It's a state agency. We need to make sure we keep a good relationship with the EPA. We've used them in the past with the dump and different things in the community. Is it really our place to recommend how they interpret their procedures? I think that they're perfectly capable of doing that.

Also, the notice that I read said this would cause a degradation to the waters of Duck Creek. Now, I'm not sure what degree of degradation it will cause. Is there anything in their filing that indicates this? Do we even know what we're voting on and asking for? There's a large parking lot with trucks, trailers and stuff—different things I would think. I don't know what we're voting on. I think at this point we should probably find out a little more information. The letter from the county, I noticed, was signed by each of the commissioners. I presume if you're mirroring it, you'll ask for a signature of each member of Council and Mayor. If that's what you're doing—I just have a lot of questions. I'd like to see the letter, too.

MAYOR HILL: My comment is, what I read in the paper, quoted by Mr. Dickson, he has not addressed anything new other than what he's been addressing since he's been challenging this project. And everybody is aware of the impervious surfaces. Everybody is aware of the retention pond. I do know we have a village engineer on board who will be doing followup on the design for the storm water retention and storm water runoff. And, I feel, my opinion, this is just another move because—to try to delay the project and run them out of town.

MR. BOND: I don't think so, Mr. Mayor.

MAYOR HILL: Well, Bob, you're entitled to your opinion; I'm entitled to mine. But, you know, we've had numerous discussions. What I read in the paper, my interpretation, there were no new questions. I do know, in talking with TJX months ago, their number one priority is the storm water runoff. And I feel we can take them at their word on that. I do believe this

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has been going on for over a year. No new information. And if they had asked for 15 issues to get resolved and 14 of them were resolved, I'm sure they'd be here saying, "We didn't get all our answers."

MR. BOND: My question is as far as the delay, is maybe we should have applied for it sooner so the public hearing could have been conducted and it all would have been done by now. I don't know when this was applied for. Do you Don?

MR. REIDER: Mr. Mayor. I'm going to call for the question.

MAYOR HILL: The question has been called for. Bill, can we have roll call, please.

MR. BLANK: Mr. Bond?

MR. BOND: No.

MR. BLANK: Mrs. Jones?

MRS. JONES: No—abstain.

MR. BLANK: Mr. Liming?

MR. LIMING: Yes.

MR. BLANK: Mr. Radtka?

MR. RADTKA: Abstain.

MR. BLANK: Mr. Reider?

MR. REIDER: Yes.

MR. BLANK: Mr. Sheely?

MR. SHEELY: Yes.

**(VOTE: 3, AYE; 1, NAY; 2, ABSTAINED.)**

MAYOR HILL: 3, ayes; 1, nay; 2, abstentions. Motion carries to send a letter.

MR. RADTKA: Is there any other new business at this time?  
Yes, Mr. Mayor. I'd like to make a motion that we help fund the Memorial Day celebration for Lordstown Lions Club for the amount of \$350.

MAYOR HILL: Everybody heard the motion by Ron. Is there a second to the motion?

MR. LIMING: Second.

MAYOR HILL: Second by Liming. Comments or questions?  
(NO RESPONSE FROM COUNCIL.)  
All in favor?

COUNCIL: Aye.

MAYOR HILL: Opposed?  
(NO RESPONSE FROM COUNCIL.)

**(VOTE: 6, AYE; 0, NAY; 0, ABSTAINED.)**

Motion carried.

MR. REIDER: Mr. Reider?  
Yes, Mr. Mayor. I'd like to make a motion we go into executive session dealing with personnel on the Police Department, inviting everyone here at the dais except Mr. Ebling. Also, the Police Chief and the Captain.

MAYOR HILL: Everybody heard the motion for executive session from Mr. Reider. Is there a second to that motion?

MR. RADTKA: I'll second.

MAYOR HILL: Second by Radtka. Comments?  
(NO RESPONSE FROM COUNCIL.)  
Roll call, please.

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MR. BLANK: Mr. Sheely?  
MR. SHEELY: Yes.  
MR. BLANK: Mr. Reider?  
MR. REIDER: Yes.  
MR. BLANK: Mr. Radtka?  
MR. RADTKA: Yes.  
MR. BLANK: Mr. Liming?  
MR. LIMING: Yes.  
MR. BLANK: Mrs. Jones?  
MRS. JONES: Yes.  
MR. BLANK: Mr. Bond?  
MR. BOND: Yes.

