

August 1, 2022

PROCEEDINGS

**Lordstown Village Council Regular Meeting
(WHEREAS, the regular meeting before the Lordstown Village Council commenced
on Monday, August 1, 2022, at 6:05 p.m. and proceedings were as follows:)**

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

MAYOR HILL: Bill, could we have roll call, please.
MR. BLANK: Mayor Hill?
MAYOR HILL: Here.
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.
MR. BLANK: 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 and Economic Development, Kellie Bordner?
MS. BORDNER: Present.
MR. BLANK: Parks, Buildings, Grounds, Street Commissioner, Ron Hickox?
MR. HICKOX: Here.
MR. BLANK: Recreation, Marty Gibson?
(NO RESPONSE — ABSENT.)
Board of Public Affairs?
MR. PETERSON: Present.
MR. BLANK: Engineer Chris Kogelnik?
MR. KOGELNIK: Present.
MAYOR HILL: I'll entertain a motion for adoption of the agenda.
MR. RADTKA: So moved.
MAYOR HILL: Moved by Radtka. Second?
MR. SHEELY: Second.
MAYOR HILL: Second by Sheely. All in favor?
COUNCIL: Aye.
MAYOR HILL: Opposed?
(NO RESPONSE FROM COUNCIL.)

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

Motion carried.

August 1, 2022

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

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

MR. CAMPBELL: Motion carried.
MAYOR HILL: Entertain a motion for payment of the bills.
MR. SHEELY: So moved.
MAYOR HILL: Moved by Campbell. Second?
COUNCIL: Second.
MAYOR HILL: Second by Sheely. Comments?
(NO RESPONSE FROM COUNCIL.)
(NO RESPONSE FROM COUNCIL.)
All in favor?
COUNCIL: Aye.
MAYOR HILL: Opposed?
(NO RESPONSE FROM COUNCIL.)

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

MR. BLANK: Motion carried.
MAYOR HILL: Mayor's report. All I have is tomorrow is election day.
SOLICITOR DUTTON: They're expecting a real light turnout. So I urge everybody
MAYOR HILL: to exercise their right to vote. That's it.
MR. EBLING: Clerk's report?
MAYOR HILL: No report.
MR. PETERSON: Solicitor's report?
MAYOR HILL: No report.
MR. KOGELNIK: Treasurer's report?
MS. BORDNER: No report.
MR. KOGELNIK: Board of Trustees of Public Affairs report?
MR. BORDNER: No report, Mayor, other than our next regular meeting is
August 16.
MR. KOGELNIK: Okay. Thank you.
MS. BORDNER: Village Engineer's report?
MR. KOGELNIK: Mayor, I have some things to update you and to get some
input possibly from Council, if I may. The M&M phase
three plan review, I've concluded that. So there's really only
a few minor details. The most glaring thing on that one was
the easement around the existing 42-inch storm sewer is still
undetermined. So, until that time, we don't—is that true,
Kellie?
MS. BORDNER: No. I don't think so.
MR. KOGELNIK: What is the determination?
MR. BORDNER: The determination is that the maintenance of that easement
belongs to the property owner—
MR. KOGELNIK: Property owner—
MS. BORDNER: —It's not the Village.
MR. KOGELNIK: Okay. So, we'll have to then have them take off the

August 1, 2022

easement that is noted on the drawing because there is an easement on it. Aside from that, it's just a few minor details. And that plan review can be approved from an engineer's standpoint.

With regard to your roads, you might remember the map that I had distributed to Council for resurfacing. This is the month. The end of this month is when you're supposed to be submitting OPWC applications to District 6. I haven't heard much and Ron and I have been waiting for a decision to be made on the roads. So you have a few local roads such as Hewitt Gifford. And on Hewitt Gifford, there's two sections. One section has potentially some township involvement, which would be a multi—jurisdictional project. That is a good project for funding, obviously. And then on Lyntz Townline Road and Henn Parkway, those roads you have some RUMA money coming through a prior LEC project. And so you've sat on those funds for quite some time. Over time those funds become less in value because the price of asphalt has quickly risen. This year it's almost doubled. So, what do you want to do for the end of this month when it comes to OPWC pre-applications? I've already costed these out and I have these conceptualized. I'm ready to drag and drop it to a funding application.

MR. CAMPBELL:

Ron, are we going to bring that up in our meeting next Monday?

MR. HICKOX:

Yes, that's on for—

MR. CAMPBELL:

We have a meeting scheduled for next Monday at 1:15 on that.

