

December 19, 2022

PROCEEDINGS

Lordstown Village Council Regular Meeting

(WHEREAS, the regular meeting before the Lordstown Village Council commenced on Monday, December 19, 2022, and proceedings were as follows:)

(Written From Audio Recording)

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

MR. BLANK: Mayor Hill?
MAYOR HILL: Present.
MR. BLANK: Mr. Bond?
MR. BOND: Here.
MR. BLANK: Mr. Radtka?
MR. RADTKA: Present.
MR. BLANK: Mr. Liming?
MR. LIMING: Present.
MR. BLANK: Mr. Campbell?
MR. CAMPBELL: Here.
MR. BLANK: Mr. Sheely?
MR. SHEELY: Here.
MR. BLANK: Mr. Reider?
MR. REIDER: Present.
MR. BLANK: Clerk Blank, present.
Treasurer George Ebling?
MR. EBLING: Here.
MR. BLANK: Solicitor Paul Dutton?
SOLICITOR DUTTON: Present.
MR. BLANK: Police Chief Brent Milhoan?
CHIEF MILHOAN: Present.
MR. BLANK: Fire Chief Travis Eastham?
CHIEF EASTHAM: Present.
MR. BLANK: Planning and Zoning Administrator, Kellie Bordner?
MS. BORDNER: Present.
MR. BLANK: Parks, Buildings, Grounds, Street Commissioner, Ron Hickox?
MR. HICKOX: Here.
MR. BLANK: Board of Public Affairs?
MR. PETERSON: Here.
MR. BLANK: Engineer Chris Kogelnik?
MR. KOGELNIK: Present.
MAYOR HILL: Entertain a motion for adoption of the agenda.
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.)

Motion carried.
Entertain a motion for disposal of the minutes of the regular meeting December 5, 2022.

MR. RADTKA: So moved.

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MAYOR HILL: Moved by Radtka. Second?
MR. CAMPBELL: Second.
MAYOR HILL: Second by Campbell. Comments?
(NO RESPONSE FROM COUNCIL.)
All in favor?
COUNCIL: Aye.
MAYOR HILL: Opposed?
(NO RESPONSE FROM COUNCIL.)
MR. LIMING: Abstained.

(VOTE: 5, AYES; 0, NAYS; 1, ABSTAINED.)

MAYOR HILL: 5, ayes; 1, abstention. Motion carried.
Entertain a motion for payment of the bills.
MR. REIDER: So moved.
MR. LIMING: Second.
MAYOR HILL: Moved by Reider; second by 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.
Mayor's report. I was talking with Mr. Bond before the meeting about our 24-inch waterline. He can bring that up under his committee report.
I believe we're going to have a special Council meeting December 30th at 5:00. That's a year-end meeting. We'll officially announce that under new business. But that's a year—end meeting to wrap up the books so that way Bill can close the year out.
And I want to wish everybody Happy Holidays.
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?
MR. PETERSON: Yeah. We have a meeting tomorrow night at 4 p.m. And just to let Council know we did make contact with the Antonine Sisters. Councilman Reider and I did meet with them, and we made some headway with that waterline. So, we'll keep you guys all up to date.
MAYOR HILL: Thank you. Any questions for Chris?
(NO RESPONSE FROM COUNCIL.)
Village Engineer's report, Chris?
MR. KOGELNIK: Mayor, I submitted on Friday your final application for OPWC funding on the Ellsworth-Bailey Road resurfacing project. So, if all goes well, you should get that agreement on July 1 next year.
And then what I would encourage Council to do in the next coming months is start to think about your roads for '23 so

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that we can line up a funding application by the end of August. I don't want to have to have a rush to try to put an application in at the last minute. At the tail end of winter, February, March, weather will start to show its wear and tear on the roads. And that's when we need to start to assimilate our thoughts about that. Then in the Springtime of next year, we're going to be putting together ARC applications—that's Appalachian Regional Commission for the waterline that we're designing on Hallock-Young Road. That's all I have. Any questions?

