

November 5, 2018

PROCEEDINGS

Lordstown Village Council Regular Meeting

**(WHEREAS, the regular meeting before the Lordstown Village Council commenced on Monday, November 5, 2018, at 6:20 p.m. and proceedings were as follows:)
(Lord's Prayer and Pledge of Allegiance to the Flag)**

MAYOR HILL: Bill, can we have roll call, please.
MR. BLANK: Mayor Hill?
MAYOR HILL: Present.
MR. BLANK: Mr. Bond?
MR. BOND: Here.
MR. BLANK: Mr. Liming?
MR. LIMING: Present.
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: Solicitor Paul Dutton?
SOLICITOR DUTTON: 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, Dale Grimm?
MR. GRIMM: Present.
MR. BLANK: Recreation, Marty Gibson?
(NO RESPONSE — ABSENT.)
Board of Public Affairs?
MR. DIETZ: Here.
MR. BLANK: Municipal Engineer, Chris Kogelnik?
MR. KOGELNIK: Present.
MAYOR HILL: I entertain a motion to excuse Marty. She said she had another obligation this evening.
MR. LIMING: So moved.
MAYOR HILL: Moved by Liming. 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.)

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

Motion carried.
 I'll entertain a motion for disposal of the minutes of the
 regular meeting held October 15, 2018.
 MR. REIDER: So moved, Mr. Mayor.
 MAYOR HILL: Moved by Reider. Second?
 MR. LIMING: Second.
 MAYOR HILL: 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.)

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

Motion carried.
 Mayor's report. One appointment we made at the last
 meeting for the Board of Public Affairs, Mr. Bertilacci, he
 will not be coming to work, so I will ask Council to remove
 him. And, also, I do have an appointment for the BPA.
 Everybody had a notice in their box, so I'll be asking for that
 under new business.
 That's it for the Mayor's report. Is there a Clerk's report?
 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: Board of Trustees of Public Affairs report?

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MR. DIETZ: On that thing that you, Karen, want held for first reading, it has nothing to do with the water. That's all sewage.

MAYOR HILL: Thank you. Any questions for Tom?
(NO RESPONSE FROM COUNCIL.)
Village Engineer's report?

MR. KOGELNIK: I submitted my report to Council, Mayor. You should have a copy of it. I think the one thing that we need action on is the Layer Road right-of-way issues. We're still waiting on authorization for that. I assume that that's forthcoming, right, Bob?

MR. BOND: I would hope that Council would be looking favorably upon that. The Utility Board has expressed that.

MR. KOGELNIK: Okay.

MR. BLANK: Is that for \$3,000, Chris?

MR. KOGELNIK: Yes.

MR. BLANK: You can make a motion tonight, Bob, under new business.

MR. BOND: Okay.

MR. KOGELNIK: Then the Highland Avenue sanitary sewer project. The things that are in front of that one for us to resume the work are: The village first signing the agreement, with the county executing the agreement with sewer service. And then secondly, getting an easement from the property owner from Highland Avenue over to the point of connection over, to the county's interceptor sewer. So until then, we'll have to wait —

MR. BOND: I know we'd hoped to talk to them last week, Chris; but when I contacted them I found out it was in Colorado, which makes it a little difficult. I'll get in touch with them.

MR. KOGELNIK: Okay. Then the public warning system project. That contractor continues to do the work. I believe that he's going to be on target with the completion date with completing the four sirens.

Then the BPA meter manhole project. That's in conjunction with the easement that was expressed here during caucus, and that project will be publicly re—advertised on November 18—15th. Council may remember that one was advertised earlier during the year. And then bids will be publicly opened on the 27th at 1 p.m. The scope of the project remains the same, and the cost will still be published at \$75,000. The same amount as it was before.

If there's any other questions, I'll take them.

MAYOR HILL: Any questions for Chris?

MR. BLANK: I have one question.

MR. KOGELNIK: Yes.

MR. BLANK: The Highland Avenue sewer, will that be bid out by the end of the year?

MR. KOGELNIK: It's hard to say at this point. There's a couple variables that are significant. Easement acquisition and this agreement and from what I understand from the county, there might be some other issues with them and Warren that there's going to be some work to get over top of that.

MR. BLANK: Okay.

MR. KOGELNIK: Thank you.

MAYOR HILL: Special reports. Police Chief Milhoan?

CHIEF MILHOAN: I submitted my monthly report for October if you have any questions?

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MAYOR HILL: 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: No report, Mr. Mayor.

MAYOR HILL: Questions for Kellie?
(NO RESPONSE FROM COUNCIL.)
Parks, Grounds, Buildings, Street Superintendent, Mr.
Grimm?

MR. GRIMM: No report, Mr. Mayor.

MAYOR HILL: Questions for Dale?
(NO RESPONSE FROM COUNCIL.)
Marty is excused this evening.
Bill, do we have any correspondence this evening?

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?

MS. CLICK: Carla Click. You need my address, correct? It's 2770
Hallock-Young Road, S.W., Warren, Ohio 44481. I wanted
to ask the Council to take into consideration re-addressing
the vote that was held at the last meeting on whether we
should have a thru road or a cul-de-sac on the end of Hallock
Young where TJX is going to be.
I went through this past weekend—well, starting on
Thursday, with a majority, and I went through and asked as
many people as I could get ahold of on Hallock Young. I
still didn't get everybody. But, right now, I have seven
people that are for a thru road, 15 that are for a cul-de-sac,
one that does not want to say one way or another. Then I
have the remainder that have not answered. Based on the
number of people that live on our road, that would make the
majority a cul-de-sac or a least at a tie. I can't remember if
it's 30 or 31. But either way, it's a tie.
My question is, like I said, I want it to be re-addressed. I
talked to some of the gentlemen here. The only one I did
not was Chris. I did not get ahold of him in time. But some
of the pros for this, what we looked at is the fact that the
majority of the residents, with my numbers, want a cul-de-
sac. I talked to some of the realtors, and homes with a cul-
de-sac sell at a 10 to 20 percent premium, usually. The
individuals on a cul-de-sac have a decrease in crime of 20
percent. And based on speaking with Mr.—please forgive
me if I pronounce it wrong—Onderko, he was just robbed at
918 on our road and then, according to him, his neighbor was
robbed the year before. So, I would like to see that taken
out. I don't want it moving down my end.
I have school-aged children. There's a couple of us here that
do. Mine has to cross the road in the morning to get onto the
bus. I would like to be able to not have to worry about
people flying through there. I mean, granted, it's decreased

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with GM, but with TJX coming in, this road is going to be the first road closest to their employee parking lot. They're going to come flying through there if they're late. My kids have to cross that. I'm concerned with that. My kids can't ride their bikes up and down the road at all. It's safety for us. It's not just the value. The value is nice, but I'm looking for safety for long term for families.