MR. KOGELNIK:

Okay. So, right now, just to understand, that OPWC typically is in the category of around 30 to 45, maybe even up to 50 percent is what they would fund. Okay? And, typically, you'd go after grant funding for a roadway project because it doesn't have a whole lot of useful life. So, you've got those roads and then you have your federal aid route. There was a PID number, an ODOT PID, which is a project identification number. And you have two sections of roads that were going to be paved under federal aids and those were Salt Springs Road from Highland Avenue and east to the railroad line and then you had Ellsworth Bailey from Lyntz Townline Road and up to Palmyra. The section between Highland Avenue and the railroad tracks on Salt Springs, we actually recommend that you hold off on that because the county is going to be replacing your bridge in front of the pump station number two and potentially you have a water infrastructure project coming down that road. It would be a mistake to program the money for that road right now. So, we're actually suggesting you wait on that road. I realize how bad the condition of that road is in. And you're just going to have to probably spend some money patching it for the next couple years. That's my recommendation because it's a significant amount of money to be putting towards that road to resurface it. And, furthermore, the estimate that was put forth a couple years ago for this road was only for an inch and a half of wearing course on it. There's no way an inch and a half is going to get improvements on that road. You're looking at about three.

August 1, 2022

Now, on Ellsworth Bailey between Lyntz Townline, that is well suited for an inch and a half resurface overlay. So that road actually has a schedule of next year to repave. So in order for you to capitalize on the 80/20 funding, you would have had to submit your OPWC application for that road this year. So, you might want to consider real quickly getting this one in the hopper for OPWC this year.

MR. RADTKA:

What's your thoughts, Chris, about TEC getting started up with the RUMA agreement? Do we really want to do anything on those reads until that project is done?

MR. KOGELNIK:

Yeah, TEC's involvement, correct. It might have some impact on Lyntz Townline Road because that is one of the roads I think that was on the path. I doubt that they're going to use Henn Parkway. It sounds like they're going to use access from State Route 45. So, if you have a path that's known for TEC for impact on road use maintenance access, then you might want to look at maybe even saving Henn Parkway and Lyntz Townline Road for another day. It's just that you do have money sitting there that over time is becoming devalued if you know what I mean. I have a proposal that I have to submit to Ron for the federal aid section on Ellsworth Bailey. And I'll do that here soon. In your email, you should have received a memorandum from me regarding the traffic signal to Ultium. Did you get it?

(SEVERAL COUNCIL MEMBERS RESPONDED AFFIRMATIVE.)

MR. KOGELNIK:

First of all, does anybody have any questions on that? (NO RESPONSE FROM COUNCIL.) All right, so, evidently, this signal is being promoted heavily by our Metropolitan Planning Organization's director, Jim Kinnick and his staff to move forward with the understanding that employment numbers are going to be increasing over there. And we can all see — at least several of us can see — that that traffic signal is in need. Now, albeit, when this plan review started off, the numbers were, I think, 1,000 or 1,100 for Ultium. I can't remember which.

MR. LIMING:

Eleven hundred.

MR. KOGELNIK:

And just as of late we've heard that those numbers could increase to, what, Mayor?

MAYOR HILL:

Fourteen hundred.

MR. KOGELNIK:

And at the time, the documentation that was provided to Gresham Smith, from the Company called DLZ, stated that ODOT would want to check and validate the numbers for traffic counts before moving into doing this, a signal for the project. Although, in the documentation for plan review, it did warrant the signal for Number three. It's called a signal warrant number 3. Although it has really strange caveats in it, it was warranted. So, right now it's of the opinion and suggestion from Eastgate that the traffic signal move forward. And I have given you some language as to understand how the funding for construction could be assisted externally instead of Ultium paying for it. Now, this is a strange situation because, as you probably remember very well, TJX didn't have a problem putting up signals. They just did it because it was part of their project. It was understood how much traffic was going to come in and out

August 1, 2022

of their facility more probably than Ultium. However, that's the case. In this particular case, this signal was started off and designed by their engineer, Gresham Smith, LLC, and then for whatever reason, took a hiatus and then Martin Mallow, their EPC, started off doing some of the design and then put out an RFP for traffic signal design, of which, we wanted to respond but we can't because we need your approval first. So we've been talking with Eastgate about this and they have come up with a manner in which externally the funding for construction could be applied for; however, design services could not. And they're asking and suggesting that the Village pay for the design services on this project. So, what is the Village's appetite for this project to do that in that manner? Have you at all had a chance to talk with each other?