MAYOR HILL:

Any questions for Chris?
(NO RESPONSE FROM COUNCIL.)

MR. KOGELNIK:

Merry Christmas.

MAYOR HILL:

Special reports. Police Chief Milhoan?

CHIEF MILHOAN:

I have no report tonight, Mr. Mayor.

MAYOR HILL:

Questions for Brent?
(NO RESPONSE FROM COUNCIL.)
Fire Chief Eastham?

CHIEF EASTHAM:

I do have a report tonight, Mr. Mayor. Anderson Fertilizer donated a grain bin rescue tube and auger. It was worth about \$3,500. They emailed me about six months ago and asked if this was something we'd be interested in. Apparently, they give one out to every place they have a facility in the community. They did approve the application and they said it's on its way. We do have now the tube and the auger to remove the grain and get someone out if they're inside the grain bin and suffocating. It's like quick sand. Basically the easiest way to explain it. So all the equipment was supplied by them. It's worth about \$3,500, no cost to us. They said it will come to their facility here and we'll pick it up there. So I want to thank them.

MAYOR HILL:

Okay. That's great. Any questions for Travis?
(NO RESPONSE FROM COUNCIL.)

MS. BORDNER:

Hearing none, Planning and Zoning Administrator, Kellie?
No report, Mayor.

MAYOR HILL:

Questions for Kellie?
(NO RESPONSE FROM COUNCIL.)

MR. HICKOX:

Parks, Grounds, Buildings, Streets, Mr. Hickox?
Thank you, Mayor. For the last few weeks, our crew has been busy. We've been handling some snow and ice issues. We've been patching potholes. Doing some drainage repairs and ditching. And we attended the Pipeline Safety Initiative put on by the Utility Protection Service, letting us know how they're marking things and just a refresher course, more or less, on gas, electric, water and how to proceed. I'd also like to wish everybody a Merry Christmas and Happy New Year.

MAYOR HILL:

Any questions for Ron?

MR. SHEELY:

Yeah, two.

MAYOR HILL:

Okay.

MR. SHEELY:

Hey, Ron. Have you pursued looking for a mechanic to replace Ralph?

MR. HICKOX:

We're still taking applications.

MR. SHEELY:

Oh, okay. Second question I have is it was brought to my attention over the weekend that we had several loads of asphalt grindings hauled out last week.

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MR. HICKOX: Yes. Warren Township asked if we could give them some. They were building some berms and they had some major road blow outs. They loaded them out. They hauled it and we loaded them.

MR. SHEELY: Okay. Was that authorized by anybody in particular or is this—

MR. HICKOX: No. I guess by me, I guess.

MR. BOND: About how many loads went out, Ron?

MR. HICKOX: Twenty?

MR. BOND: I heard there was more than that. Two trucks ran on Monday; three trucks on Tuesday.

MR. HICKOX: One of the trucks on the second day was ours for our jobs.

MR. BOND: Oh, I was told the other but okay.

MR. HICKOX: Warren only has two trucks.

MR. BOND: Okay. So they were running—

MR. HICKOX: They started Monday probably 10:00 or so and ran until I'd say 2:00. And then Tuesday, second day, they got here about 8:30, 9:00 until 2.

MR. BOND: I just wondered if you needed legislation to do that and what the authority was to give away Village property.

MR. HICKOX: We have a mountain of it. We've got stashes in more places than we'll ever use, and they have a need for it.

MAYOR HILL: I suggest, Bob, you and Howard and whoever else wants, see Ron and go find out how many grindings we have around. Because we have piles everywhere. We've got them on Radtka's property. We've got them on our property. They're everywhere.

MR. HICKOX: We've got more coming in the Spring as soon as they start Bailey Road.

MR. BOND: Are you making an effort to give these out to residents that want them or anything?

MR. HICKOX: Anybody that needs them, sure.

MR. SHEELY: Usually in the past we always did—

MAYOR HILL: But that's also at the residents' request. We're not going to start knocking on doors saying—

MR. BOND: No, but if they're not aware they're available, they're not going to request them either.