I've talked to a couple people. I know there's a few—and I'm not going to mention them because it's their business if they choose to sell or not—but if they choose to sell and we get families in there, they're going to want the cul-de-sac versus, to me, a road to nowhere. I'll be honest with you.

I also have concerns—the other one is, like I said, they would be able to ride their bike. Some of the ladies on our road would like to be able to walk down the road without having to worry about people buzzing by them, flying by as fast as they can.

I've also, like I said, talked to Chief Milhoan, Travis and Mr. Grimm—and I didn't get to you, Chris, I'm sorry. But these gentlemen are the people that you guys hired, and you have all told me different reasons—and mainly safety issues—why they feel that cul-de-sac would be better. I have to agree with them. I mean, I think it would be better. These are the people, like I said, you guys hired to run these departments. They're supposed to be the experts. And, if you have even a 50/50, you would think you would defer to some of them and put some weight on them.

I will tell you that the biggest problem that I got—and it's a valid issue. I'm not going to argue it—is the response time for the emergencies. My husband drove it. I'm not sure if Chief Milhoan or which one of them had done it. But we got the same time. It's like a 20 second difference. Because when you move that road, it's not going to stay where it's at now straight out on Bailey Road. It's going to move right down next to Ohltown Pritchard. It doesn't change the fact that you're still going to have to drive farther. They're not going to be able to cut through TJX to get to us any faster. The response time is going to change regardless of where that road is. It's got to move. It's not going to stay there. The second issue I have is the fact that you're going to have two lights out there with four entrances coming out of there. If you count 80 and the two employee entrances and the truck entrances and you count Hallock Young and Ohltown, I don't know how long that is, but I'm guessing like a mile or something. That's a lot of entrances with three lights coming in. I was just driving with my daughter to school the other day and I watched these kids. We're stopping at the stop sign at 8:00—not 8:00 in the morning. It was about 7. They speed up and go flying through there. What's going to happen when they have the other lights there? You have this traffic and you only have two lights where they have to stop. I think when I was speaking to Travis, you said there's the majority of accidents in those two areas, Hallock Young and Ohltown. You're crossing a four—lane highway. I just think it would be better. I think it would be safer all along. It would increase the values. And, in all honesty, with some of

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the people I talked to, the biggest argument I got with the exception of the valid—and I agree with the response time. I give him credit for that. I honestly respect that—is they want to stick it to TJX. And I'm sorry, we're past that point. I want to do what's best for our neighborhood. I don't care what TJX does. What they do other than this cul-de-sac or this thru road is not going to affect us after this is done, our everyday life. So, thank you.

MAYOR HILL: Thank you. Are there any other public comments? Yes, Ray?

MR. KOVAC: Ray Kovac, 2956 Hallock Young Road. I, too, would like to ask Council to think about this and put in a cul-de-sac. I, and quite a few of my neighbors, have seen people—now, this road is a double-yellow lined road. We've seen more people passing people on the double line. On a couple occasions, me coming from west to east, with my blinkers on, going slow, ready to make a left turn into my driveway, I've had people pass me up on my left side. If some of these people going to work at TJX are in a hurry, they're going to be flying down this road. I'd like to make a suggestion. The industrial track, if it could be widened a couple more feet, it would be a lot less expensive than putting that road all the way around because that road goes between Lyntz Road and Bailey Road. That would be a perfect road, no homes on it. They can use that road to go to work. Thank you.

MAYOR HILL: Any other public remarks?

MARTY KOVAC: Marty Kovac, 2970 Hallock Young Road. I'd also like to see our street turned into a cul-de-sac. And the lady that was up here first, I never did get to talk to her, so add me to the list.

MS. CLICK: Thank you.

MARTY KOVAC: Basically, one reason why, just like my father said, people fly up and down the street constantly. Now that I'm a father, I just think it would be a lot safer for my daughter and for all the other children on our street. And, basically, everything that the first lady that was up here—everything she said is pretty much the same way as how I feel. As for response time, she nailed it, too. When they put the thru road in, they have to go further down the street and make some "S" turns and everything else. So I actually think the response times will be about the same. That's it.

MAYOR HILL: Thank you. Are there any other public remarks?

MR. SCHANZ: Richard Schanz, 2810 Silver Fox Drive. Just hearing this and living on Silver Fox, which is a cul-de-sac, it is very nice. It's quiet. There's not thru traffic. When a car comes down, if you don't know it, you kind of watch it and stuff like that. Living on a cul-de-sac is nice. That's all I have to say.

MAYOR HILL: Thank you. Are there any other public remarks? Yes, Chief?

MR. CATLIN: William Catlin, 6203 Tod Avenue, S.W. In light of this—and I think at the last Council meeting it came up. There was a question on the schools and the busses being able to get up there. And we discussed this with our bus superintendent. He said there would not be a problem and done some research on it and as long as you have 100 foot in there, a bus can turn around. So, I agree. I think we should

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have a cul-de-sac there. Thank you.

MAYOR HILL: I'd like to have Solicitor Dutton make a comment on this.

SOLICITOR DUTTON: Mr. Mayor, I wasn't at the last meeting, so this issue is new to me. But I'm advising Council that you have a role in voting on vacating this street, relocating the street, creating a cul-de-sac or a T-turnaround, whatever. But your role isn't now. Your role is after a proposal is made. This whole issue is wrapped up in site plan review. Zone change was permitted. You have an applicant who is trying to consolidate these seven parcels and develop this into an industrial project, the Home Goods/TJX. And part of the public testimony on this involved what to do with Hallock Young Road. And there was some discussion about relocating it as a thru road or relocating it or creating a cul-de-sac. Well, the applicant has a right to apply and request that. And council doesn't have the right now to circumvent that process or to prevent that from occurring. So, once site plan review occurs, there will be an issue—you know, site plan review for those of you who are familiar with it, there are about 16 items. One of which is traffic and altering roadways. And every abutting—according to your Ordinance, your Planning and Zoning Ordinance—every abutting property owner on Hallock Young Road will be sent certified mail, notice of a public hearing and show up. You're encouraged to testify. And your testimony will be important as to whether you want the street vacated, whether you want it relocated as a thru street, or whether you want a cul-de-sac, or anything else that you might come up with. Then the Planning Commission will then make a recommendation. But their recommendation is to Council. Now, Council doesn't approve site plan review, but they do have to approve certain components of it, one of which would be vacating a street. At that time, after the Planning Commission either recommends a cul-de-sac or they recommend vacating the street or whatever, then it would come to you for a vote on that issue. Now, if for some reason, TJX/Home Goods purchases all that property, then they become the property owner. And your statute says that you cannot vacate a street unless a majority, 51 percent, of the property owners consent to it. So, there is a strategic issue here as to who will be the interested party. Right now all of you who abut that street, you're an interested party. You, theoretically, have a vote. But if all that property is consolidated, then the five owners of that for whom this project wherever that Hallock Young Road cuts through, they become one property owner. I hope I didn't confuse you. But you'll eventually have a vote on it and a say on it, but not now.

