

October 4, 2021

PROCEEDINGS

Lordstown Village Council Regular Meeting

(WHEREAS, the regular meeting before the Lordstown Village Council commenced on Monday, October 4, 2021, at 6:10 p.m. and proceedings were as follows:)

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

MAYOR HILL: Roll call, Bill.
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: Mr. Campbell?
MR. CAMPBELL: Here.
MR. BLANK: Mr. Sheely?
MR. SHEELY: Here.
MR. BLANK: Mr. Reider?
MR. REIDER: Present.
MR. BLANK: Clerk Blank, present.
Treasurer, George Ebling?
MR. EBLING: Here.
MR. BLANK: Solicitor Paul Dutton?
SOLICITOR DUTTON: Is he here?
MR. BLANK: Is he?
(Laughter.)
SOLICITOR DUTTON: Here, 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 and Grounds, Street Commissioner, Ron Hickox?
MR. HICKOX: Here.
MR. BLANK: Board of Public Affairs?
MR. KEVIN CAMPBELL: Here.
MR. DIETZ: Here.
MR. BLANK: Chris Kogelnik, Engineer?
MR. KOGELNIK: Present.
MAYOR HILL: Entertain a motion for adoption of the agenda.
MR. LIMING: So moved.
MR. RADTKA: Second.
MAYOR HILL: Moved by Liming; second by Radtka. 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 entertain a motion for disposal of the minutes of the regular Council meeting September 20, 2021.

MR. REIDER: So moved, Mr. Mayor.
MAYOR HILL: Moved by Reider. Second?
MR. CAMPBELL: Second.
MAYOR HILL: Second by Campbell. Comments?
(NO RESPONSE FROM COUNCIL.)
All in favor?
COUNCIL: Aye.
MAYOR HILL: Opposed?
(NO RESPONSE FROM COUNCIL.)
Motion carried.

MR. BOND: Abstain.
MR. SHEELY: I have to abstain, too.

(VOTE: 4, AYE; 0, NAY; 2, ABSTAINED.)

MAYOR HILL: Motion carried with one abstention—
MR. SHEELY: I abstain—
MAYOR HILL: Two abstentions, okay. No problem. Still passes.
Entertain a motion for payment of the bills.

MR. SHEELY: So moved.
MAYOR HILL: Moved by Sheely; second?
MR. CAMPBELL: Second.
MAYOR HILL: Second Campbell. 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 will be asking Council to confirm removing a dispatcher, who has resigned.
Been a lot of news about Lordstown Motors and Foxconn. I really can't see too many down sides from that if they actually come through with, you know, what they're talking about. They have a relationship with Fisker, which has an electric car they'd like to bring out in the next two to two and a half years.
One of the big things which Lordstown Motors has had a problem with is getting funding and here's this company that has some pretty deep pockets. So, hopefully this project can be moving forward and funding will not be the top issue, which they need. I haven't been notified. I am waiting to, you know, hear what's going on. But, hopefully, within the next couple weeks I'll get a call and I'll get an update and see what's going on, and I'll report back to Council.
And, I believe, Mr. Radtka will be calling for two executive sessions this evening. That's it for the Mayor's report.
Is there a Clerk's report?
MR. BLANK: I have no report, Mayor.
MAYOR HILL: Solicitor's report?

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SOLICITOR DUTTON: No report.
MAYOR HILL: Treasurer's report?
MR. EBLING: No report.
MAYOR HILL: Board of Trustees of Public Affairs report?
MR. KEVIN CAMPBELL: No report, Mayor.
MAYOR HILL: Village Engineer's report?
MR. KOGELNIK: Just a real quick update. They're working on M&M Phase 3 Plan Review with Kellie's office here.
Also, we're coordinating with Gretchen Smith on a new signal for the new Ultium driveway out on State Route 45. They're in the process of gathering existing information on utilities in order to position signal poles and that sort of thing. So, that's the extent of our work. But the construction for the water system at the top of the hill continues on, no issues. Any questions?
MAYOR HILL: Questions for Chris?
(NO RESPONSE FROM COUNCIL.)
MR. KOGELNIK: Thank you.
MAYOR HILL: Thank you.
Special reports. Police Chief Milhoan?
CHIEF MILHOAN: Yes, Mr. Mayor. I've submitted my monthly report for September. Answer any questions if you have any. The only other thing I have is on behalf of myself and the members of the department, I want to thank the Mayor and members of Council for the recent raises that went into effect on October 1st and then some that went October 4th, today, and then the anticipated ones that are being voted on today, this evening. My hope is that we will keep everybody that we have. And my other hope is that in the future, when there is an opening, that we will have good, qualified candidates apply. So, just wanted to thank you.
MAYOR HILL: Thank you. Any questions for Brent?
(NO RESPONSE FROM COUNCIL.)
Fire Chief Eastham?
CHIEF EASTHAM: No report tonight, Mr. Mayor.
MAYOR HILL: Questions for Travis?
(NO RESPONSE FROM COUNCIL.)
Planning and Zoning Administrator and Director of Economic Development, Kellie?
MS. BORDNER: Yes, Mr. Mayor. We have a Planning Commission meeting next Tuesday, October 12, at 6:30. It should be a quick one. It's just about a re-plat issue on Ravine Court, Brookhollow.
MAYOR HILL: Any questions for Kellie?
(NO RESPONSE FROM COUNCIL.)
Parks, Grounds, Buildings, Street Superintendent, Mr. Hickox?
MR. HICKOX: Thank you, Mayor. The crews have been busy doing some driveway approach repairs where we repaired storm drains that went across them. We finished both of those today. We've been ditching at various locations. Doing drainage repairs throughout the Village. Of course, still mowing. This past weekend, there was a soccer tournament down at the fields. I believe there were six teams that participated. As far as I know, everything went without a hitch. Previous to that, we had painted the concession stand and did