MR. HICKOX: The problem we have that we run into with residents is, first of all, who is going to haul it? Second of all, any damages upon their property—if we get in there and get stuck.

MR. BOND: Exactly. I understand that.

MR. HICKOX: This way it's from one municipality to another, their equipment.

MAYOR HILL: Any other questions for Ron?

MR. RADTKA: Ron, did we find out anything about that pipe?

MR. HICKOX: I contacted the county about their tractor to see if it was available and haven't heard back yet. So, we're going to go and get the end uncovered and see if we can get our heads stuck down in there and see if we see anything.

MR. RADTKA: Could that help alleviate the issue with M&M, or no?

MR. HICKOX: It would be a help. It's not going to be the solution because they're a 42-or 48-inch pipe and this looks to be about a 24-inch pipe.

MR. LIMING: What pipe are we talking about?

MR. HICKOX: The gentleman from Lordstown Electric called Thursday. I had been down there previous to this trying to figure out the

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ditching on Henn Parkway. His position was—and correctly—they're the third owner. They didn't know anything about all this. He called me Thursday and he happened to locate a pipe along the power line across the road. He said it's hidden very well. It's hard to see. It was overgrown. I asked him if I could meet him Friday. He wasn't available so this morning I called him, and we met and he took me out to it. It is in the underbrush and it's overgrown.

MR. LIMING: Oh, okay.
MR. HICKOX: So, we're going to try to get the end of it uncovered and see if we can get a flashlight down it and see if it is anything.
MR. LIMING: Okay. But you're saying that's a 24 and theirs is a 48?
MR. HICKOX: Correct.
MR. LIMING: It's not going to fix the problem.
MR. HICKOX: It's not going to fix the problem, but it could alleviate—
MR. LIMING: Could slow the problem a little bit.
MR. HICKOX: The problem with it is it's not in the right-of-way. Do any of the maps that you've seen have anything on them with that?
MR. KOGELNIK: There is a map with the easement illustrated on that. Kellie and I have—and I think I sent that to you, Ron, a long time ago. I'll look for it and send it to you.
MAYOR HILL: This is an issue that's going to have to be addressed sooner than later.
MR. KOGELNIK: Oh yeah. It's one (inaudible) away from a catastrophe.
MR. HICKOX: Their contractor was down there working today on their retention and putting drainage structures. For now, they're pumping water out of the storm drain on the road to get rid of it so they can work.
MAYOR HILL: Any other questions for Ron?
MR. BOND: My thought on these grindings for a minute. I believe there is an Ordinance in effect that allows them to be distributed to Village residents. I don't think it says anything about outside the Village. You may want to get with your committee, develop a policy for this so there's not problems in the future, people being curious as to things of this nature.
MR. HICKOX: Okay.
MR. BOND: Because I think if you're going to distribute that outside the community, there should be something in effect giving you authority to do so.
MR. HICKOX: Okay.
MR. RADTKA: I believe that was when Karen was still here, in that time frame.
MR. BOND: Yes, but I think it just says residents or within Lordstown or something to that effect.
MR. RADTKA: I know there was a rotation on that—
MR. BOND: There was.
MR. RADTKA: But I don't remember—
MR. BOND: There was. I think that may need looked at and redefined or something.
MR. LIMING: Became very cumbersome.
MAYOR HILL: I think Karen didn't like some of the people who were getting it. It was either dirt or grindings or something like that. It was an issue she wanted to try to address. It was very cumbersome. Okay. Anything else?
(NO RESPONSE FROM COUNCIL.)
Hearing none, Bill, do we have any correspondence?

