

October 1, 2018

PROCEEDINGS

Lordstown Village Council Regular Meeting

(WHEREAS, the regular meeting before the Lordstown Village Council commenced on Monday, October 1, 2018, and proceedings were as follows:)

(Transcribed from Audio)

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

MAYOR HILL: Bill, if I could have 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: Here.
MR. BLANK: Mr. Sheely?
(NO RESPONSE — ABSENT.)
Mr. Reider?
MR. REIDER: Present.
MR. BLANK: Clerk Blank, present.
Treasurer, George Ebling?
MR. EBLING: Here.
MR. BLANK: Solicitor Paul Dutton?
SOLICITOR DUTTON: Present.
MR. BLANK: Police Chief Brent Milhoan?
CHIEF MILHOAN: Present.
MR. BLANK: Fire Chief Travis Eastham?
(NO RESPONSE — ABSENT.)
Planning and Zoning, Economic Development, Kellie Bordner?
MS. BORDNER: Present.
MR. BLANK: Parks, Buildings, Grounds, Street Commissioner, Dale Grimm?
MR. GRIMM: Present.
MR. BLANK: Recreation, Marty Gibson?
MRS. GIBSON: Here.
MR. BLANK: Board of Public Affairs?
(NO RESPONSE — ABSENT.)
Municipal Engineer, Chris Kogelnik?
MR. KOGELNIK: Present.
MAYOR HILL: I'll entertain a motion to excuse Howard Sheely and Travis Eastham. They both asked to be excused this evening.
MR. REIDER: So moved, Mr. Mayor.
MR. BOND: Second.
MAYOR HILL: Moved by Reider; second by Bond. Comments?
(NO RESPONSE FROM COUNCIL.)
All in favor?
COUNCIL: Aye.
MAYOR HILL: Opposed?
(NO RESPONSE FROM COUNCIL.)

(VOTE: 5, 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.
MRS. JONES: Second.
MAYOR HILL: Moved by Radtka; second by Jones. Comments?
(NO RESPONSE FROM COUNCIL.)
All in favor?
COUNCIL: Aye.
MAYOR HILL: Opposed?
(NO RESPONSE FROM COUNCIL.)

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

Motion carried.
I'll entertain a motion for disposal of the minutes of the regular meeting September 17, 2018.
MR. LIMING: So moved.
MAYOR HILL: Moved by Liming. Second?
MR. REIDER: Second, Mr. Mayor.
MAYOR HILL: Second Reider. Comments?
(NO RESPONSE FROM COUNCIL.)
All in favor?
COUNCIL: Aye.
MAYOR HILL: Opposed?
(NO RESPONSE FROM COUNCIL.)

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

Motion carried.
I'll entertain a motion for payment of the bills.
MR. RADTKA: So moved.
MR. BOND: Second.
MAYOR HILL: Moved by Radtka; second by Bond. Comments?
(NO RESPONSE FROM COUNCIL.)
All in favor?
COUNCIL: Aye.
MAYOR HILL: Opposed?
(NO RESPONSE FROM COUNCIL.)

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

Motion carried.
Mayor's report. We had a good Apple Cider Festival. And I will have one resignation from an auxiliary officer and appoint somebody who has already been cleared through the BPA.
That's the only thing I have for the Mayor's report. Is there a Clerk's report this evening?
MR. BLANK: No report, Mayor.
MAYOR HILL: Solicitor's report.
SOLICITOR DUTTON: No report.
MAYOR HILL: Treasurer's report?
MR. EBLING: No report.
MAYOR HILL: Nobody is here from the Board of Public Affairs unless Bruce has something.
MR. PLATT: We just have the one appointment this evening.

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MAYOR HILL: Thank you. Village Engineer's report?
MR. KOGELNIK: Yes, Mayor. I passed out my written report for the TJX land development plan review. We're awaiting the agreement and our work authorization to be approved by Council before we do anything. Will there be the work authorization approved tonight, then? And then we'll go from there? Okay. Highland Avenue sanitary sewer system. I talked with Randy Newbrough—or Gary Newbrough again today. And I think we should proceed with the design of the project. There's really not going to be any motion or direction made between the county and the City of Warren anytime soon with regard to those two parties' agreement. As we have talked, for probably six months now, we were going to wait until the county and the city established their sewer agreement. It's not going anywhere soon and we need to get going with this project. And Gary knows that; we all know that. And we all know that in the end all that the county wants is for us to use their transmission and their interceptors—ten percent of what Warren requires for sanitary sewer service rates. And that's not going to change. And he and I talked about that this afternoon. I don't know what agreement we can sign, Paul, in order to facilitate that happening. While Warren and the county, you know, come to an agreement with what they need to do. But that's what we need to achieve.