(SEVERAL COUNCIL MEMBERS ANSWER NEGATIVE.)

MR. KOGELNIK: Would you want to do that at another meeting and then get me an answer? Or get Jim Kinnick at Eastgate an answer?

MAYOR HILL: I'll poll Council. I'll give Council a call and see what they have to say, see what their opinion is.

MR. KOGELNIK: Yeah, because you should deliberate.

MR. RADTKA: Is there any of the engineering done by Ultium's people that would be beneficial to you?

MR. KOGELNIK: That's a good question, and I've been trying to get ahold of Mr. Tom Gallagher at General Motors to ask him that, but his voice mailbox is full. So, I haven't been able to talk with him. I will get that answer.

Now, interestingly, I did talk with your signal maintainer, Main Lite, out of Warren. Very helpful people, by the way. And they are able to put up a temporary signal in the meantime. They're very knowledgeable about the driveway and what it would take to do this. So, you might want to—if you are interested in this approach, you may want to get a more detailed cost estimate from Main Lite.

MR. RADTKA: Well, what's the other alternative?

MR. KOGELNIK: Well, the only other alternative that I know is to completely push back and make Ultium pay for all of this and administer all of this. It's up to the Village. The Village did get a 100 percent funded project through Ultium for your water system improvements.

MR. BOND: Isn't there kind of a precedent set when we had TJX pay for theirs?

MR. KOGELNIK: It's not a precedence. It's a requirement.

MR. BOND: Right. Why would we waive it now?

MR. KOGELNIK: I'm just asking.

MAYOR HILL: I asked Chris that same question, and he said, originally, TJX wanted to make sure the traffic flow was right. Originally, the light at Ultium wasn't warranted. And now it is, and it wasn't part of the original package.

MR. KOGELNIK: That's actually, technically, reversed, Mayor.

MAYOR HILL: Is it?

MR. KOGELNIK: Yeah. It was warranted under what ODOT calls a warrant number 3.

MAYOR HILL: Okay.

MR. KOGELNIK: But warrant number 3 contains some unique caveats and one of them being that ODOT reserves the right to go back and

August 1, 2022

validate the numbers that were produced in the concept.
And, so, it's that time right now where they need to validate that. So, before anybody would do a traffic signal, there would have to be an official count.

MAYOR HILL: I'll give my contact at GM a call tomorrow.
MR. KOGELNIK: Please do.
SOLICITOR DUTTON: I have a comment. I read your memo. And, without being facetious here, what does the Chamber of Commerce have to do with the price of eggs?
MR. KOGELNIK: You mean Eastgate?
SOLICITOR DUTTON: No. What does the Chamber of Commerce have to do with the price of eggs in this project?
MR. KOGELNIK: Because they're able to fund 100 percent of the construction.
SOLICITOR DUTTON: Do they have money to fund ——
MR. KOGELNIK: No.
MAYOR HILL: He said the Chamber, not Eastgate.
MR. KOGELNIK: I know. I heard him. But the Chamber is able to deliver the funding mechanism.
SOLICITOR DUTTON: That's like saying Tim Ryan is the funding mechanism or Loychik is the funding mechanism. What we have here is recommendation from our engineer, which is very comprehensive, and that's fine. But shouldn't the Village have a more definitive proposal from someone in a position of authority vis-a-vis the funding? Like Eastgate? Shouldn't they be sending a letter or proposal to the Village and outlining the scope of the project and the conditions of the project and saying that the \$20,000 fee for the preliminary design can only be funded as in the nature of the local match—
MR. KOGELNIK: Yes.
SOLICITOR DUTTON: —or local share by the political subdivision that's being benefited? And that, in this case, the Village would only be at risk for the initial \$20,000. That the Village is not going to be at risk for the \$75,000 or \$175,000 that's in your letter. And the Chamber of Commerce is like calling Husted, who is a friend of the Mayor, and saying use your muscle to get us money.
MAYOR HILL: That did work.
SOLICITOR DUTTON: Well, it worked in part. It worked in part. I mean, we need a paper trail. We need to be able to show where did this project originate? What information did the Village have in due diligence to deliberate on this thing? And then what is the risk here? I'm assuming that the Village is only at risk for \$20,000. And, if the grant never comes through—and let's face it, half of these grants don't come through—then we walk away from the project, right?
MR. KOGELNIK: Right. The answer to your question is yes.
SOLICITOR DUTTON: Can you get Eastgate to put something down?
MR. KOGELNIK: Nobody did want to raise their hand and put something down, yet everybody—
SOLICITOR DUTTON: Why?
MR. KOGELNIK: I don't know. But I was the one who was saying, I hear what you're saying. I hear that employment is coming. So I took the time to at least put something down so that you could begin to talk about it.