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some repairs in there. That was up and running. Cross country team had a meet at the park over the weekend, also. Again, everything went fine. We assisted with the Apple Cider Fest 5K run and cleaned the road for them and got them cones. And, according to Dave, everything went great. We're next in line for a man lift—let me correct that. We are up for a man lift to do some tree trimming. We're picking that up at 7:30 in the morning, and we're going to be going around the Village trimming trees and taking some down. We've got it for a week. That's all I have.

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

MR. BLANK: Bill, do we have any correspondence this evening?

MAYOR HILL: No correspondence, Mayor.
Public remarks. If you'd like to make a public remark, after I acknowledge you, please identify yourself so we can get your name and address correctly in the minutes. Public remarks? Tom? There's no microphone, Tom. You can do it right there.

MR. DIETZ: Tom Dietz, 2821 Hallock Young Road. I have two questions about Hallock Young Road. Number one, when is it going to be open? Number two, are we going to get a turn lane heading north off of Bailey Road? There is no turn lane there. So, that means you stop in the left lane to make your turn or what? All right.

MAYOR HILL: Thank you. Are there any other public remarks?
(NO RESPONSE.)
Hearing none, Council remarks?
(NO RESPONSE FROM COUNCIL.)

MR. RADTKA: Hearing none, committee reports. Finance, Mr. Radtka? Yes, Mr. Mayor. I don't have a report tonight. We do have two pieces coming from the Finance Committee I'd like to have support for.

And, also, our next scheduled meeting is going to be Tuesday, the 12th, at 1:00 p.m.

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

MR. CAMPBELL: No report.

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

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

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

MR. REIDER: No report, Mr. Mayor.

MAYOR HILL: Questions for Don?
(NO RESPONSE FROM COUNCIL.)
Public Utilities, Mr. Liming?

MR. LIMING: No report.

MAYOR HILL: Questions for Lamar?
(NO RESPONSE FROM COUNCIL.)

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MR. SHEELY: Recreation and Planning, Mr. Sheely?
I have no report tonight, Mr. Mayor.
MAYOR HILL: Questions for Howard?
(NO RESPONSE FROM COUNCIL.)
Hearing none, Bill, first piece of legislation.
MR. BLANK: From Finance Committee For Emergency Passage, **AN
ORDINANCE AUTHORIZING THE CLERK TO
TRANSFER THE SUM OF \$75 FROM THE
UNCLAIMED MONEY FUND INTO THE UTILITY
FUND AND DECLARING AN EMERGENCY.**
MAYOR HILL: Comments or motions?
MR. RADTKA: Motion to suspend.
MAYOR HILL: Motion to suspend the rules by Radtka. Second?
MR. SHEELY: Second by Bond—Sheely. Okay. I'll get that right one of
these days. Roll call, please.
MR. BLANK: Mr. Bond?
MR. BOND: Yes.
MR. BLANK: Mr. Radtka?
MR. RADTKA: Yes.
MR. BLANK: Mr. Campbell?
MR. CAMPBELL: Yes.
MR. BLANK: Mr. Reider?
MR. REIDER: Yes.
MR. BLANK: Mr. Liming?
MR. LIMING: Yes.
MR. BLANK: Mr. Sheely?
MR. SHEELY: Yes.

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

MAYOR HILL: 6, ayes; 0, nays. Motion carried to suspend the rules. Motion
to adopt?
MR. BOND: So moved.
MAYOR HILL: Moved by Bond. Second?
MR. CAMPBELL: Second.
MAYOR HILL: Second by Campbell. Comments?
(NO RESPONSE FROM COUNCIL.)
Roll call.
MR. BLANK: Mr. Radtka?
MR. RADTKA: Yes.
MR. BLANK: Mr. Reider?
MR. REIDER: Yes.
MR. BLANK: Mr. Sheely?
MR. SHEELY: Yes.
MR. BLANK: Mr. Bond?
MR. BOND: Yes.
MR. BLANK: Mr. Liming?
MR. LIMING: Yes.
MR. BLANK: Mr. Campbell?
MR. CAMPBELL: Yes.

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

MAYOR HILL: 6, ayes; 0, nays. Motion carried to adopt. Ordinance 65-
2021. Next, please.

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MR. BLANK: From Finance Committee For Emergency Passage, **AN ORDINANCE AUTHORIZING THE CLERK TO TRANSFER THE SUM OF \$1043.17 FROM THE VARIOUS FUNDS INTO THE UNCLAIMED MONEY FUND PURSUANT TO ORDINANCE 39-99 AND DECLARING AN EMERGENCY.**

MAYOR HILL: Comments or motions?

MR. LIMING: Motion to suspend the rules.