SOLICITOR DUTTON: When I reviewed the agreement, the problem was that it was for up to 40 years. And it was subject to revisiting, renewal—I forget what word that have—every two years. So, in essence, we have an agreement for 40 years, but we really have an agreement in terms of rates and financial consequences for two years. And then we don't know what the county and the City of Warren would agree to, that could create recourse liability for the village. In other words—and you and I had this discussion—if the EPA came in and assessed the City of Warren for their treatment facility under 80 million dollars, and they passed that through the consumers on their rate base, are we part of that? Are we going to be paying proportionate basis to property owner? I mean, we don't know that. So, if we can enter into an agreement with the county, that gives us the option to negate the agreement—and then you're going to tell me we don't have any choice because there's no Plan B. You can't treat it elsewhere—

MR. KOGELNIK: Right.
SOLICITOR DUTTON: But at least it gives us a seat at the table and gives us some leverage.

MR. KOGELNIK: Okay. So some form of opt out is absolutely needed. If we had that opt out inside this agreement between the village and the county, we can do this.

SOLICITOR DUTTON: Yes.
MR. KOGELNIK: Okay. I'll work with Gary and see if we can get that established. Until then, there's no action—

SOLICITOR DUTTON: Right. And we tried to present that a reopener of the agreement extended, rather than every two years, every five years. And they rejected that, remember?

MR. KOGELNIK: Yes. I do remember that.

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SOLICITOR DUTTON: So it's not as though we didn't try.
MR. KOGELNIK: But we really do need to get going on this. All right. The public warning system. We met with—Don and I met with the—and Dale—met with the contractor, B&J Electric on September 5 to do a site visit of each site to just get the scope confirmed. That was done and B&J has since submitted their schedule and it's on the next page. It shows that all of the work will be completed within the time frame specified under the contract. So, anyway, the project is proceeding okay. I know that the contractor is busy on other projects. It's pretty clear. But his schedule at least reflects that the work is going to be done on time. Couple other important projects. The BPA meter manhole. This is for Imperial. We are going to proceed with rebidding that meter manhole project. I'm coordinating with Bruce and the EPA to make that happen. As you might recall, that project was initially out to bid about a year or so ago. And then the sanitary sewer and water rules and regulations. The sanitary sewer rules have been approved by the BPA and I have to make some minor modifications to the water rules. And then they will be approved hopefully this month. That's all I have. Any questions?

MAYOR HILL: Questions for Chris?
MRS. JONES: Last meeting, I think it was, I asked if we were in jeopardy of losing that grant for that sewer. You said you would check—

MR. KOGELNIK: I did not check on that but I'm going to go on the assumption of what Linda told me was that we would be okay with that. If we don't have this project started up here in the next couple months, I'm telling you, it's going to become a problem.

MAYOR HILL: Any other questions for Chris?
(NO RESPONSE FROM COUNCIL.)
Thank you, Chris.

MR. KOGELNIK: You're welcome.
MAYOR HILL: Special reports. Police Chief Milhoan?
CHIEF MILHOAN: Yes, Mr. Mayor. I've submitted my monthly report for September. If you have any questions, I'll try to answer them.

MAYOR HILL: Questions for Brent?
(NO RESPONSE FROM COUNCIL.)
Travis is excused. Planning and Zoning Administrator and Director of Economic Development, Kellie?

MS. BORDNER: No report, Mr. Mayor.
MAYOR HILL: Questions for Kellie?
(NO RESPONSE FROM COUNCIL.)
Parks, Grounds, Buildings, Streets Superintendent, Mr. Grimm?

MR. GRIMM: No report, Mr. Mayor.
MAYOR HILL: Questions for Dale?
(NO RESPONSE FROM COUNCIL.)
Recreation, Marty?

MRS. GIBSON: No report.
MAYOR HILL: Questions for Marty?
(NO RESPONSE FROM COUNCIL.)
Bill, do we have any correspondence this evening?

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MR. BLANK: No correspondence, Mayor.
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 in the minutes correctly. Public remarks?
(NO RESPONSE.)
Hearing none, 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, Mrs. Jones?

MRS. JONES: I have no report, but I'd like to make a motion on re—
advertising the vehicles.
MAYOR HILL: Questions for Karen?
(NO RESPONSE FROM COUNCIL.)
Public Safety and Police, Mr. Reider?