August 1, 2022

SOLICITOR DUTTON: But Eastgate should share with the Village what the conditions—and, as I read this, if the funding—the grant funding is not forthcoming, then we're essentially doing design work and walking away.

MR. KOGELNIK: You could be—

SOLICITOR DUTTON: And we're not at risk for anything more, unless we wish to do so. And the other thing in the memo is, rather than saying—answering Mr. Bond's question, why Ultium ceased work on the project, why they are not putting up the traffic signal. Let's face it, they benefit more than anyone else for this. At least we should hear in the memo why they are not doing it. Eastgate should call them and ask them why aren't you doing this? Why are we having to go through this? And, if there's a rational explanation, these guys up here, you know, will take that into consideration. But standing up here and saying, "Well, I don't know. We're going to try to call them. His voice mail is full." I mean, we have a precedent here where we require these projects—you know every one that I see we require these projects to fund this kind of infrastructure. Ultium is a little different because their funding was a four-million gallon tank. But traffic signals are traffic signals.

MR. KOGELNIK: Okay. Noted. Are there any more questions, comments?

MR. LIMING: I have a question.

MR. KOGELNIK: Yes.

MR. LIMING: On top of the hill where the water lines went into that new water tower, is that ever going to get smoothed up? Is that contract done?

MR. KOGELNIK: No, it's not. Well, technically, there's two answers to your question there. It's not going to get resurfaced as a result of the water project. However, you have a new culvert project coming up. There's going to be a massive hole through there that's going to make another patch. And we're probably going to have some driveway impacts along State Route 45 before too long. And, so, we should be looking at resurfacing that entire stretch from the top of the hill and down to Hallock Young Road in the near future.

MR. LIMING: Okay. Who is going to redo the lanes that they made on the berm?

MR. KOGELNIK: Good question. So, that actually is somewhat part of this conversation. And you can already start to see that the shoulder is starting to pull away from the edge of the normal pavement there. That was temporarily created to allow some sort of more applicable turning route into Ultium's driveway. Those will have to be rebuilt. Those were never intended to be permanent lanes.

MR. BLANK: Whose nickel—

MR. KOGELNIK: In conjunction with any resurfacing, we're going to have to probably beef up those areas so that they become more travel lanes.

MR. BLANK: Whose nickel?

MR. KOGELNIK: Right now, there's nobody responsible for that. That's your State Route 45 roadway.

MR. BLANK: Who authorized them to put that lane in there then? They just did it?

MR. KOGELNIK: You didn't do that?

August 1, 2022

MR. BLANK: I didn't, no. That's why I'm asking.

MR. RADTKA: I think ODOT—I think it was the state.

MR. KOGELNIK: Okay. So we need to call ODOT. That's to Paul's question. We need to go to a person or entity of authority—

MR. BLANK: You don't trash the road and then turn around and say we have to pay to fix it. That don't work like that. We do enough repairs around here. I'm not blaming you. I'm just saying we're not paying for it.

MR. KOGELNIK: Here's what ODOT typically does in a municipality. They will only resurface. They will not do full—depth pavement construction. So, you might hear that about another dozen times.

MR. BOND: They authorized creating temporary lanes. You think it would be up to them to construct the—

MR. KOGELNIK: Then maybe we should talk with our Trumbull administrator for ODOT and find out whether or not they will pay for their own full-depth replacement of those lanes.

MR. BLANK: Maybe we can use some of that 1.3-million-dollar forgivable loan and fix it.

MR. KOGELNIK: So, are there any more questions?
(NO RESPONSE FROM COUNCIL.)
Sorry I'm not giving you the answers you're looking for, but I'm not always going to do that.

MAYOR HILL: Thank you. Special reports. Police Chief Milhoan?

CHIEF MILHOAN: I submitted my monthly report for July. Answer any questions if you have any.

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, Mayor.

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

MR. HICKOX: Thank you, Mayor. To go along with what Chris said, so when we have our committee meeting next week, Bailey Road, the portion he's talking about, we're going to get an 80 percent grant from the Federal Highway Administration. We can apply to have our 20 percent, then, covered through Eastgate, Ohio Public Works, which is coming up. The application is due the end of August. So, we'll move forward with that. And then the other projects we're going to talk about if there's going to be any others.