MAYOR HILL: The—

SOLICITOR DUTTON: But, having said that, if you wanted to just say on your remarks of Council how you feel about that issue, for the record, you can do that. And people can count noses. But right now your vote is not enforceable.

MAYOR HILL: The way this came up was, at the last meeting under caucus—anybody who is here knows what was said. But we don't take minutes of that. That's like a work session. And

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we had some dialogue on that. And in the minutes, which Council approved this evening, I said, "Let's discuss Hallock Young Road." And we had no discussion on the record. Mrs. Jones said, "I'll make a motion to require to TJX to reroute that road onto Bailey Road." And when there's a motion on the floor, I normally cannot speak. Then I said, "Karen Jones made a motion to reroute Hallock Young Road and not make a cul-de-sac. Is there a second to that motion?" Mr. Sheely seconded that. And I said, "Any comments or questions on the motion?" And I said, "We may have an abstention." Which I found out we didn't have to have an abstention. That's because Mr. Radtka is one of the property owners, but the property hasn't transferred, so he can vote on this. Then I asked for roll call vote. We had four yeses, one abstention, and one no. Then I did have a discussion with the Solicitor and he said, as he said this evening, that that vote is actually taken premature. I was hoping that when I brought up let's discuss Hallock Young Road, we could have had some dialogue from the Fire Chief, who has some issues; the Police Chief; the Street Commissioner; the Village Engineer. They do have concerns about that much traffic coming out onto Hallock Young Road from the four entrances—two employee entrances, one truck entrance and then possibly Hallock Young Road. I would like to have seen a cul-de-sac; but once it was on the floor, I couldn't comment. Now, the Solicitor said that the vote that was taken last week, it wasn't the time or the place for that. They have to go through site plan. So I don't know if anybody else—are there any other public comments? And then we can go to Council comments.

MS. CLICK:

I just have one question for the Solicitor.

MAYOR HILL:

And I will say, when you do come for public remarks, Council, Mayor or Solicitor are not required to respond. They usually do, but they're not required to because it's not an interrogation.

MS. CLICK:

I just want some clarification. When you said abutted the property will get notification, is that the people that TJX is buying or is the whole road?

SOLICITOR DUTTON:

It's whoever abuts Hallock Young Road.

MS. CLICK:

So all of us will get a notice?

SOLICITOR DUTTON:

You will all get a notice. And, at the hearing in other words, in order to vacate that right now, you have a vote. And unless there's 51 percent of the owners, you can't vacate it. But, if TJX buys out 57 percent of the owners, they have 57 percent.

MS. CLICK:

Okay. So they'll have a vote too? All right.

SOLICITOR DUTTON:

And more precisely, this isn't a game. They will come up with a proposal as precisely where they would relocate the road and whether or not they prefer a cul-de-sac or whatever. And before they do that, I'm assuming they're going to consult with the Fire Chief and Police Chief. And they will consult with neighbors. And they will come up what they think is a consensus. But, even after that consensus, if the Planning Commission approves it, Council still has a vote on whether or not—and it's not a vote that requires a super majority. It's a majority of Council. And if Mr. Radtka has

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already sold that property to that project, he is no longer a property owner. He wouldn't have a vote at that point at the hearing. He'll get notice and he can testify. So you would just be here as a member of Council.

- MS. CLICK: Just to be on record that I believe TJX has already met with you guys, correct? You already went over to talk about whether you should have a cul-de-sac or a road.
- MR. GRIMM: We've had meetings on it, yes.
- MS. CLICK: You've had meetings, okay.
- SOLICITOR DUTTON: And all that testimony from our people will be on the record at site plan review—
- MS. CLICK: Okay. I just wanted to—
- SOLICITOR DUTTON: Whether it's a project like this or it's a much smaller project, these 16 items involves the BPA, the Fire Chief, the Street Commissioner, the Police Chief.
- MS. CLICK: Our concern is the fact that when it was voted on, none of us knew that was coming up. It was just brought up and it was voted on. And, as you can see, there's a lot of opinions. People want to have their say. That was it. Thank you.
- MAYOR HILL: Are there any other public remarks? Yes, Roberta?
- MS. HILLER: Roberta Hiller, 2706 Salt Springs Road. As you just heard, I live on Salt Springs Road. And just to give you an idea, I would love to have a cul-de-sac on that road. I cannot walk to the mailbox without almost getting hit. And, for some reason—and once Hallock Young is changed, it's going to have a couple curves in it, right? There's something about curves that people want to see how fast they can get from one little curve to the next. And it happens in front of my house daily, probably a hundred times a day. If I'm out at the mailbox, I tell people to slow down because I can't get across the road before the cars coming from the Hoot 'n Holler get to my house. So, anybody should be very, very happy to have a cul-de-sac. Marty, you've been at our house a lot of times and know what happens when those cars go down the road like that. And it's just going to bring on people wanting to see how fast they can get there.
- MAYOR HILL: Any other public remarks at this time?
- MR. KOVAC: Marty Kovac, 2970 Hallock Young. It might be a stupid question; but if the road does become all the way through to Bailey Road, at whose expense—who is going to be paying for it? Is it Lordstown Village or is it TJX?
- MAYOR HILL: TJX is on record. There is, I believe, a 1.4 million dollar grant for road upgrades. That could be for turn lanes, relocating the road. And TJX is on record that they would pay for the rest of it. Because I know I was asked if there would have to be village funds for that. Quite often when you have a project like this, the village is required to kick in a nominal amount, whether it be five or ten percent or whatever it is; but if that would go through, TJX is on record saying they would pick up that cost. Any other public remarks? Richard?
- MR. COE: My name is Richard Coe. I live at 3391 Lyntz Townline Road, S.W., 44481. I know what the lady is talking about on Salt Springs Road. I live on Lyntz. And I live on a straight road. And I've lost four mailboxes, two of them were cement. So, people are crazy on how fast they go down our

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road. I mean, I've seen motorcycles go down our road doing a wheelie for a quarter of a mile, and no one pays attention. I think a cul-de-sac is a nice idea for these people. It doesn't matter to me one way or the other as far as convenience goes. I'll either go to Salt Springs or I'll go down to Ohl town. But the thing I am concerned about is what happens to the utilities that they were going to run along that road? We won't know that until we've had the site plan or whatever it is. But, I don't want things like my water pressure affected. And I want to make sure that they're going to do the right thing as far as utilities go. Because it not only affects the people on Hallock Young, it affects anybody on this side of that street. So, I'm not against it, but I just want to see the full plan before anybody makes an intelligent decision. Thank you.