MR. REIDER: No report, Mr. Mayor.
MAYOR HILL: Questions for Don?
(NO RESPONSE FROM COUNCIL.)
Is there anything from the Public Safety, Fire and EMS Committee?
(NO RESPONSE FROM COUNCIL.)
Hearing none, Public Utilities, Mr. Bond?

MR. BOND: I have no report this evening, Mr. Mayor.
MAYOR HILL: Questions for Bob?
(NO RESPONSE FROM COUNCIL.)
Recreation and Planning, Mr. Liming?

MR. LIMING: No report.
MAYOR HILL: Questions for Lamar?
(NO RESPONSE FROM COUNCIL.)
No legislation. Is there any old business?

SOLICITOR DUTTON: I have a question for clarification. You're going to go with this work order that is for \$29,000 I'm assuming. Does that mean that you don't want a separate agreement? I mean, you have been working on a separate agreement.

MRS. JONES: I think the only time we had an agreement was with the—
SOLICITOR DUTTON: Clean Energy.
MRS. JONES: Yeah. Any other times—you know, Matalco and any of the other ones we've just done it through the work authorization.

SOLICITOR DUTTON: I'm simply—I just want clarification.
MAYOR HILL: Any more old business?
(NO RESPONSE FROM COUNCIL.)
New business. I'd like to entertain a motion to have Nicholas Johnson fill a permanent, part-time position in the Water Department.

MR. LIMING: So moved.
MAYOR HILL: Moved by Liming. Second?
MR. RADTKA: Second.
MAYOR HILL: Second by Radtka. Comments?
(NO RESPONSE FROM COUNCIL.)
All in favor?

COUNCIL: Aye.
MAYOR HILL: Opposed?

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(NO RESPONSE FROM COUNCIL.)

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

Motion carried.
I'll entertain a motion to accept the resignation of Tim Brewster as an auxiliary officer.
MRS. JONES: So moved.
MR. BOND: Second.
MAYOR HILL: Moved by Jones; second by Bond. 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. Karen?
MRS. JONES: Yes. I'd like to make a motion to re-advertise vehicles. There will be three of them this time with no minimum bid and with a statement that the village reserves the right to reject any and all bids.
MAYOR HILL: Everybody heard the motion from Karen. Is there a second to that motion?
MR. LIMING: Second.
MAYOR HILL: Second by Liming. Comments or questions on the motion?
(NO RESPONSE FROM COUNCIL.)
All in favor?
COUNCIL: Aye.
MAYOR HILL: Opposed?
(NO RESPONSE FROM COUNCIL.)

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

Motion carried.
Is there any other new business?
MR. REIDER: Yes, Mr. Mayor. I'd like to make a motion for a work authorization for CT Consultants for the TJX land development plan review at a price not to exceed \$29,360, and it is reimbursable.
MAYOR HILL: Everybody heard the motion from Mr. Reider. Is there a second to that motion?
MRS. JONES: I'll second.
MAYOR HILL: Second by Jones. Comments or questions on the motion?
MR. LIMING: Question. This is reimbursable, no questions asked; is that right?
MAYOR HILL: It is reimbursable for the total amount.
Any other questions?
(NO RESPONSE FROM COUNCIL.)
All in favor?
MR. BOND: Aye.
MR. REIDER: Aye.
MRS. JONES: Aye.
MR. LIMING: Aye.
MAYOR HILL: Opposed?

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MR. RADTKA: (NO RESPONSE FROM COUNCIL.)
I'll be abstaining, Mr. Mayor.
MAYOR HILL: Okay.

(VOTE: 4, AYE; 0, NAY; 1, ABSTAINED.)

4, ayes; 1, abstention. Motion carries.
Is there any other new business at this time?
(NO RESPONSE FROM COUNCIL.)
Hearing none, public remarks?
(NO RESPONSE.)
Hearing none, I'll entertain a motion to adjourn.
MR. RADTKA: So moved.
MAYOR HILL: Moved by Radtka. Second?
MR. LIMING: Second.
MAYOR HILL: Second by Liming. Comments?
(NO RESPONSE FROM COUNCIL.)
All in favor?
COUNCIL: Aye.
MAYOR HILL: Opposed?
(NO RESPONSE FROM COUNCIL.)

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

Motion carried. Meeting adjourned. Thank you for coming.

(WHEREAS, THE REGULAR MEETING BEFORE THE VILLAGE OF LORDSTOWN COUNCIL ADJOURNED.)

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 from audio recording 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