MAYOR HILL: Motion to suspend by Liming. Second?

MR. REIDER: Second, Mr. Mayor.

MAYOR HILL: Second Reider. Roll call.

MR. BLANK: Mr. Campbell?

MR. CAMPBELL: Yes.

MR. BLANK: Mr. Bond?

MR. BOND: Yes.

MR. BLANK: Mr. Liming?

MR. LIMING: Yes.

MR. BLANK: Mr. Reider?

MR. REIDER: Yes.

MR. BLANK: Mr. Sheely?

MR. SHEELY: Yes.

MR. BLANK: Mr. Radtka?

MR. RADTKA: Yes.

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

MAYOR HILL: 6, ayes; 0, nays. Motion carried to suspend the rules. Is there a motion to adopt?

MR. RADTKA: So moved.

MAYOR HILL: Moved by Radtka. Second?

MR. CAMPBELL: Second.

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

MR. BLANK: Mr. Liming?

MR. LIMING: Yes.

MR. BLANK: Mr. Sheely?

MR. SHEELY: Yes.

MR. BLANK: Mr. Reider?

MR. REIDER: Yes.

MR. BLANK: Mr. Campbell?

MR. CAMPBELL: Yes.

MR. BLANK: Mr. Radtka?

MR. RADTKA: Yes.

MR. BLANK: Mr. Bond?

MR. BOND: Yes.

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

MAYOR HILL: 6, ayes; 0, nays. Motion carried to adopt. Ordinance 66-2021. Next, please.

MR. BLANK: From Negotiating Committee For Emergency Passage, **AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 8-2020 ESTABLISHING THE AUTHORIZED STRENGTH, THE HOURLY WAGES AND OTHER TERMS OF REMUNERATION FOR**

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THE PART-TIME DISPATCHERS IN THE VILLAGE OF LORDSTOWN TO BE EFFECTIVE OCTOBER 4, 2021, AND DECLARING AN EMERGENCY.

MAYOR HILL: Comments or motions?
MR. RADTKA: Motion to suspend.
MAYOR HILL: Motion to suspend by Radtka. Is there a second?
MR. REIDER: Second, Mr. Mayor.
MAYOR HILL: Second by Reider.
MR. REIDER: Roll call, please.
MR. BLANK: Mr. Radtka?
MR. RADTKA: Yes.
MR. BLANK: Mr. Bond?
MR. BOND: Yes.
MR. BLANK: Mr. Campbell?
MR. CAMPBELL: Yes.
MR. BLANK: Mr. Reider?
MR. REIDER: Yes.
MR. BLANK: Mr. Sheely?
MR. SHEELY: Yes.
MR. BLANK: Mr. Liming?
MR. LIMING: Yes.

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

MAYOR HILL: 6, ayes; 0, nays. Motion carried to suspend the rules. Is there a motion to adopt?
MR. BOND: So moved.
MAYOR HILL: Moved by Bond. Second?
MR. CAMPBELL: Second.
MAYOR HILL: Second Campbell. Comments?
(NO RESPONSE FROM COUNCIL.)
Roll call, please.
MR. BLANK: Mr. Liming?
MR. LIMING: Yes.
MR. BLANK: Mr. Campbell?
MR. CAMPBELL: Yes.
MR. BLANK: Mr. Bond?
MR. BOND: Yes.
MR. BLANK: Mr. Reider?
MR. REIDER: Yes.
MR. BLANK: Mr. Sheely?
MR. SHEELY: Yes.
MR. BLANK: Mr. Radtka?
MR. RADTKA: Yes.

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

MAYOR HILL: 6, ayes; 0, nays. Motion carried to adopt. Ordinance 67-2021. Next, please.
MR. BLANK: From Negotiating Committee For Emergency Passage, **AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 22-2020 ESTABLISHING THE AUTHORIZED STRENGTH, HOURLY WAGES, TERMS OF REMUNERATION AND RULES GOVERNING THE OPERATION OF THE VILLAGE OF LORDSTOWN AUXILIARY POLICE**

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DEPARTMENT, TO BE EFFECTIVE OCTOBER 4, 2021, AND DECLARING AN EMERGENCY.

MAYOR HILL: Comments or motions?
 MR. RADTKA: Motion to suspend.
 MAYOR HILL: Motion to suspend by Radtka. Second?
 MR. SHEELY: Second.
 MAYOR HILL: Second by Sheely. Roll call.
 MR. BLANK: Mr. Sheely?
 MR. SHEELY: Yes.
 MR. BLANK: Mr. Liming?
 MR. LIMING: Yes.
 MR. BLANK: Mr. Campbell?
 MR. CAMPBELL: Yes.
 MR. BLANK: Mr. Reider?
 MR. REIDER: Yes.
 MR. BLANK: Mr. Radtka?
 MR. RADTKA: Yes.
 MR. BLANK: Mr. Bond?
 MR. BOND: Yes.