MAYOR HILL:

Any other public remarks? Yes, Donna?

MS. SCHRADER:

Donna Schrader, Highland Avenue. I just want to say those roads are no different than what we have on Highland. Highland is doing the same thing. These people try to jump the railroad tracks by our house. They are airborne. Some of them go 60, 70 miles an hour. They just do it. So, I think it's something that is happening in Lordstown. I don't know why, but it's crazy.

We had one time—it's a double yellow and one motorcycle coming past from the railroad tracks down to where our house is and another motorcycle coming up. I don't know how they missed each other because the one was passing. There is a problem, I think, in this village. Thank you.

MAYOR HILL:

Any other public remarks?

(NO RESPONSE.)

Hearing none, we'll now go on to Council remarks. Hearing none—

MR. BOND:

Well, wait a minute. I've got a question. Paul, you said if the Planning Commission recommended this, then there's a letter sent to the people that live on Hallock Young.

SOLICITOR DUTTON:

No. When the package is presented to Planning Commission—and Kellie can explain what's involved here. It's the total package. In other words, site plan review, you've got the engineering—

MR. BOND:

That is my question.

SOLICITOR DUTTON:

—you've got the water and everything. And one would be on the traffic and the roads and in that package, they would say that they are proposing that they have an actual site plan. On the site plan—the engineer's site plan, you will see where this road is vacated and relocated here and there's a cul-de-sac or there's no cul-de-sac. This is their proposal.

MR. BOND:

I understand that.

SOLICITOR DUTTON:

And, at that point, people will be notified, correct, Kellie?

MS. BORDNER:

I mean, if I may? TJX has brought this subject up themselves. This is why this came to the forefront. But the first order of business is going to be to petition the Planning Commission for a vacation of a portion of Hallock Young Road. And, by doing that, TJX has to present their plan as to what they want to do with that road, whether it be, you know, a relocation or a cul—de—sac. And that's got to come first because they don't know how to lay out their

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facility in site plan unless they know that they have gotten the permissions that they need and what the layout of the road is going to be.

SOLICITOR DUTTON: But you're going to have an engineering map—
MS. BORDNER: Right.
SOLICITOR DUTTON: —that's going to identify precisely—
MS. BORDNER: Exactly.
SOLICITOR DUTTON: —where they're going to locate the road. It's not just going to be in the abstract, you know, we're going to locate it, but we don't know where.

MS. BORDNER: Absolutely. There would not be able to be a presentation to Planning Commission or a vote on that if they did not present—

SOLICITOR DUTTON: And you notify all abutting property owners?
MS. BORDNER: Absolutely. And, in fact, in this particular case, we would make sure—because of this issue, we would make sure that every individual on Hallock Young Road has that notification. You all have my promise.

MR. BOND: Okay. That is Hallock Young Road from the east village boundary to the west village boundary?

MS. BORDNER: So, it would be from Ellsworth Bailey—so, abutting property owners because of how that could go, could even be across the road. Imperial Communities would be notified—

MR. BOND: You're not following my question—
MS. BORDNER: Then all the way down—
MR. BOND: We're talking abutting on the property line—abutting Hallock Young Road.

MS. BORDNER: It would be abutting—
MAYOR HILL: The affected Hallock Young Road. They're not going to notify everybody—

MR. BOND: It's going to affect the whole length of Hallock Young Road because it could no longer be a thru street.

MS. BORDNER: But that's what I'm saying, Mr. Bond. What I'm saying is because I believe that it will affect everyone, I will, in fact, make sure—you know, the language in our codes is such that it can be interpreted sometimes very liberally. And I will make a liberal interpretation in this case. And I will make sure that when we are speaking about abutting, that even though there's going to be a portion of Hallock Young that is not going to be disturbed either way, whether it's a thru road, whether they come around and relocate that road or whether they put a cul-de-sac on it—there is, in fact, a portion that comes off of Lyntz Road up to a certain point that is not going to be disturbed. Regardless of that fact, I will make sure that every individual who is on Hallock Young Road is notified.

SOLICITOR DUTTON: But, according to our Ordinance, only abutting property owners, not abutting two miles away—

MR. BOND: That was my question, the abutting roadway—
SOLICITOR DUTTON: If you own property that fronts on the roadway or sides on the roadway, you are part of the 51 percent.

MR. BOND: Okay.
MAYOR HILL: I know one thing with the—
SOLICITOR DUTTON: That's to vacate the road, right?
MS. BORDNER: Correct.

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MAYOR HILL:

One thing which has come up during this entire process is the storm water runoff. I know a lot of people were saying that if they put the road in, they would have to put swales in, force them to put the swales in. And, I believe, that was one of the driving factors for certain people to want the road to go in. I will tell you—and I haven't talked to TJX in probably three to four weeks—but their main concern is the storm water runoff. They don't want anybody who does get water now—we know it's downhill. I've been there when the water has come across right behind Tom Dietz's and washed all the corn stalks over the pipes on Hallock Young Road and they all got flooded out. And we're aware of that. TJX's main goal is to make sure they create no storm water issues. If anything, their goal is to make sure it's corrected if there are any there. Their engineer has to come up with a design. It has to be verified with our engineer on TJX's nickel. So you're going to have two engineering firms. I think that was one of the reasons where some people said well, if water came down—because they're going to put the swale in. They're going to make sure that anybody downhill or downstream from where they are going to be is not going to be negatively impacted. And that will be a part of their site plan review, and it will be reviewed by our engineering firm. So, you're going to have MS Consultants and CT Consultants both looking at this and approving it. So, hopefully that should allay any fears of what is going on as far as storm water runoff. And, you know, whether it's a cul-de-sac or whether it's a thru road, those are going to be addressed.

Are there any other Council comments?

MR. RADTKA:

If I could, Mr. Mayor. I know you just said that I can speak on this, and I want to ask Paul for sure if that's okay.

SOLICITOR DUTTON:

The zoning litigation is over.

MR. RADTKA:

Okay.