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MR. BLANK: No correspondence.
MAYOR HILL: Public remarks. If you'd like to make a public remark, after I acknowledge you, please stand up and give your name and address so we can get it recorded correctly. We do not have a transcriber today, so we'll have to speak loud so that way everybody can hear.
(NO RESPONSE.)
Hearing none, are there any Council remarks?
(NO RESPONSE FROM COUNCIL.)
Hearing none, committee reports. Finance, Mr. Radtka?
MR. RADTKA: I do not have a Finance committee report tonight. But we do have a couple pieces coming up for first reading this evening. Merry Christmas, everyone. That's all I got.
MAYOR HILL: Questions for Ron?
(NO RESPONSE FROM COUNCIL.)
Parks, Buildings, Grounds, General Improvements, Streets and Sidewalks, Mr. Campbell?
MR. CAMPBELL: No report.
MAYOR HILL: Questions for Terry?
(NO RESPONSE FROM COUNCIL.)
Public Safety and Police, Mr. Liming?
MR. LIMING: Yes. I have two pieces tonight I'd like you to pass emergency.
MAYOR HILL: Questions for Lamar?
(NO RESPONSE FROM COUNCIL.)
Public Safety, Fire and EMS, Mr. Bond?
MR. BOND: No report this evening, Mr. Mayor.
MAYOR HILL: Questions for Bob?
(NO RESPONSE FROM COUNCIL.)
Public Utilities, Mr. Reider?
MR. REIDER: Yes, Mr. Mayor. Last Thursday, Chris Peterson, myself and Darren met with the Antonine group. I think there was, like, seven or ten people in that meeting. The engineer and the architect—whatever you would like to call her—she's the one that designed the new program, the new layout for the new Antonine addition. They'll run the waterlines and everything. She was there. A lot of representatives from D&D Construction that we thought ran the first line and nobody knew nothing on when the first line was run. So the lady stepped out of our meeting—am I correct, Chris? She made a phone call to a couple other individuals. They were supposed to get back with her letting her know who ran that line and when it was put in. We haven't heard anything yet from them. It's still at a standstill.
MAYOR HILL: That's amazing.
MR. REIDER: Yes, it is.
MAYOR HILL: Questions for Don?
(NO RESPONSE FROM COUNCIL.)
Recreation and Planning, Mr. Sheely?
MR. SHEELY: I have no report tonight, Mr. Mayor. I just want to wish everybody a Merry Christmas.
MAYOR HILL: Questions for Howard?
(NO RESPONSE FROM COUNCIL.)
Bill, first piece of legislation.

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MR. BLANK: From Finance Committee For Emergency Passage, **AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 37-2019 ESTABLISHING THE SALARY AND OTHER TERMS OF REMUNERATION FOR THE FULL-TIME ELECTED CLERK OF THE VILLAGE OF LORDSTOWN AND DECLARING AN EMERGENCY.**

MAYOR HILL: Comments or motions?
(NO RESPONSE FROM COUNCIL.)
Hearing none, I'll declare this has had its first reading. Next, please.

MR. BLANK: From Public Safety and Welfare Committee For Emergency Passage, **AN ORDINANCE AUTHORIZING THE VILLAGE OF LORDSTOWN TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH POLICE DEPUTY BRETT BLANK.**

MAYOR HILL: Comments or motions?

MR. LIMING: Motion to suspend.

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

MR. SHEELY: Second.

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

MR. BLANK: Mr. Sheely?

MR. SHEELY: Yes.

MR. BLANK: Mr. Reider?

MR. REIDER: Yes.

MR. BLANK: Mr. Radtka?

MR. RADTKA: Yes.

MR. BLANK: Mr. 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 suspend the rules.
Motion to adopt?

MR. CAMPBELL: So moved.

MR. BOND: Second.

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

Roll call, please.

MR. BLANK: Mr. Radtka?

MR. RADTKA: Yes.

MR. BLANK: Mr. Bond?

MR. BOND: Yes.

MR. BLANK: Mr. Campbell?

MR. CAMPBELL: Yes.

MR. BLANK: Mr. Reider?

MR. REIDER: Yes.

MR. BLANK: Mr. Liming?

MR. LIMING: Yes.

MR. BLANK: Mr. Sheely?

MR. SHEELY: Yes.

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

MAYOR HILL: 6, ayes; 0, nays. Motion carried to adopt. Ordinance 65-2022. Next, please.