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

MAYOR HILL: 6, ayes; 0, nays. Motion carried to suspend the rules.
 Motion to adopt?
 MR. LIMING: So moved.
 MAYOR HILL: Moved by Liming. Second?
 MR. BOND: Second.
 MAYOR HILL: Second Bond. Comments?
 (NO RESPONSE FROM COUNCIL.)
 Roll call, please.
 MR. BLANK: Mr. Bond?
 MR. BOND: Yes.
 MR. BLANK: Mr. Radtka?
 MR. RADTKA: Yes.
 MR. BLANK: Mr. Reider?
 MR. REIDER: Yes.
 MR. BLANK: Mr. Campbell?
 MR. CAMPBELL: Yes.
 MR. BLANK: Mr. Sheely?
 MR. SHEELY: Yes.
 MR. BLANK: Mr. Liming?
 MR. LIMING: Yes.

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

MAYOR HILL: 6, ayes; 0, nays. Motion carried to adopt. Ordinance 68-2021. Next, please.
 MR. BLANK: From Negotiating Committee For Emergency Passage, **AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 53-2019 ESTABLISHING THE AUTHORIZED STRENGTH, SETTING THE HOURLY COMPENSATION AND OTHER TERMS OF REMUNERATION AND CONDITIONS OF SERVICE FOR MEMBERS OF THE LORDSTOWN VILLAGE FIRE DEPARTMENT EFFECTIVE OCTOBER 4, 2021, AND DECLARING AN EMERGENCY.**

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MAYOR HILL: Comments or motions?
MR. REIDER: Motion to suspend.
MAYOR HILL: Motion to suspend by Reider. Second?
MR. SHEELY: Second.
MAYOR HILL: Second by Sheely. Roll call.
MR. BLANK: Mr. Campbell?
MR. CAMPBELL: Yes.
MR. BLANK: Mr. Liming?
MR. LIMING: Yes.
MR. BLANK: Mr. Bond?
MR. BOND: Yes.
MR. BLANK: Mr. Reider?
MR. REIDER: Yes.
MR. BLANK: Mr. Radtka?
MR. RADTKA: Yes.
MR. BLANK: Mr. Sheely?
MR. SHEELY: Yes.

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

MAYOR HILL: 6, ayes; 0, nays. Motion carried to suspend the rules.
Motion to adopt?
MR. LIMING: So moved.
MAYOR HILL: Moved by Liming. Second?
MR. CAMPBELL: Second.
MAYOR HILL: Second by Campbell. Comments?
(NO RESPONSE FROM COUNCIL.)
Roll call, please.
MR. BLANK: Mr. Reider?
MR. REIDER: Yes.
MR. BLANK: Mr. Radtka?
MR. RADTKA: Yes.
MR. BLANK: Mr. Sheely?
MR. SHEELY: Yes.
MR. BLANK: Mr. Liming?
MR. LIMING: Yes.
MR. BLANK: Mr. Campbell?
MR. CAMPBELL: Yes.
MR. BLANK: Mr. Bond?
MR. BOND: Yes.

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

MAYOR HILL: 6, ayes; 0, nays. Motion carried to adopt. Ordinance 69-
2021. Next, please.
MR. BLANK: From Negotiating Committee For Emergency Passage, **AN
ORDINANCE AMENDING AND RESTATING
ORDINANCE NO. 52-2019 ESTABLISHING A FULL-
TIME AMBULANCE SERVICE FOR THE VILLAGE
OF LORDSTOWN, OHIO, TO BE EFFECTIVE
OCTOBER 4, 2021, AND DECLARING AN
EMERGENCY.**
MAYOR HILL: Comments or motions?
MR. LIMING: Motion to suspend.
MAYOR HILL: Motion to suspend by Liming. Second?
MR. RADTKA: Second.

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MAYOR HILL: Second by Radtka. Roll call.
MR. BLANK: Mr. Sheely?
MR. SHEELY: Yes.
MR. BLANK: Mr. Liming?
MR. LIMING: Yes.
MR. BLANK: Mr. Campbell?
MR. CAMPBELL: Yes.
MR. BLANK: Mr. Reider?
MR. REIDER: Yes.
MR. BLANK: Mr. Radtka?
MR. RADTKA: Yes.
MR. BLANK: Mr. Bond?
MR. BOND: Yes.

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

MAYOR HILL: 6, ayes; 0, nays. Motion carried to suspend the rules.
Motion to adopt?
MR. SHEELY: So moved.
MAYOR HILL: Moved by Sheely. Second?
MR. BOND: Second.
MAYOR HILL: Second by Bond. Comments?
(NO RESPONSE FROM COUNCIL.)
Roll call.
MR. BLANK: Mr. Liming?
MR. LIMING: Yes.
MR. BLANK: Mr. Campbell?
MR. CAMPBELL: Yes.
MR. BLANK: Mr. Bond?
MR. BOND: Yes.
MR. BLANK: Mr. Sheely?
MR. SHEELY: Yes.
MR. BLANK: Mr. Reider?
MR. REIDER: Yes.
MR. BLANK: Mr. Radtka?
MR. RADTKA: Yes.

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

MAYOR HILL: 6, ayes; 0, nays. Motion carried to adopt. Ordinance 70-
2021. Next, please.
MR. BLANK: From Negotiating Committee For Emergency Passage, **AN
ORDINANCE AMENDING AND RESTATING
ORDINANCE NO. 27-2020 ESTABLISHING THE
PERMANENT PART-TIME POSITION OF SCHOOL
RESOURCE OFFICER WITHIN THE VILLAGE OF
LORDSTOWN POLICE DEPARTMENT, EFFECTIVE
RETROACTIVE TO OCTOBER 1, 2021, AND
DECLARING AN EMERGENCY.**
MAYOR HILL: Comments or motions?
MR. BOND: Motion to suspend.
MAYOR HILL: Motion to suspend by Bond. Second?
MR. CAMPBELL: Second.
MAYOR HILL: Second by Campbell. Roll call.
MR. BLANK: Mr. Bond?
MR. BOND: Yes.