SOLICITOR DUTTON:

To my knowledge it's over and you're a property owner.

MR. RADTKA:

I did hear from Ms. Click that she spoke to our department heads and our Village Engineer. I'd like to hear what they've got to say about it.

MR. KOGELNIK:

As I stated at the last meeting, there's plenty of design betterments that would support a cul-de-sac over a thru road. I pointed this out at the onset of this project—Kellie might even remember—the amount of turns out on Ellsworth Bailey as a result of having another driveway. As I stated at the last meeting, when we design more urban areas, we try to eliminate the amount of driveways onto a major road. Making this even more complex, Ellsworth Bailey is a separated highway. You have an island in the middle. So it makes it even more complex for a motorist to make the turn to go north or south. And, so, that was a prime importance to me. That's why I had so many discussions in meetings off the record as this project was developing. This was my biggest concern. My second concern was the storm water but that is handle able. That really is.

Then there was another person who requested some information about the utilities. The utility lines can be extended through there through our utility easement much

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the same way the existing road right-of-way conveys those utilities right now. So, it really boils down to the importance of how it interacts with Ellsworth Bailey.

The other issues that the private residents here are attesting to today are all really good, but they are more immediate to their frontal needs on Hallock Young. And believe me, I walk every day. I walk with my wife and I walk with my dog on a cul-de-sac. There's a reason why we walk on that road. It's generally safer. So, I don't really have any other comments on it other than to support a cul-de-sac where it's appropriate.

CHIEF MILHOAN:

I don't want to speak for the Fire Chief or the Street Commissioner, but we have had conversations on it. They can correct me if I'm wrong, but our position has always been safety oriented. We believe, as the engineer stated, that anytime you can eliminate—I have some concerns with the number of driveways or roads that are going to be coming out onto Bailey Road with TJX there. And if we can eliminate one of those roads and replace it with a cul-de-sac, I just think that's the best approach. I don't live on that road, obviously. If I did, I would be in favor of a cul-de-sac, personally. But, I'm looking at it from a safety aspect and that's the only thing I'm looking at. And Travis and Dale can chime in but that's pretty much been our conversation. It's just the safety aspect of it.

MR. RADTKA:

Well, a statement was made about your crime on a cul-de-sac. Do you know if that's a true statement?

CHIEF MILHOAN:

I believe that. I think that can be supported. I mean, if you think about it, if you think like a criminal, and you were going to break into a house, and you were limited on how you could escape that house, it makes sense to me if I was going to break into a house and I had two directions to go versus one, I think—

MAYOR HILL:

There are studies to back that up.

CHIEF MILHOAN:

Exactly. So, I would tend to believe that statement.

CHIEF EASTHAM:

My biggest thing that I had an issue with is if you're looking from Hallock Young to Pritchard Ohltown line, you're looking at about 2,000 feet, roughly, I'd say. You're going to have five—counting Pritchard Ohltown—you're going to have five cut-throughs through the median strip. Not counting the ones that are already there for houses that are on either side of the road. Anytime you have a cut—through and it's not controlled by a traffic light, it's very dangerous for the person that has to make it to the middle and get from the middle to the next lane. When you have four lanes—and you don't know what's going to happen down the road. Right now General Motors is on one shift. There's not a lot of traffic on Bailey Road. Next year they might be on three shifts. You may have other companies build on Bailey Road over the next couple years, and you're going to add more traffic. And as you're adding traffic, until you hit—correct me if I'm wrong, Dale—until you hit a certain amount of vehicle traffic, it doesn't require a light. If we're sitting right below that with all this extra added, to me it's kind of like the section of the freeway right now that goes from Bailey Road to 46. I have seen more accidents on that road than

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anywhere in this whole area. Usually they're really bad ones. This section of Bailey Road, Hallock Young and Pritchard Ohltown, I bet I've landed a helicopter more times on that section of Bailey than the whole village. And it's because there's cut-throughs on both of them with no traffic lights, but there's not enough traffic for it. So, adding more entrances and cut-throughs through the median to me is just kind of absurd if we can eliminate one and make it safe. The response times, I don't believe coming to Hallock Young is going to differ enough to really change anything, the way the road would be rerouted with the plans that I had. They were handed to me from TJX. I think Brent went out and kind of drove it and timed it. It's almost the same. It's really not that big of a difference. The amount of seconds he had, if one person doesn't want to pull over for you. You know what I mean? It really is, and that can happen anytime no matter where you're at. So to me, that's kind of out of the equation. I mean, that's my feelings on it.

MR. GRIMM: I'd like to add, too, I agree a hundred percent with Chief Milhoan with what he said about everything that we've discussed has all been safety related and not just safety related to the homeowners on Hallock Young. It's all been safety related to entering and exiting onto Bailey Road. With that said—and Chris can back me up on this—a lot of our discussion between myself and our engineer is on safety of the traffic patterns, also, which we are in discussion with TJX's engineers about adding additional turn lanes in the southbound traffic. Something that is not even on any of their plans that I'm standing strong on. And that's all for safety so we can get the traffic that's turning—the southbound traffic turning west into the facility is not in traffic lanes or in turn lanes. Everything that has been discussed has been discussed totally on the safety aspect of it.

MAYOR HILL: Okay. We'll now go to committee reports. Finance, Mr. Radtka?

MR. RADTKA: Yes, Mr. Mayor. I have four pieces I'd like to have Council's approval for tonight. Then, also, our next Finance meeting is scheduled for the 13th of November at 1:00 due to Veterans' Day. That is it.

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

MRS. JONES: No report tonight, Mr. Mayor.

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.)
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, Mr. Bond?