MR. BLANK: From Council as a Whole For Emergency Passage, **AN ORDINANCE AUTHORIZING THE VILLAGE OF LORDSTOWN TO ENTER INTO A SERVICE AGREEMENT WITH INTEGRITY PERMITS, LLC, TO ASSIST THE VILLAGE IN CONNECTION WITH HAULING PERMITS FOR OPERATORS OF TRIPLE TRAILER/OVERSIZE AND/OR OVERWEIGHT VEHICLES, AND DECLARING AN EMERGENCY.**

MAYOR HILL: Comments or motions?

MR. RADTKA: Motion to suspend.

MAYOR HILL: Motion to suspend by Radtka. Second?

MR. SHEELY: Second.

MAYOR HILL: Second by Sheely. Roll call.

MR. BLANK: Mr. Campbell?

MR. CAMPBELL: Yes.

MR. BLANK: Mr. Bond?

MR. BOND: Yes.

MR. BLANK: Mr. Liming?

MR. LIMING: Yes.

MR. BLANK: Mr. Reider?

MR. REIDER: Yes.

MR. BLANK: Mr. Sheely?

MR. SHEELY: Yes.

MR. BLANK: Mr. Radtka?

MR. RADTKA: Yes.

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

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

MR. CAMPBELL: So moved.

MAYOR HILL: Moved by Campbell. Second?

MR. REIDER: Second.

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

MR. BLANK: Mr. Liming?

MR. LIMING: Yes.

MR. BLANK: Mr. Campbell?

MR. CAMPBELL: Yes.

MR. BLANK: Mr. Bond?

MR. BOND: Yes.

MR. BLANK: Mr. Sheely?

MR. SHEELY: Yes.

MR. BLANK: Mr. Reider?

MR. REIDER: Yes.

MR. BLANK: Mr. Radtka?

MR. RADTKA: Yes.

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

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MAYOR HILL: 6, ayes; 0, nays. Motion carried to adopt. Ordinance 66-2022. Next, please.

MR. BLANK: From Finance Committee For Emergency Passage, **AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 71-2021 ESTABLISHING THE PERMANENT PART-TIME POSITION OF SCHOOL RESOURCE OFFICER WITHIN THE VILLAGE OF LORDSTOWN POLICE DEPARTMENT, EFFECTIVE JANUARY 1, 2023, AND DECLARING AN EMERGENCY.**

MAYOR HILL: Comments or motions?

MR. RADTKA: This is the one that Bill—the one we had to change out. Motion to suspend.

MR. LIMING: Second.

MAYOR HILL: Motion by Radtka; second by Liming. Roll call.

MR. BLANK: Mr. Reider?

MR. REIDER: Yes.

MR. BLANK: Mr. Radtka?

MR. RADTKA: 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, AYES; 0, NAYS; 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. SHEELY: Second.

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

MR. BLANK: Mr. Liming?

MR. LIMING: Yes.

MR. BLANK: Mr. Sheely?

MR. SHEELY: Yes.

MR. BLANK: Mr. Reider?

MR. REIDER: Yes.

MR. BLANK: Mr. Campbell?

MR. CAMPBELL: Yes.

MR. BLANK: Mr. Radtka?

MR. RADTKA: Yes.

MR. BLANK: Mr. Bond?

MR. BOND: Yes.

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

MAYOR HILL: 6, ayes; 0, nays. Motion carried to adopt. Ordinance 67-2022. Next, please.

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MR. BLANK: From Finance Committee For Emergency Passage, **AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 37-2019 ESTABLISHING THE SALARIES AND OTHER TERMS OF REMUNERATION FOR ALL PART-TIME ELECTED OFFICIALS OF THE VILLAGE OF LORDSTOWN AND DECLARING AN EMERGENCY.**

MAYOR HILL: Comments or motions?
(NO RESPONSE FROM COUNCIL.)
Hearing none, I declare this Ordinance has had its first reading. Next, please.