**(VOTE: 6, AYE; 0, NAY; 0, ABSTAINED.)**

MAYOR HILL: 6, ayes; 0, nays. Motion carried for that executive session. There will be no action taken except to adjourn after we get out.

MR. JONES: Are there any additional public remarks? Martin?  
I'd like to point out that—Martin Jones, 2786 Hallock Young Road. The comments that Karen made to various departments back in October were a response to a public notice from the Army Corps of Engineers. Army Corps of Engineers requested response from people in the area that requested a response from the EPA. They've requested a response from the Fish and Wildlife and a couple others that I don't know off the top of my head. They're all in the letter, which I have. They stated in that letter that they would not be making their decision until they heard from the EPA. So, now the second public notice was from the EPA because they have to respond to the Army Corps of Engineers. So, I wonder, is it relevant who wrote letters to who? I mean, it was done to the Army Corps of Engineers, not to the EPA — well, it was done in response to the Army Corps of Engineers. But I don't know, I get the idea from the Mayor that this is something that was just cooked up as a last gasp chance to slow things down. That's not true. This all — all of this was done in the early part of October at the request of the Army Corps of Engineers. I do have copies of both notices and my letter if you would like to see them.

MAYOR HILL: Bob?

MR. SHAFFER: Bob Shaffer, 2626 Pritchard Ohltown Road, S.W., Lordstown. Back on January 29th, we had a workshop for the Planning and Zoning Commission because Council kicked out our vote in favor of vacating Hallock Young and turning it into a cul-de-sac. Of course, there wasn't any minutes taken at that meeting, so I just kind of want to put it on public record that in the course of discussion back and forth, we kind of came to an agreement that as long as the Planning and Zoning Board was willing to make that a thru street instead of a cul-de-sac, that we would not get any more static from Karen Jones, Lamar Liming or Robert Bond. So, I was pretty sure we were all on the same page that there would not be any more hold ups for this project, that we can finally move forward and get it going. For those that weren't there—and, of course, like I said, it wasn't public record. I

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just kind of wanted everybody to know that's what we came up with at the work session. Everyone was invited so we could try to work out something, and I think we all came up with an agreeable solution.

Engineer, if I'm wrong, please correct me. In regards to Brent Dickson and the water runoff, this project has to be built by village standards; has to be built by county standards; has to be built by state standards; has to be built by federal standards. I don't see how anything is going to slip under the crack that's going to cause any problems with flooding and water retention. Back in the day, if we just put a building up, we put a building up. We didn't worry about any water runoff. Now, every place that is built must have a certain size retention pond to coincide with the size of that facility that's going up. Am I correct?

MR. KOGELNIK: You're correct. And I appreciate the comments from Mr. Dickson. I really do. I'd want to be inquisitive as well. But, the fact of the matter is, there's all kinds of analysis with storm water, hydraulics, and hydrology on this project. And there's more eyes on this project than even two or three people. So, we are looking at this project extensively from the standpoint of storm water management amongst other perspectives. So, I really can't say enough about that other than I look forward to seeing the final storm water review. I think that that speaks for itself.

MR. SHAFFER: And I appreciate that. My point with that is we don't need any unnecessary holdups for this project. And by requesting all this stuff, it's just increasing the likelihood that there's going to be more delays, which aren't necessary. Thank you.

MAYOR HILL: Any other public remarks?

(NO RESPONSE.)

We will now adjourn to executive session. When we come out, we'll adjourn the meeting. If you'd like to stay, you're welcome. Thank you for coming.

**(WHEREAS, THE REGULAR MEETING BEFORE THE VILLAGE OF LORDSTOWN COUNCIL ADJOURNED AT 6:30 P.M.)**

\_\_\_\_\_ Mayor

\_\_\_\_\_ Clerk

STATE OF OHIO            )  
  )  
COUNTY OF TRUMBULL    )

I, Sharon K. Vigorito, a Notary Public, within and for the State of Ohio, do certify that the foregoing meeting before the Lordstown Village Council was written in the presence of witnesses and by me transcribed. I further certify that the foregoing is a true and accurate transcript to the best of my abilities.

\_\_\_\_\_  
Sharon K. Vigorito, Notary Public  
My commission Expires May 9, 2022