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- MR. BOND: Yes, Mr. Mayor. We have the one piece of legislation on there about the sewer easement for Imperial. As I stated in caucus, we'd like to see that passed emergency so the work can commence.
- MAYOR HILL: Questions—Chris, you have something?
- MR. KOGELNIK: Yes. That Utility Committee meeting, I don't know if the Council was going to talk about it. But something that is utility related, we talked about the involvement of the gas company up along Highland. Were you going to mention that? I think the village needs to be aware when the gas comes into town, they should afford the village some response time so that they can react accordingly.
- MR. BOND: That was discussed at the last Council meeting. Dale, you said the only thing they asked you was about surveying in the right-of-way, I believe.
- MR. GRIMM: Yes.
- MR. BOND: I agree with what Chris said we should be made aware of this because we may have pending utility work or something they're unaware of. How would we go about doing this? We need to do that by Ordinance, or what? Paul, maybe you can fill us in on that.
- SOLICITOR DUTTON: Well, you could do it by Ordinance. The point here is you need to identify all the utility companies that have to go through O.U.P.S., the Ohio Utility Protection Service, and get the names of all the utilities and the addresses because they deal with not the rate people, not the service people but the construction people and then we could draft an Ordinance saying that before an outside utility contractor—or I would say any contractor—who does business in excavation work in the village, that they have to come into the Clerk's office and identify where and when they're going to be working.
- MR. BOND: And they should be required to give us a minimum, so much notice I would think.
- MR. KOGELNIK: There was one instance—Bruce, you can attest to it—the one gentleman was entering a confined space in the village. You can't do that. That's very important. That's the reason. Safety is first.
- MR. PLATT: What we had was the contractor did call in on O.U.P.S., making a request, but it was for Highland Avenue from Salt Springs Road, not quite Salt Springs Road clear down to Brunstetter. They wanted all the utilities marked, okay, which is our water lines, our water service lines, our sewers, our sewer manholes, our sewer grinder pumps, our electricity from the grinder pump to the home to the control box, and we had two days to do it, to mark this. Needless to say, it did not get completed. We got with them and said, hey, where are you going to be working at? What do we need to do first? And explained to them that we're four guys, max, able to get out there and do it. When we got the marking request, originally, I thought, like, okay, here's the notice that Mrs. Schrader spoke about and we'll get some plans, like a request for plans. No. They wanted all the utilities marked because they were bringing construction equipment out and pipe out, and they were intent to go. So, they did start a little bit of —when they saw all the markings that we had done,

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they said, hey, we better start a little bit of exploration and see where things are. And while they were doing that, the first two that they tried to locate, they located them. They found out right where they were because they hit them rather than visually see them. So repairs needed made, that kind of stuff. So the first two, I wasn't impressed with the first instances so to speak. This particular instance was just totally out of control.

MAYOR HILL: Bruce, get with Bob and the Utility Committee and see if you can get something put together.

MR. BOND: I agree with Chris. We need something done on this because we need to be made aware of that. We just can't have people coming in.

SOLICITOR DUTTON: And, keep in mind, if you reduce this to an Ordinance—which I would encourage you to do—that we include not only the utility contractors who are repairing their own lines, but we have residents who want to repair a line in their front yard or a utility or a downspout draining or sanitary line from the their house. This should also apply to them. They won't necessarily be aware of it, and a contractor that they hire won't necessarily be aware of it. You're going to have to communicate with the residents.

MR. BOND: Put it in several times in the village newsletter or something like that.

SOLICITOR DUTTON: Yes.

MAYOR HILL: Newsletter, on the web site, everything else.

MR. BOND: Well, I went through that even when I wanted drainage tile put in the ditch in front of the house. I had to call in and get an O.U.P.S. to have an inspector on site while doing it, that sort of thing.

MAYOR HILL: Work with the BPA—

MR. BOND: Beg your pardon?

MAYOR HILL: Work with the BPA and Paul on that.

MR. BOND: Okay. No problem.

MAYOR HILL: Anything else for Bob?
(NO RESPONSE FROM COUNCIL.)
Recreation and Planning, Mr. Liming?

MR. LIMING: No report.

MAYOR HILL: Questions for Lamar?
(NO RESPONSE FROM COUNCIL.)
Bill, first piece of legislation.

MR. BLANK: From Finance Committee For Emergency Passage, **AN ORDINANCE AUTHORIZING THE CLERK TO MAKE THE FOLLOWING TRANSFERS WITHIN VARIOUS FUNDS AND DECLARING AN EMERGENCY.**

MAYOR HILL: Comments or motions?

MR. SHEELY: Motion to suspend the rules.

MAYOR HILL: Motion to suspend the rules by Sheely. Second?

MRS. JONES: Second.

MAYOR HILL: Second by Jones. Roll call.

MR. BLANK: Mr. Bond?

MR. BOND: Yes.

MR. BLANK: Mr. Radtka?

MR. RADTKA: Yes.

MR. BLANK: Mrs. Jones?

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MRS. JONES: 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. LIMING: Second.
MAYOR HILL: Second Liming. 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: Mrs. Jones?
MRS. JONES: Yes.
MR. BLANK: Mr. Bond?
MR. BOND: 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 57-2018. Next, please.
MR. BLANK: From Board of Public Affairs for Emergency Passage, **AN ORDINANCE RATIFYING A RESOLUTION FROM THE BOARD OF PUBLIC AFFAIRS ADOPTING REVISED 2018 SEWER RULES AND REGULATIONS OF THE VILLAGE OF LORDSTOWN CONTAINING (I) SEWER RULES AND REGULATIONS, (II) SEWER RATE AND FEE SCHEDULE, AND (III) SEWER CONSTRUCTION STANDARD DETAIL DRAWINGS, REPEALING BOARD OF PUBLIC AFFAIRS RESOLUTION NOS. 2007-2, 2007-3, 2009-3, 2009-7, 2010-3, 2011-11, 2012-6, AND 2012-9 AND ORDINANCE NO. 105-2012 AND DECLARING AN EMERGENCY.**
MAYOR HILL: Comments or motions?
MR. RADTKA: I have a comment, Mr. Mayor. Being that Mr. Dietz spoke and said during caucus that this is just about the sewer rules, do we still want to see this go first reading today?
MRS. JONES: I would really like to because I'd really like to see them do something because, I mean, what about the people on the east side with the sewers?
MR. RADTKA: It's the same way as it is with water, is what you're asking?
MRS. JONES: Yes. And the water needs fixed too, as far as I'm concerned.

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MAYOR HILL: Any other comments or motions?
(NO RESPONSE FROM COUNCIL.)
Hearing none, I declare this Ordinance to have had its first reading. Next, please.

MR. BLANK: From Finance Committee For Emergency Passage, **AN ORDINANCE AUTHORIZING THE CLERK TO MAKE ALL NECESSARY REVISIONS TO THE REVENUE PURSUANT TO THE AMENDED CERTIFICATE DATED NOVEMBER 5, 2018, AND DECLARING AN EMERGENCY.**

MAYOR HILL: Comments or motions?

MR. LIMING: Move to suspend the rules.

MAYOR HILL: Move to suspend the rules by Liming. Second?

MR. BOND: Second.

MAYOR HILL: Second by Bond. Roll call, please.

MR. BLANK: Mr. Sheely?

MR. SHEELY: Yes.

MR. BLANK: Mr. Liming?

MR. LIMING: Yes.

MR. BLANK: Mr. Reider?

MR. REIDER: Yes.

MR. BLANK: Mrs. Jones?