MR. BLANK: From Public Safety and the Police Department Committee For Emergency Passage, **AN ORDINANCE AUTHORIZING THE OPERATION OF UNDER-SPEED VEHICLES ON CERTAIN STREETS WITHIN THE VILLAGE OF LORDSTOWN AND AUTHORIZING THE POLICE DEPARTMENT TO PERFORM VEHICLE INSPECTIONS OF UNDER-SPEED VEHICLES AND DECLARING AN EMERGENCY.**

MAYOR HILL: Comments or motions?

MR. LIMING: Motion to suspend.

MAYOR HILL: Motion to suspend by Liming. Second?

MR. SHEELY: Second.

MAYOR HILL: Second Sheely. 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.
Motion to adopt?

MR. CAMPBELL: So moved.

MR. BOND: Second.

MAYOR HILL: Moved by Campbell; second Bond. 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?

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MR. CAMPBELL: Yes.
MR. BLANK: Mr. Bond?
MR. BOND: Yes.

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

MAYOR HILL: 6, ayes; 0, nays. Motion carried to adopt. Ordinance 68-2022.

Is there any old business Council would like to discuss?
(NO RESPONSE FROM COUNCIL.)

Hearing none, new business Mr. Reider?

MR. REIDER: Yes, Mr. Mayor. I'd like to authorize a work authorization for CT Consultants dealing with the Village of Lordstown sanitary sewer district, Village's east side sanitary sewer. It's between the BPA and Council. BPA is going to pay half and we're going to pay half. That's the way it's drawn up.

MR. BLANK: Is this for the rates, Chris?

MR. REIDER: There's about seven different items.

MR. KOGELNIK: Sewer rate study. The one we did before was for water.

MR. BLANK: Right. Okay. Just wanted to make sure that gets in there.

MAYOR HILL: Comments or questions on the motion—

MR. BLANK: Do you have a dollar amount?

MAYOR HILL: What's the dollar amount?

MR. RADTKA: \$25,000.

MR. REIDER: \$12,500 each.

MR. BLANK: You always need that.

MAYOR HILL: Comments or questions on the motion Mr. Reider made? (NO RESPONSE FROM COUNCIL.)

Is there a second to that motion?

MR. SHEELY: Second.

MAYOR HILL: Second by Sheely. Comments or questions?

(NO RESPONSE FROM COUNCIL.)

All in favor?

COUNCIL: Aye.

MAYOR HILL: Opposed?

(NO RESPONSE FROM COUNCIL.)

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

Motion carried.

I believe if there's nothing else, Mr. Radtka is going to be calling for two executive sessions this evening.

CHIEF MILHOAN: Mayor, before you get to that, I have a question—and maybe I should have asked this earlier. And I don't know if it's a question for Mr. Dutton or Council as a whole. In reference to the permit Ordinance that you just passed tonight, does that go into effect immediately? The reason I'm asking is, as you know, we have issued permits for two of our businesses located within the Village that haul triples. One of them expires in April. The other one expires in August. Will this take effect now or not until their current permit expires or what's the procedure?

SOLICITOR DUTTON: If someone has a current permit, they do not—they're not required to seek a follow-up permit until it has expired.

CHIEF MILHOAN: Okay. I just wanted to make sure—

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SOLICITOR DUTTON: Six months or three months or—
CHIEF MILHOAN: That's fine.
SOLICITOR DUTTON: Does that answer your question?
CHIEF MILHOAN: Yes.
MAYOR HILL: Mr. Radtka, first executive session.
MR. RADTKA: For Mr. Dutton, we need to have two executive sessions.
Would you give us the proper description on how we should
—
SOLICITOR DUTTON: Which one.
MAYOR HILL: Open meetings first.
MR. RADTKA: Open meetings. We need to discuss for the Sunshine
lawsuit.
SOLICITOR DUTTON: That would be pending litigation.
MR. RADTKA: Correct.
SOLICITOR DUTTON: Number three, under the statute: "Conferences with an
attorney for the public body concerning disputes involving
the public body that are the subject of pending or imminent
court action"—we have a pending lawsuit.
MAYOR HILL: So, we can go to that—
SOLICITOR DUTTON: Why don't you read that, number three.
MR. RADTKA: I'd like to make a motion to go into executive sessions
inviting all of Council, Clerk, Solicitor, and Mayor, under
conferences with attorney for the public body concerning
disputes involving a public body that are the subject of a
pending or imminent court action for the Sunshine Law
violation that we have filed against us.
MAYOR HILL: Everybody heard the motion by Mr. Radtka. Is there a
second to that motion?
MR. LIMING: Second.
MAYOR HILL: Second by Liming. Comments or questions?
(NO RESPONSE FROM COUNCIL.)
Roll call, please.
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 for executive session number one. Mr.
Radtka?
MR. RADTKA: Yes. Mr. Dutton, also, motion on the second one, which that
falls under discussion with the remaining Council members
for the open seat—
SOLICITOR DUTTON: In 2017, I issued an opinion to Councilman Ron Radtka
when there was a vacancy. I think I recall it was John
Mansell. That opinion was rather extensive. It referred to
what the qualifications were for a replacement Council