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MR. BLANK: Mr. Radtka?
MR. RADTKA: Yes.
MR. BLANK: Mr. Campbell?
MR. CAMPBELL: Yes.
MR. BLANK: Mr. Reider?
MR. REIDER: Yes.
MR. BLANK: Mr. Liming?
MR. LIMING: Yes.
MR. BLANK: Mr. Sheely?
MR. SHEELY: Yes.

(VOTE: 6, AYES; 0, NAYS; 0, ABSTAINED.)

MAYOR HILL: 6, ayes; 0, nays. Motion carried to suspend the rules.
Motion to adopt?
MR. CAMPBELL: So moved.
MR. LIMING: Second.
MAYOR HILL: Moved by Campbell; second by Liming. Comments?
(NO RESPONSE FROM COUNCIL.)
Roll call.
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: Mr. Campbell?
MR. CAMPBELL: Yes.
MR. BLANK: Mr. Bond?
MR. BOND: Yes.

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

MAYOR HILL: 6, ayes; 0, nays. Motion carried to adopt. Ordinance 71-
2021. Next, please.
MR. BLANK: From Council as a Whole For Emergency Passage, **AN
ORDINANCE APPROVING THE RECODIFICATION,
EDITING AND INCLUSION OF CERTAIN
ORDINANCES OF THE VARIOUS COMPONENT
CODES OF THE CODIFIED ORDINANCES OF
LORDSTOWN VILLAGE, OHIO, AND DECLARING
AN EMERGENCY.**
MAYOR HILL: Comments or motions?
MR. RADTKA: Motion to suspend.
MR. LIMING: Second.
MAYOR HILL: Motion to suspend by Radtka; second by Liming. Roll call.
MR. BLANK: Mr. Liming?
MR. LIMING: Yes.
MR. BLANK: Mr. Campbell?
MR. CAMPBELL: Yes.
MR. BLANK: Mr. Bond?
MR. BOND: Yes.
MR. BLANK: Mr. Radtka?
MR. RADTKA: Yes.

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MR. BLANK: Mr. Reider?
MR. REIDER: Yes.
MR. BLANK: Mr. Sheely?
MR. SHEELY: Yes.

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

MAYOR HILL: 6, ayes; 0, nays. Motion carried to suspend the rules.
Motion to adopt?

MR. REIDER: So moved, Mr. Mayor.

MR. BOND: Second.

MAYOR HILL: Moved by Reider; second Bond. Comments?
(NO RESPONSE FROM COUNCIL.)

Roll call, please.

MR. BLANK: Mr. Radtka?

MR. RADTKA: Yes.

MR. BLANK: Mr. Reider?

MR. REIDER: Yes.

MR. BLANK: Mr. Sheely?

MR. SHEELY: Yes.

MR. BLANK: Mr. Liming?

MR. LIMING: Yes.

MR. BLANK: Mr. Campbell?

MR. CAMPBELL: Yes.

MR. BLANK: Mr. Bond?

MR. BOND: Yes.

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

MAYOR HILL: 6, ayes; 0, nays. Motion carried to adopt. Ordinance 72-
2021.

Is there any old business Council would like to discuss at this
time?

(NO RESPONSE FROM COUNCIL.)

Hearing none, new business. I'll go first. I'll entertain a
motion to accept the resignation of a part-time dispatcher
from Ken Schick, Jr.

MR. BOND: So moved.

MAYOR HILL: Moved by Bond. Second?

MR. CAMPBELL: Second.

MAYOR HILL: Second by Campbell. 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 HILL: Mr. Radtka?

MR. RADTKA: Yes, Mr. Mayor. I'd like to make a motion that all future
expenses for the Water Department buildings for
maintenance to come from the BPA's budget.

MAYOR HILL: Everybody heard the motion from Mr. Radtka. Is there a
second to that motion?

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MR. LIMING: Second.
MAYOR HILL: Second by Mr. Liming. Comments or questions on the motion?
(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. Radtka?
MR. RADTKA: Yes, I'd like to make a motion for the first executive session to discuss police personnel, inviting Council, Mayor, Police Chief and Solicitor Dutton.
MAYOR HILL: Everybody heard the motion for the first executive session. Is there a second to that?
MR. BOND: Would it be advantageous to have Cindy there? She seems familiar with the figures, too—
MAYOR HILL: This is for the Police Department.
MR. RADTKA: Police personnel, Bob.
MR. BOND: Oh, I'm sorry.
MR. LIMING: Second.
MAYOR HILL: Second by Mr. Liming. Comments?
(NO RESPONSE FROM COUNCIL.)
Roll call, please, for first executive session.
MR. BLANK: Mr. Bond?
MR. BOND: Yes.
MR. BLANK: Mr. Campbell?
MR. CAMPBELL: Yes.
MR. BLANK: Mr. Liming?
MR. LIMING: Yes.
MR. BLANK: Mr. Radtka?
MR. RADTKA: Yes.
MR. BLANK: Mr. Reider?
MR. REIDER: Yes.
MR. BLANK: Mr. Sheely?
MR. SHEELY: 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 after that, correct?
MR. RADTKA: That is correct.
MAYOR HILL: You've got the floor again.
MR. RADTKA: I'd like to make a motion for the second executive session for contract negotiations for the possible second power plant, inviting Council, Solicitor Dutton, BPA, and Chris Kogelnik?
MR. BOND: My question remains.
MAYOR HILL: What?
MR. BOND: The question I had on the first—
MAYOR HILL: And Cindy?
MR. LIMING: I'll second that, too.