MRS. JONES: Yes.

MR. BLANK: Mr. Bond?

MR. BOND: 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. SHEELY: So moved.

MAYOR HILL: Moved by Sheely. Second?

MR. REIDER: Second.

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

MR. BLANK: Mrs. Jones?

MRS. JONES: Yes.

MR. BLANK: Mr. Bond?

MR. BOND: Yes.

MR. BLANK: Mr. Liming?

MR. LIMING: Yes.

MR. BLANK: Mr. Sheely?

MR. SHEELY: Yes.

MR. BLANK: Mr. Radtka?

MR. RADTKA: Yes.

MR. BLANK: Mr. Reider?

MR. REIDER: Yes.

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

MAYOR HILL: 6, ayes; 0, nays. Motion carried to adopt. Ordinance 58-2018. Next, please.

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MR. BLANK: From Council as a Whole For Emergency Passage, **AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 45-2017 AUTHORIZING THE VILLAGE OF LORDSTOWN TO CO-SPONSOR THE APPLE CIDER FESTIVAL FOR AN EXTENDED PERIOD THROUGH 2020 AND DECLARING AN EMERGENCY.**

MAYOR HILL: Comments or motions?

MR. SHEELY: Motion to suspend the rules.

MAYOR HILL: Motion to suspend the rules by Sheely. Second?

MR. RADTKA: Second.

MAYOR HILL: Second by Radtka. Roll call, please.

MR. BLANK: Mr. Bond?

MR. BOND: Yes.

MR. BLANK: Mrs. Jones?

MRS. JONES: 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 to suspend the rules. Is there a motion to adopt?

MR. BOND: So moved.

MAYOR HILL: Moved by Bond. Second?

MR. LIMING: Second.

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

MR. BLANK: Mr. Radtka?

MR. RADTKA: Yes.

MR. BLANK: Mr. Bond?

MR. BOND: Yes.

MR. BLANK: Mrs. Jones?

MRS. JONES: Yes.

MR. BLANK: Mr. Sheely?

MR. SHEELY: Yes.

MR. BLANK: Mr. Reider?

MR. REIDER: 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 59-2018. Next, please.

MR. BLANK: From Utilities Committee For Emergency Passage, **AN ORDINANCE AUTHORIZING THE VILLAGE OF LORDSTOWN TO ACQUIRE A PERMANENT SANITARY SEWER EASEMENT FROM IMPERIAL COMMUNITIES, INC. AND DECLARING AN EMERGENCY.**

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MAYOR HILL: Comments or motions?
MRS. JONES: Motion to suspend.
MAYOR HILL: Motion to suspend by Jones. Second?
MR. BOND: Second.
MAYOR HILL: Second by Bond. Roll call.
MR. BLANK: Mr. Radtka?
MR. RADTKA: I'll be abstaining from this due to a conflict.
MR. BLANK: Mr. Reider?
MR. REIDER: Yes.
MR. BLANK: Mr. Sheely?
MR. SHEELY: Yes.
MR. BLANK: Mr. Bond?
MR. BOND: Yes.
MR. BLANK: Mrs. Jones?
MRS. JONES: Yes.
MR. BLANK: Mr. Liming?
MR. LIMING: Yes.

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

MAYOR HILL: 5, ayes; 1, abstention. Motion carries to suspend the rules.
Is there a 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. Liming?
MR. LIMING: Yes.
MR. BLANK: Mr. Sheely?
MR. SHEELY: Yes.
MR. BLANK: Mr. Reider?
MR. REIDER: Yes.
MR. BLANK: Mrs. Jones?
MRS. JONES: Yes.
MR. BLANK: Mr. Radtka?
MR. RADTKA: Abstain.
MR. BLANK: Mr. Bond?
MR. BOND: Yes.

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

MAYOR HILL: 5, ayes; 1, abstention. Motion carries to adopt. Ordinance
60-2018. Next, please.
MR. BLANK: From Finance Committee For Emergency Passage, **AN
ORDINANCE AUTHORIZING THE CLERK TO
TRANSFER THE SUM OF \$79.72 FROM UTILITY
DEPOSIT TRUST FUND INTO THE UNCLAIMED
MONEY FUND PURSUANT TO ORDINANCE 39-99
AND DECLARING AN EMERGENCY.**
MAYOR HILL: Comments or motions?
MR. RADTKA: Motion to suspend.
MRS. JONES: Second.
MAYOR HILL: Motion to suspend by Radtka; second by Jones. Roll call.
MR. BLANK: Mr. Bond?

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MR. BOND: Yes.
MR. BLANK: Mrs. Jones?
MRS. JONES: 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 to suspend the rules.
Motion to adopt?
MR. REIDER: So moved.
MAYOR HILL: Moved by Reider. Second?
MR. SHEELY: Second.
MAYOR HILL: Second Sheely. 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: Mrs. Jones?
MRS. JONES: Yes.
MR. BLANK: Mr. Bond?
MR. BOND: 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 61-
2018. Next, please.
MR. BLANK: From Finance Committee For Emergency Passage, **AN
ORDINANCE AUTHORIZING THE CLERK TO
TRANSFER THE SUM OF \$31.31 FROM THE
GENERAL FUND INTO THE UNCLAIMED MONEY
FUND PURSUANT TO ORDINANCE 39-99 AND
DECLARING AN EMERGENCY.**
MAYOR HILL: Comments or motions?
MR. LIMING: Motion to suspend—
MR. RADTKA: Second.
MAYOR HILL: Motion to suspend by Liming; second by Radtka. Roll call,
please.
MR. BLANK: Mr. Sheely?
MR. SHEELY: Yes.
MR. BLANK: Mr. Reider?
MR. REIDER: Yes.
MR. BLANK: Mr. Radtka?
MR. RADTKA: Yes.

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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 to suspend the rules.
 Motion to adopt?
 MRS. JONES: So moved.
 MAYOR HILL: Moved by Jones. Second?
 MR. SHEELY: Second.
 MAYOR HILL: Second Sheely. Comments?
 (NO RESPONSE FROM COUNCIL.)
 Roll call, please.

MR. BLANK: Mr. Bond?
 MR. BOND: Yes.
 MR. BLANK: Mrs. Jones?
 MRS. JONES: 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 to adopt. Ordinance 62-2018.
 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. We had an appointment last week for Andrew Bertilacci and pursuant to the BPA and Mr. Platt, Mr. Bertilacci will not be taking that appointment. So, I'd like to have his appointment retracted.
 MR. RADTKA: I'll make that motion.
 MAYOR HILL: Motion 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.
 There's been a new person interviewed, Mike Fuchilla, for that position. I'll entertain a motion to have him appointed.