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member. And on the second page, it says, "further, you should be advised that any meetings or hearings conducted to fill the vacancy would be open to the public subject to Ohio Attorney General's opinion number 80-083. This Attorney General's opinion provides that the legislative body,"— which is Council, not the Mayor, Council—"may convene in executive session only to discuss" but not to vote or to interview candidates selected or considered to replace Mr. Mansell. So, you can meet in executive session and no one other than the five Council members are there. Now, if you have a legal question, you can come out or contact me and ask me questions, but I'm not part of the executive session, nor is the Mayor. So, the answer is, yes, you may. I would refer to, for the transcript, the OAG Opinion No. 80—083 and the opinion rendered by the Solicitor on July 21, 2017. Everybody heard that motion Ron made.

MAYOR HILL:

MR. LIMING:

MAYOR HILL:

MR. RADTKA:

MAYOR HILL:

I'll second.

Ron made a motion; second by Lamar.

Also inviting the remaining Councilmen. Mr. Reider, you can stay out.

Comments or questions?

(NO RESPONSE FROM COUNCIL.)

Roll call, please.

MR. BLANK:

MR. RADTKA:

MR. BLANK:

MR. REIDER:

MAYOR HILL:

MR. BLANK:

MR. SHEELY:

MR. BLANK:

MR. BOND:

MR. BLANK:

MR. CAMPBELL:

MR. BLANK:

MR. LIMING:

Mr. Radtka?

Yes.

Mr. Reider?

Abstain.

He abstains.

Mr. Sheely?

Yes.

Mr. Bond?

Yes.

Mr. Campbell?

Yes.

Mr. Liming?

Yes.

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

MAYOR HILL:

5, ayes; 1, abstention. That executive session has been approved.

Is there any other new business which Council would like to address at this time?

(NO RESPONSE FROM COUNCIL.)

Are there any additional public remarks?

(NO RESPONSE.)

Only thing I will say is after the Council meeting, we are having a work session to discuss funding options for the Fire Department. Everybody is welcome to stay if they would like. That will be after the regular meeting adjourns. And we will having a work session with Council. Hearing none, we'll adjourn to executive session number one.

(WHEREAS, THE REGULAR MEETING BEFORE THE VILLAGE OF LORDSTOWN COUNCIL ADJOURNED INTO EXECUTIVE SESSION)

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MAYOR HILL: Motion to resume the regular Council meeting.
 MR. LIMING: So moved.
 MR. BOND: Second.
 MAYOR HILL: Moved by Liming; second 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.)

Are there any additional public remarks?
(NO RESPONSE.)

Motion to adjourn.
 MR. RADTKA: So moved.
 MR. SHEELY: Second.
 MAYOR HILL: Motion by Radtka; second 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.)

Meeting adjourned.

**(THE REGULAR COUNCIL MEETING ADJOURNED INTO A
WORK SESSION AT 7:18 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 from audio recording and by me transcribed. I further certify that the foregoing is a true and accurate transcript to the best of my abilities.

 Sharon K. Vigorito, Notary Public
 My commission Expires May 9, 2027