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MAYOR HILL: Everybody heard the motion for executive session, for, I'm guessing, TEC water—

MR. RADTKA: Yep.

MAYOR HILL: Second by Mr. Liming. Comments or questions?
(NO RESPONSE FROM COUNCIL.)
No action will be taken after that, correct?

MR. RADTKA: That is correct.

MAYOR HILL: Roll call, please.

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: Mr. Campbell?

MR. CAMPBELL: 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.
Is there any other new business before I call for additional public remarks?
(NO RESPONSE FROM COUNCIL.)

MR. RADTKA: Chief has something.

MAYOR HILL: Yes?

CHIEF MILHOAN: Mr. Mayor, I was under the impression that we were going to have further discussions tonight reference to the K9. Was I mistaken?

MR. BOND: I haven't heard anything about it.

CHIEF MILHOAN: The last Safety meeting we had we talked about taking it before Council as a whole to discuss fundraising. And I thought we were going to discuss it tonight. We've been approached by individuals wishing to donate, but, obviously, we can't do that yet without the pleasure of Council. I was under the impression we were going to talk about it tonight.

MAYOR HILL: Bob, that's your committee.

MR. BOND: Okay. I wasn't present at the last Council meeting. I thought, Don, you told Council about that at that meeting.

MR. REIDER: I did explain that, did I not, Chief? At our last Safety meeting it was recommended by, I think, Officer Blank and you that you were going to move that forward to the year 2023 to apply for a K9. I think that's what was discussed; am I correct?

CHIEF MILHOAN: Yeah, but we also discussed fundraising now to see if we could raise the money to move forward.

MR. REIDER: I didn't—

MR. BOND: Okay.

MR. REIDER: —I don't see a problem setting a meeting up so they can do it.

MR. BOND: I don't either.

CHIEF MILHOAN: Setting a meeting up?
(SEVERAL MEMBERS TALKING)

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MR. SHEELY: He wants everybody's blessing, right?
CHIEF MILHOAN: Correct, yeah.
MR. BLANK: You already had a meeting.
MAYOR HILL: Basically, you're asking Council's pleasure to see if they would approve you in case someone approached you about funding for a police dog, whether they would back you on that?
CHIEF MILHOAN: I just want to know if we're allowed to start raising money. Because we've been approached by people who are willing to donate, but I didn't think it was appropriate to start accepting donations without having Council's blessing. Because I thought what came out of our Safety Committee was it was going to go before Council as a whole.
MR. BOND: We had talked about it, and I thought—I was not at the last Council meeting. I really haven't had a chance to talk to Don that much about it. I thought it was somewhat discussed at that time. Apparently, it wasn't. What mechanism are you going to use to handle this money? Is it going through the Clerk's office? Is it going to be handled by the Police Department?
CHIEF MILHOAN: When we talked about it at our Safety meeting, we talked about running it through the Lordstown Police Association.
MR. BOND: Okay. The Association?
CHIEF MILHOAN: Right.
MR. REIDER: On a pledge basis; am I right?
CHIEF MILHOAN: Well, we talked about that, but as we talked about in our Safety meeting, the downside of accepting a pledge from somebody and not actually accepting the money is I don't know how long this endeavor would take. And, if we take a good amount of time and we go back to the individual that said they would donate, and they've fallen under hard times or something has changed financially with them, they may not be able to give at that time. So, I'm open for discussion, but I see the pros and cons of both. And I don't want to speak for Clerk Blank, but I don't think Bill felt comfortable running it through the Clerk's office at this time.
MR. BOND: I don't think he would either.
CHIEF MILHOAN: We talked about it in Safety Committee about running it through the Lordstown Police Association, keeping a ledger, as we do with our Shop-With-A-Cop Program and our food drive. We discussed this.
MR. BOND: This would be put into an escrow account, or what? There's been no discussion on that, that I recall.
CHIEF MILHOAN: We have an account at the Credit Union, just like we do for Shop-With-A-Cop—
MR. BOND: Okay.
CHIEF MILHOAN: —and our food drive—
MR. BOND: It will be a separate account? How are you—
CHIEF MILHOAN: A separate account.
MR. LIMING: You'd have a K9 account.
CHIEF MILHOAN: That's correct.
MR. LIMING: Period.
CHIEF MILHOAN: That's correct.
MR. LIMING: And you're going to know who is putting the money in so if something—
CHIEF MILHOAN: We receipt all the donations.

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MR. LIMING: —goes and it doesn't happen, you could give the money back; am I correct?

CHIEF MILHOAN: That's correct.

