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**PROCEEDINGS**

**Lordstown Village Council Regular Meeting**

**(WHEREAS, the regular meeting before the Lordstown Village Council commenced on Monday, May 2, 2022, at 6:05 p.m. and proceedings were as follows:)**

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

MAYOR HILL:	Roll call, Bill.
MR. BLANK:	Mayor Hill?
MAYOR HILL:	Present.
MR. BLANK:	Mr. Bond?
MR. BOND:	Here.
MR. BLANK:	Mr. Liming?
MR. LIMING:	Here.
MR. BOND:	Mr. Radtka?
MR. RADTKA:	Present.
MR. BLANK:	Mr. Campbell?
MR. TERRY 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, Economic Development, Kellie Bordner?
MS. BORDNER:	Present.
MR. BLANK:	Parks, Buildings and Grounds, Street Commissioner, Ron Hickox?
MR. HICKOX:	Here.
MR. BLANK:	Recreation, Marty Gibson?
	(NO RESPONSE — ABSENT.)
	Board of Public Affairs?
MR. KEVIN CAMPBELL:	Here.
MR. BLANK:	Municipal Engineer Chris Kogelnik?
MR. KOGELNIK:	Present.
MAYOR HILL:	I'll entertain a motion for adoption of the agenda.
MR. LIMING:	So moved.
MR. BOND:	Second.
MAYOR HILL:	Moved by Liming; 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.

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

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

Motion carried.  
Mayor's report. I just have a couple things. I'd like to remind everybody, if they haven't voted, tomorrow is election day. Exercise your right to vote.  
Also, I was in Lorain, Ohio, today. If you've seen some publicity about the Lordstown/Lorain Naval Depo. They haven't submitted any plans to the Village of Lordstown yet, but it looks like they are getting close. I think once they actually get approval—if they get approval—it's not there yet but we're real close. I believe that all the information will be forthcoming. Like I said, the Village has not received anything on this project yet. But the local—or international AFLCIO and a lot of people are pushing for this project. At one time, there were 11 shipyards in the U.S.; there are now four. They have a lot of the equipment which has been dry docked for repairs. Normally, it would take six to nine months. They have some of them that have been there for a couple years, and they haven't even been touched yet. So, there is a need for a facility. And if we play into it, we will be a maintenance hub where things will be sent to us for repair and then back to the ships.  
Also, I have the one appointment for the Fire Department I'll ask 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?  
MR. KEVIN CAMPBELL: No report, Mayor.  
MAYOR HILL: Village Engineer's report?  
MR. KOGELNIK: Yes, I have a few things I wanted to go over. I'll get to this map in a moment, here. We opened up bids last Thursday for the last phase of the site restoration around the water booster station on State Route 45. Three bids were received in the range of \$295,000 to \$320,000. The Engineer's estimate was \$300,000. So, you got some competitive pricing on that. We'll do our bid review and evaluation and get that over to you.  
Regarding Li-Cycle. I've been working with Kellie. We haven't done anything the past couple weeks, Mayor. I need your authorization to resume work. All right. So, they have

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called and have several technical questions for me. I gave them what I could without incurring any, you know, chargeable time on that. So, all productive discussions thus far, and I don't see any slow up of what they want to do based on the questions that they've asked of me. So, that's going on.

And then regarding the BPA, we have a sewer rate study that we have sent a proposal in to the BPA for and we are going to be submitting a proposal for the new Hallock-Young waterline that goes from State Route 45 back to Ellsworth-Bailey Road. So, that's coming up.

The map you have in front of you is a north/south view of all of your principal arterials. These are otherwise known as your federal aid routes. The purpose of giving you this map is to give you some visual of what you're responsible for from a large arterial system. And I've reviewed this map with Ron before tonight's meeting just so that we both can basically pitch this to you as the beginning of a plan. And Mayor knows this. On your principal arterial streets, these are streets that ODOT and Eastgate look out long range for your streets because they understand you're going to be coming and looking for funding someday to resurface them. And they have a useful life, seven to ten years, typically.

And, so, it's not out of the ordinary for these roads to be placed on what is called a TIP, Transportation Improvement Plan. And the purpose is so that ODOT can align its funding and not get caught by surprise in seven to ten years.