As far as my for-the-last-couple-weeks report, Hallock Young Road is nearing completion. The four-lane portion was being repaved. They're working on traffic loops right now. Replacing some of the guardrail. And there's some storm repairs that the Village has to make.

We have been replacing landscaping at the park. And we're going to pour a new pad in front of the doors that are falling apart and made it so some of the man doors would not

August 1, 2022

operate during the winter.
We're continuing roadside mowing and weed eating. And we're ditching and doing drainage repair throughout the Village.

MAYOR HILL: Questions for Ron?
(NO RESPONSE FROM COUNCIL.)
Thank you.
Bill, do we have any correspondence?

MR. BLANK: No correspondence.

MAYOR HILL: Public remarks? If you'd like to make a public remark, after I acknowledge you, give your name and address for the minutes.
(NO RESPONSE.)
Hearing none, Council remarks?
(NO RESPONSE FROM COUNCIL.)
Hearing none, committee reports. Finance, Mr. Radtka?

MR. RADTKA: Yes, Mr. Mayor. We have the first two pieces of legislation we'd like to have passed tonight. Then our next Finance meeting will be on the 8th at 1:00 p.m. That's all I have.

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

MR. CAMPBELL: The only thing I have is we have a meeting scheduled the same day at 1:15 to talk about some of the abatements and work we might need.

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

MR. LIMING: No report.

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

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

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

MR. REIDER: No report, Mr. Mayor.

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

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

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

MR. BLANK: From Finance Committee For Emergency Passage, **AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 74-2017 WHICH AUTHORIZED THE VILLAGE OF LORDSTOWN OHIO, TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH CLEAN ENERGY FUTURE—TRUMBULL, LLC, FOR A TAX EXEMPTION OF 100 PERCENT (100%) FOR A PERIOD OF FIFTEEN (15) YEARS ON THE INCREASE IN THE ASSESSED VALUE OF REAL AND TANGIBLE PERSONAL PROPERTY — FOR THE PURPOSE OF REAFFIRMING THE**

August 1, 2022

**ENTERPRISE ZONE AGREEMENT GRANTED TO
CLEAN ENERGY FUTURE-TRUMBULL, LLC, FOR
THE TRUMBULL ENERGY CENTER PROJECT
WHICH WAS DELAYED FOR SEVERAL YEARS
BECAUSE OF THE FORCE MAJEURE
CONSEQUENCES OF THE COVID-19 PANDEMIC
AND DECLARING AN EMERGENCY.**

MAYOR HILL: Comments or motions?
MR. RADTKA: Motion to suspend.
MAYOR HILL: Motion to suspend by Radtka. Second?
MR. LIMING: Second.
MAYOR HILL: Second by Liming. Roll call.
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 to suspend the rules. Is there a motion to adopt?
MR. REIDER: So moved, Mr. Mayor.
MAYOR HILL: Moved by Reider. Second?
MR. SHEELY: Second.
MAYOR HILL: Second by Sheely. Comments?
MR. RADTKA: Yes, Mr. Mayor. I'd like to have Paul just clarify. I called him today and asked him about the PILOT that we worked out with TEC.

SOLICITOR DUTTON: The Village's PILOT.
MR. RADTKA: Yeah, the Village's PILOT. If you could comment on that.
SOLICITOR DUTTON: I think your question was why isn't the PILOT part of this amended, restated Ordinance. The PILOT was enacted pursuant—this is a payment in lieu of taxes, which Clean Energy Trumbull, Trumbull Energy Center project has agreed to pay the Village. In part, because the Village is sharing its income taxes with the school system and because the corporate—we've learned from the LEC project, that the corporate income taxes are theoretically there, but because of the application of the internal revenue code, those corporate taxes are usually abated in the first five, seven years of a project. So, your Council and representatives negotiated with Mr. Siderewicz this PILOT, payment in lieu of taxes, and it runs from once the project financing has been closed, through, I think, it's 14 years here because there's a down stroke initial payment. This was enacted already by this Council. The agreement stands on its own. It's not conditioned upon the school's PILOT, anything else. It is only conditioned upon if the tax abatement goes into