MR. LIMING: I have no problem with that.

MR. BOND: I don't either.

MAYOR HILL: I believe the Solicitor might like to make a comment on that if Council doesn't mind.

SOLICITOR DUTTON: Right now, the money that you're collecting is aspirational. In other words, these are people who would like to have a K9 patrol officer—

CHIEF MILHOAN: I would assume.

SOLICITOR DUTTON: —and they're willing to fund it?

CHIEF MILHOAN: Yeah.

SOLICITOR DUTTON: Okay. And, once 2023 comes around, and you have enough money, you don't have enough money, but let's assume Council authorizes you to purchase this dog. Then you need to formalize this in an Ordinance because this is a service.

CHIEF MILHOAN: Sure.

SOLICITOR DUTTON: It's a service. It will be a drug dog, but it will also do other things. And you can't fund a service on donations. In other words, it's like running a Police Department on donations. This is a service. So, you're going to have to create a sub-fund within the police budget. At the beginning of the year, if you authorize this, there has to be an amount of money that will fund this for the food, the medical care for this dog and anything else that has to go. If you don't have enough donations, Council is going to have to appropriate the shortfall. And that would run for one year. Then the next year, it would have to be included in the budget. But, it has to be run through the Clerk's office—

CHIEF MILHOAN: Sure.

SOLICITOR DUTTON: —if this is a Village service. And this is not a one-off. In other words, Council appropriates money for the Apple Cider Festival for fireworks or something, and those are one-off events. This is a continuing service. That's why it has to be in the budget.

CHIEF MILHOAN: Sure.

MAYOR HILL: You don't have—take a poll. Lamar, you said you have no problems?

MR. LIMING: I'm fine.

MAYOR HILL: Howard?

MR. SHEELY: I'm fine.

MAYOR HILL: Bob?

MR. BOND: I'm fine with it.

MR. REIDER: That's fine.

MR. RADTKA: I'm fine.

MAYOR HILL: Looks like you have the approval here to do that, Brent.

CHIEF MILHOAN: Okay. I believe at the last Safety meeting we also talked about amending the seat belt ordinance. My understanding was that was going to go before Council as whole, as well. So, I'm just looking for—I don't know if this is the right time to discuss this, but that was my impression, that we were going to talk about it as Council as a whole. The Safety Committee wanted to move it before Council.

MAYOR HILL: I wasn't at that meeting, so that's why I'm not aware of it.

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MR. BOND: As people in the audience may not know exactly what we're talking about here, this is to move it to a primary offense instead of a secondary. Meaning, you could be ticketed just for the seat belt. Before you had to be, like, speeding or something of that nature. I, personally—there's only a couple places doing it. There's no case law on it. I'm pretty leery of it, myself. And I don't really think it would be a good idea at this point to do that, but everybody's got their opinions.

MAYOR HILL: Any comments from Council on this?

MR. REIDER: Yes, Mr. Mayor. I didn't think we were going to discuss this. I've been doing some checking and everything and I read the opinion. I read the Ordinance the way—I think you had contacted our Solicitor to have it rewritten with the way you want it—

CHIEF MILHOAN: Correct.

MR. REIDER: —and I think there's some serious concerns with it. I don't particularly care for it because, you know, under this Ordinance, the way that it's going to be written, that you can—and some of them are highlighted. They're all here. And I don't know if all of Council ever got a copy of the whole thing, which they didn't. So that's why I wish we could get a copy of them and maybe discuss this if you can hold off—

CHIEF MILHOAN: Sure.

MR. REIDER: —until the next Council meeting. And I will give them each a copy—

CHIEF MILHOAN: We don't have to discuss it now. I just thought that was the route that the Safety Committee was going. We didn't get an answer out of Safety and I thought they were going to take it before Council.

MR. REIDER: I want to give a copy of this. I did some background checking and everything. I'll make sure each Council member gets a copy of it and then probably—and I don't want to speak for the chairman—probably the next Council meeting we can discuss it if you choose. There's a lot of questions here and I want them to see what this entails. I did a lot of checking from your reports, and I don't know what the real reason is if you change it about the seat belts. We went through the whole year of 2020. We wrote a total of 665 citations, what I read off of your reports. And then up and to August of this year, another 399. So it makes a total of 1,064. And we issued 24 seat belt tickets in all of those, over a thousand citations. So, I want to give it to everybody so they can sit back and read it. I think we should probably have an answer for you next Council meeting.

CHIEF MILHOAN: Well, that's fine. I'm not in a hurry. We discussed it in the Safety meeting as far as the reason that we were wanting to do this. Just so all of Council knows, the thought behind it was it would give our officers the ability to stop somebody that's not wearing their seat belt if they could plainly see that they were not wearing it. The goal here—contrary to what I've heard—the goal here is not to have our officers go out and write a bunch of seat belt tickets. I, one hundred percent believe, that you're not going to see a drastic increase in our

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seat belt citations that we issue. The idea behind this was to give our officers a tool to stop a vehicle, which many times, leads to other things, such as drivers driving with suspended licenses, warrants, drugs, things like that. It was nothing more than a tool. It was not to generate more income through fines. I'm certain that you're not going to see a big increase in seat belt writing.