Several of the streets that are highlighted in yellow—and I say "several," not all—several of those are principal arterials that are eligible for STBG funding through the state, 80 percent, which is great. And then, typically, the communities will seek the remaining 20 percent from OPWC and, therefore, get your primary arterials completely resurfaced out of pocket, which is a wonderful thing.

Now, everything else that isn't resurfacing, that is, for example, culverts, deep repairs and restoration on your roads, that is the local's responsibility to pay for. And, so, therefore, it's incumbent upon the locals to do their own investigation before these programs roll out, and you can make application for them because you'd want to get it all done at the same time.

The other thing is, if you can foresee that your principal arterials, or your federal aid routes, are going to be paid for, that frees up your other money for your other local roads that you have to pay for. And, traditionally, some of our communities go after OPWC funding for those smaller roads. Of course, you know, you can't ask for the sun, the moon and the stars in terms of dollars and cents when you go for these smaller, local roads because they don't have the average daily traffic volumes. They don't have the impacts of safety, etcetera, that State Route 45 and Ellsworth—Bailey, etcetera, will have. And, so, you only are eligible really competitively for a smaller amount. But it's good that you can get something from a local standpoint.

So, later on this August, as I stated, OPWC's applications for pre-app will roll out. Before then, you'll call Eastgate's Jeff

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Gollner and you'll request traffic counts be done so that you can understand your ADT's that you could publish in your pre-application. We can help you do that or Kellie can do that, whomever.

So, when you do these road programs, we look at the principal arterials. We also look at the smaller local roads so that we can understand comprehensively what you might need. But, before even that happens, you have understand, okay, well, what is the road program going to be year to year? Is it going to be two streets? Is it going to be three streets, etc.?

And what you need to do is you need to give Ron some information about what he needs to be looking out for for criteria for a road program. For example, pavement condition, culvert condition, anything like that that is going to result in an expenditure on a project so that he can put together a road program for this. If you don't do that, expect the same old, same old and that's just reactionary work.

So, if you can get in front of this far enough by a couple years, eventually, you can get some projects rolled into an OPWC application and get some of this paid for is what I'm trying to suggest to you. And, furthermore, you can basically ensure yourself that some of these roads are going to get improved rather than let them go too far like a couple of them, like, Hallock-Young Road between 45 and Ellsworth-Bailey. It's literally unraveling.

So, I just wanted to give you this insight. It's a visual. But my plea to you is to give Ron the information he needs so that he can do something within a timely manner. That's it. Question. What's the different color code?

MR. LIMING:

MR. KOGELNIK:

The yellow is—actually, I missed something. I apologize. The yellow are the roads that are projected to be paved here pretty soon with the discussion of Ron Hickox. Now, we have talked about—and I apologize. I went over this. I just kind of wanted to get through this real quick. For example, Salt Springs Road from State Route 45 and east to your corporate boundary line, this is on the TIP right now—Transportation Improvement Plan—and we have applied. We've nominated this project for STBG funding to Eastgate for 80 percent, which is step number one, right? We've also understood that, just recently in an email last week?

MR. HICKOX:

MR. KOGELNIK:

Yep.

This section of Ellsworth-Bailey from Salt Springs Road heading north to Palmyra is also on the TIP. So, the Mayor and Ron were wondering, well, okay, wait a second. We just nominated our projects on STBG. Is this putting the cart before the horse? I don't believe so because these projects are on the Transportation Improvements Plan. Tomorrow morning at 9 a.m. I have a discussion with Steven Zubyk. He's our administrator for STBG funding. And after I get done with that conversation with Steve, I'll have enough information after talking with Ron to submit to the Village a proposal for the engineering services to resurface Salt Springs Road and this section at least on Ellsworth-Bailey Road.

The other smaller yellow highlighted segments that you see

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there in the Village are sections that I've reviewed with Ron that he feels they're needing to be resurfaced. So, for example, this is a really good one, Hewitt-Gifford Road between the western corporate boundary line—and what's that intersection?

MR. HICKOX: South Leavitt.

MR. KOGELNIK: South Leavitt Road. On this stretch, you're sharing the local cost potentially up to a point with the neighboring township to the north, and then you're going to request OPWC funding for the remainder. That's a good project, multi-jurisdictional.