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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.
Is there any other new business? Mrs. Jones?
MRS. JONES: Yes. I'd like to make a motion for \$350 for refreshments for
the lighting ceremony to be held on the 16th at 6 p.m.
MAYOR HILL: Everybody heard the motion from Karen. Is there a second
to that motion?
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.
Is there any other new business Council would like to
discuss at this time before we go to public remarks?
MR. BOND: Yes, Mr. Mayor. I'd like to make a motion. The Utility
Committee has met on this work authorization for Layer
Road. I'd like to see us move ahead with that.
MAYOR HILL: Motion by Mr. Bond.
MR. BLANK: Is there an amount for that, please?
MR. BOND: \$3,000.
MAYOR HILL: \$3,000. Everybody heard the motion by Mr. Bond. Is there a
second to that motion?
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.)
MRS. JONES: I will be abstaining.

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

MAYOR HILL: Okay. 5, aye; 1, abstention. Motion carries.
Any other new business?
(NO RESPONSE FROM COUNCIL.)
Hearing none, are there any additional public remarks?
Donna?
MS. SCHRADER: Donna Schrader, Highland Avenue. First of all, I need to
apologize to Council because I was here at the last Council

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meeting, and I could not believe that this village didn't know about what was going on with Highland Avenue. So, I apologize for that. I called Dominion. I talked to the people working on there because when it first started, they just came in like a house afire. I didn't know what it was for. So, they're on my property. I asked questions. So I went and found out that where the line was, they didn't have that right so they come in with a black spray and cleaned those things off, put different things in. And then just when they're down there, I keep asking. So, finally they asked me last week — on my sister's property there's the breather pipe for the sewer there, the green breather pipe. They asked me what it was, and they were going to pull it out. So, I told them what it was. So I've been on the phone probably about an hour talking to them talk. I talked to—whichever I can talk to I talk. I'm starting to get some information, but they just came in out of the blue and it took them almost ten days to put those flags up. Now they're working, and they seem to be doing a good job now. I think what you, as Council, are heading to, to try to get this alleviated in the future is a good thing.

MR. RADTKA:

Are you aware of all that now, Bruce?

MR. PLATT:

We're aware of a lot of things much better than—you know, we've been in touch with the project manager that is on the site, the construction manager. They are finding out that, apparently, this is being designed from 100 feet above. Normally, we get, like, "here's what we want to do and we've got plans." We evaluate them and send them back saying no here's issues and that. And we got zero on this particular project. Just the construction manager out in the field, you know, walking, "what do you have here? What do you have there?"

MR. RADTKA:

So they're replacing existing lines? Is that what they're doing?

MR. PLATT:

Well—

MR. BOND:

I haven't seen anything pulled out.

MR. PLATT:

From what I gather, they're adding a line, not necessarily going to take anything out of the ground. They're adding a line.

MR. BOND:

They have their own line in place?

MR. PLATT:

I'm sorry?

MR. BOND:

Are they going to abandon the section of line in place?

MR. PLATT:

That's what I gather is going to happen, but I don't know that one hundred percent.

MR. BOND:

Paul, can we include in that Ordinance requiring any abandoned lines be removed?

SOLICITOR DUTTON:

Probably—I'm speculating. Because we can't regulate a regulated public utility, probably not by Ordinance. You can certainly require the contractor or utility company to notify the village before they engage in construction. That's their property. We can't impose regulations on otherwise regulated public utilities. That's why our zoning laws don't extend to utility companies.

MR. BOND:

Is there anything in place at the state level requiring them—

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SOLICITOR DUTTON: I will look at it. I know for oil and gas wells, when a well ceases operation and it's plugged, you have to remove the casing. That is part of ODNR. I'll have to check with the PUCO, Public Utility Commission regulations.

MR. BOND: Thank you.

MR. KOGELNIK: The other important factor with this gas line is it's, like, ten inches in diameter. So, it takes up space inside a right-of-way that already has utilities. It also then implies that within two feet of each side of that new line in your right-of-way, you can't touch. So, it's consuming space.

MR. BOND: And your lines, if you are allowed to abandon, is also consuming space.

MS. SCHRADER: The line they're working on is a line that zigzags Highland, comes out. My husband and my father-in-law used to always talk about this line, and I could never figure this out. It's coming out of Warren—either coming out or going in—then it comes so far and then it crosses under the road. Then it goes so far. Well, like, if you take from the railroad tracks, it's going to come across my property on the west side. It gets to the farm drive and then it's going under the road. Well, when this line was put in, all those houses from the railroad up to Salt Springs, they weren't there. So they put the line in. But the line is supposedly between the sewer line and the blue tracer. Now, our sewer lines are not marked on the properties. Where the sewer is sitting, it's not marked.

MR. PLATT: You mean from the home to the ———

MS. SCHRADER: No. It goes along Highland Avenue. There's no flags there. I told them where the sewer was. It was upsetting because they just came in like a house afire, and I asked questions.

MAYOR HILL: They'll be working on it, Donna.

MS. SCHRADER: Pardon?

MAYOR HILL: They'll be working on it.

MS. SCHRADER: I know.

MR. BOND: Thank you for having them not pull the sewer breather.

MS. SCHRADER: You know, I was out there and—

UNKNOWN SPEAKER: Who enforces it?

SOLICITOR DUTTON: It's like any other Ordinance. You have to—you impose a fine and then if they didn't pay the fine, then we file some kind of an action in Newton Falls Municipal Court.

MR. BLANK: Against Dominion?

SOLICITOR DUTTON: That's part of the problem.

MS. SCHRADER: Another problem with this thing, they're starting it at Brunstetter. There's new lines up there. There's all those pipes. They're going just to the next property down to me and they're stopping. So they've got—they told me it's a medium pressure line. They're working on it. I don't know if it is or not, but if they're stopping in this woods, and that's all they're doing. So you've got bad line on the one end of it, and you've got bad line on the other end of it.

MR. BOND: There must be a reason for that.

MS. SCHRADER: Yes. Thank you.

MAYOR HILL: Any other public remarks?
(NO RESPONSE.)
Hearing none, I'd like to thank everybody for coming this evening. I'll entertain a motion to adjourn.

MR. SHEELY: So moved.

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MAYOR HILL: Moved by Sheely. Second?
 MR. LIMING: Second.
 MAYOR HILL: 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.)

Motion carried. Meeting adjourned.

(WHEREAS, THE REGULAR MEETING BEFORE THE VILLAGE OF LORDSTOWN COUNCIL ADJOURNED AT 7:40 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