But, if you're not comfortable with this, I respect that. It's just something that we were trying to give our officers the ability—I mean, to be honest with you, and I think anybody can understand this—there's many times that we can't tell if somebody has their seat belt on. If you're traveling one direction and they're traveling the other, and their windows are up, you really can't tell. But there are times when an officer could be sitting stationary on the road or close to an intersection and he or she could observe somebody not wearing their seat belt. It's just another opportunity for an officer to make contact with that individual. Not to write them a ticket, but to encourage them to wear their seat belt. It is the law. We want people to wear their seat belts. But, again, it's to allow that officer a tool to that could lead to other things. So, that was the reasoning behind it.

MR. BOND:

I understand that, Chief, and I appreciate that. I'm somewhat surprised the state is staying with where they're at and this has been confined to a very few municipalities. I think there was some talk even from their Solicitor that there was no case law that exists on this or whether it was proper, like, if you made a drug arrest from this and stuff. And I thought we were just leaving some more time for this to shake out to make sure where we're headed.

Everybody should wear a seat belt when they're driving. I don't think there's any—that's settled to science. I don't think there's anyone ridiculing that. Do you see anything else on it, Don?

MR. REIDER:

Well, the only other thing I see is the—

MR. BOND:

I don't have the report in front of me right now.

MR. REIDER:

I want to give a copy of this to every Council member.

MR. BOND:

Yes.

MR. REIDER:

They can read it. We have these two communities in the whole State of Ohio, you know, wanted to sort of change their thinking like you do, that was Orange Village and Pepper Pike. I'm thinking of all the municipalities. We have 88 counties. I'm sure we have thousands of communities. And no one has ever wanted to change this since that seat belt law has been in effect, nobody. All of a sudden now—and even their law directors have questions about it. Because when you're going up against the state—if a gentleman gets pulled over or an individual gets pulled over and, you know, they find something else in the vehicle, there's a chance that could get thrown out of court because they charged them with the wrong thing.

But, anyway, I want to be able to do that. I want to give a copy to each one of them, let them read it for a week or two, and then the next Council meeting we'll bring it up, let us know how everybody feels.

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MR. BOND: This is kind of a fundamental change on that particular aspect of it.

CHIEF MILHOAN: I suggest maybe contacting Orange Village. I did. When I spoke to the chief up there, he indicated to me that a number of communities around him have done it, as well. I don't have a number for you. I'm not going to say there's 15 or 20. I'm not going to say there's five. He just told me that he was one of the first communities that did it. I asked him, "did you have any problems from it?" He said, "a number of communities around us have done the same thing." I don't know what that means as far as—I didn't ask him who they were or how many. He did mention Pepper Pike. I know they're mentioned in the article. I don't know how many there are.

MR. RADTKA: Has anyone asked the Solicitor to give an opinion?

MR. BOND: My question, Paul, would be if the State law doesn't recognize it as a primary offense, and you stop someone for it as a primary offense and you find contraband or drugs, a person goes to court and says they didn't have probable cause to stop me—

SOLICITOR DUTTON: You sound like a defense lawyer.
(Laughter.)

MR. BOND: No—

SOLICITOR DUTTON: But you're hitting on the argument a defense lawyer would make. The Supreme Court would ultimately decide. If you have drugs in the car and you are arrested for a seat belt violation, and then they discover illicit drugs, and then you're charged with that offense, the defense counsel is going to say that you didn't have probable cause because this Ordinance is unconstitutional, or whatever.
I just mentioned to the Mayor, remember, guys, when you were in high school and you had your muscle car and your girlfriend sat almost on your lap, she's the one who would get a ticket. She doesn't have the seat belt on.

(Laughter.)

MR. BOND: I don't know if that was in effect—

SOLICITOR DUTTON: They had seat belts back then. It was the—

MR. LIMING: Yeah, but it wasn't the law.

SOLICITOR DUTTON: It wasn't the law, but that's who would get the ticket.
I don't have an opinion on it. I mean, anything that you do to enforce the law is a good thing. People should wear seat belts. And the flip side, they shouldn't be used as a means to harass people.
I'm just thankful you guys don't have the speed cameras out because I think that is—

MR. REIDER: We don't want those.

SOLICITOR DUTTON: But, you know, you could call the Ohio Municipal League and get a count on the number of political subdivisions that have this kind of an Ordinance or a regulation. You might discover that it's more than a handful; you might discover it's only a handful.

MAYOR HILL: Okay. Brent, you've got a little bit of direction there.

CHIEF MILHOAN: Thank you.

MAYOR HILL: Is there anything else under new business Council would like to discuss before I ask for public remarks?
(NO RESPONSE FROM COUNCIL.)

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MR. DIETZ: Public remarks? Going once. Tom?
I'd like to thank the Council for their ongoing cooperation with the Fall Festival. I do believe our fireworks thing has expired this year. So, that's going to have to be brought up again.

MAYOR HILL: Thank you, Tom. Public remarks? Going twice.
(NO RESPONSE.)
We will now adjourn to executive session. The only action taken after that will be to come out and adjourn the meeting. Thanks for coming this evening. We'll now go into number one.

(WHEREAS, THE REGULAR MEETING BEFORE THE VILLAGE OF LORDSTOWN COUNCIL ADJOURNED INTO EXECUTIVE SESSION AT 6:50 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, 202