August 1, 2022

effect. So, we're not required to re-enact this. It is what it is. I'm just going to read from Paragraph 2. It's called a Tax Incentive Donation Agreement. The acronym PILOT is a shorthand version. But it's really called a Tax Incentive Donation Agreement. And there are two parts to it. One is the Village of Lordstown. The other is Clean Energy Future Trumbull. The county is not a part of it despite it being an enterprise zone; the School District is not a part of it. "The term of this Donation Agreement shall commence on the effective date of the Enterprise Zone Agreement." So, this Tax Incentive Donation Agreement becomes effective, assuming that you vote to amend and restate this Enterprise Zone Agreement. "And shall end upon the expiration or termination of the Enterprise Zone Agreement", which runs for 15 years. "In the event the county, Village and/or donor"—which would be Trumbull Energy—"fail to enter into an Enterprise Zone Agreement for the project or if the donor fails to go forward with the project, then this Donation Agreement shall be void and the parties shall be free from any obligation under it." Now, this was enacted when we first passed the initial Enterprise Zone Agreement. They were enacted as two stand-alone agreements. Now, why does the School District PILOT—why is it attached as an exhibit and why is the Income Tax Sharing Agreement attached as an exhibit to this? The reason being is the School District generates funds through real estate taxes. The Enterprise Zone abatement pertains to real estate taxes. It doesn't pertain to income taxes. So, those two documents support evidence to the county commissioners and the Ohio Development—Department of Development—Economic Development Agency is evidence that the School District has agreed to this and why the School District has agreed to it. So, the documents that are appended to this have the signatures of the Village on each of those documents, as well as the School District. Does that answer your question?

MR. RADTKA:

Uh-huh. Thank you.

SOLICITOR DUTTON:

By the way, you're supposed to get, I think, \$420,000 as soon as he closes on his financing. So, Bill don't spend it all.

(Laughter.)

MAYOR HILL:

Any other 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.)

August 1, 2022

MAYOR HILL: 6, ayes; 0, nays. Motion carried to adopt. Ordinance 31-2022. Next, please.

MR. BLANK: From Council as a Whole For Emergency Passage, AN
ORDINANCE SUPPLEMENTING ORDINANCE NO. 30-2022 AUTHORIZING THE VILLAGE OF LORDSTOWN TO ENTER INTO A FIRST ADDENDUM TO WATER SERVICE AGREEMENT WITH CLEAN ENERGY FUTURE-TRUMBULL, LLC, AND DECLARING AN EMERGENCY.

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. Radtka?

MR. RADTKA: Yes.

MR. BLANK: Mr. Reider?

MR. REIDER: Yes.

MR. BLANK: Mr. Sheely?

MR. SHEELY: Yes.

MR. BLANK: Mr. Campbell?

MR. CAMPBELL: 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 suspend the rules. Is there a 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. 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.

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 32-2022. Next, please.

August 1, 2022

MR. BLANK: From Streets, Sidewalks, Public Parks, Buildings, Grounds, and General Improvement Committee For Emergency Passage, **A RESOLUTION CONFIRMING SUPPORT AND IMPLEMENTATION OF THE OHIO DEPARTMENT OF HEALTH ANTI-TOBACCO CAMPAIGN BY ESTABLISHING A SECONDHAND SMOKE POLICY WITHIN LORDSTOWN PARKS AND RECREATION DEPARTMENT 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. BOND: Second.

MAYOR HILL: Second Bond. Roll call.

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.

MR. LIMING: Motion to adopt?

MAYOR HILL: So moved.

MR. REIDER: Moved by Liming. Second?

MAYOR HILL: Second, Mr. Mayor.

MR. REIDER: Second by Reider. Comments?

(NO RESPONSE FROM COUNCIL.)

Roll call, please.

MR. BLANK: Mr. Sheely?

MR. SHEELY: Yes.

MR. BLANK: Mr. Radtka?

MR. RADTKA: Yes.

MR. BLANK: Mr. Reider?

MR. REIDER: 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. Resolution 8-2022. Any old business Council would like to discuss at this time? (NO RESPONSE FROM COUNCIL.) Hearing none, is there any new business?

August 1, 2022

(NO RESPONSE FROM COUNCIL.)
Hearing none, any public remarks?
(NO RESPONSE.)
Entertain a motion to adjourn.
MR. CAMPBELL: So moved.
MR. LIMING: Second.
MAYOR HILL: Moved by Campbell; second Liming. All in favor?
COUNCIL: Aye.
MAYOR HILL: Opposed?
(NO RESPONSE FROM COUNCIL.)

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

Motion carried. Meeting adjourned. Thank you for attending.

(WHEREAS, THE REGULAR MEETING BEFORE THE VILLAGE OF LORDSTOWN COUNCIL ADJOURNED AT 6:40 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, 2027