MR. HICKOX: The other section of Hewitt-Gifford Road, that one—

MR. KOGELNIK: That also borders with Warren Township.

MR. HICKOX: You would share cost there? Okay, so both sections are good from a standpoint of funding, at least they have the criteria to be.

MR. KOGELNIK: Now, Lyntz Road and Henn Parkway, these were both projects named in the 2016 RUMA agreement when we did the LEC project. You have 180—some thousand?

MR. HICKOX: \$130,000—some.

MR. KOGELNIK: \$130,000 to put towards these projects. That's good money to leverage OPWC funds. So, at minimum, I would hope that the Village uses those funds sooner rather than later on pre-apps to OPWC. Now, the other section yellow that is going right in front of the old Lordstown Motor Plant, that's work that is already programmed. So this does not show your local streets but you get the picture now.

MR. LIMING: All right. What's the other color coding?

MR. BOND: The red.

MR. LIMING: You have red, purple and green.

MR. KOGELNIK: Okay. So, red is a principal arterial. And, I think, purple is just arterial. If you go onto Eastgate, you'll see the symbol there for Eastgate in the upper, left—hand corner.

MR. LIMING: Yeah, okay.

MR. KOGELNIK: If you go onto Eastgate's website, they have interactive maps for functional class roads. Every community that knows anything about funding knows to go to those maps and find out what they're responsible for and what they're not.

MR. HICKOX: And those are federal funds that pertain to the color coded map.

MR. TERRY CAMPBELL: Lamar, at the last Finance meeting we had Ron there. We discussed some issues in reference to roads for this year and funding we could maybe try to get.

MR. LIMING: Thank you.

MAYOR HILL: I'd like to elaborate just a little bit on what Chris said about Li—Cycle. You know, we haven't received really any plans; am I correct, Kellie?

MS. BORDNER: Preliminary.

MAYOR HILL: Preliminary. But, you know, I told them I said, you know, everything we end up doing is a day late and a dollar short. I know in the past there's been questions like are the fees reimbursable or not? Who authorized it. So, when Chris asked for me to say, you know, can he continue forward with that. If Kellie is receiving information about that project, you know, I told him to just kind of hold off a little bit until we had a little bit better feel for what the project was. And



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that's why I let him go forward right now. We can't have him performing a lot of work and wondering who is going to be paying for it. So, I just wanted clarification.

Any other questions for Chris?

(NO RESPONSE FROM COUNCIL.)

Hearing none, special reports. Police Chief Milhoan?

CHIEF MILHOAN:

Yes, Mr. Mayor. I've submitted my monthly report for April. Answer any questions if you have any.

The other two items I have—some of you may or may not remember, several years ago we were able to obtain a grant for a prescription drug box that was placed in the lobby at the Police Department. The purpose of the drug box was to have residents or non—residents place unwanted or expired prescriptions into the box and then they would be disposed of properly instead of flushing them down the toilet or what have you.

Unfortunately, we have run into a problem disposing of them properly. In the past, we used to get a destruction order from the court and we would take the boxes of drugs, pills over to the old RMI plant and they would put them in the blast furnace and burn them. They can no longer accept those because of the amount of plastic with the bottles. And it's too time-consuming to try to separate the pills from the bottles. But the other reason is—and probably the main reason—is, unfortunately, even though the box is clearly marked, we consistently get items in the box that we're not supposed to get, liquids, Sharps, things like that. And, unfortunately, when people throw liquids in there, they break and then, as you can imagine, it causes quite a mess. So, we've actually taken the box out of service. I contacted the company that we received the grant from several years ago to see if they wanted the box back. They do not. They suggested I try to find an agency that would accept the box. I haven't been able to find one. But I just wanted to update you on that. We won't be able to provide that service anymore to our residents or nonresidents.

The other thing, last thing I had, is I wanted to update all of you on the status of our last two police cruisers. Hall Public Safety was here two days last week and again today upfitting the last two cars that we have, the unmarked car and then the marked car. I'm going to say probably tomorrow they should be done. And once those are done, we'll take them over to Rhino in Canfield, have them sprayed and they'll be in service. So, I just wanted to update you on that.

As you know, we ordered another car. They took our order, but I haven't heard any results of that order yet. That's all I have, Mayor.

MAYOR HILL:

Any questions for Brent?

(NO RESPONSE FROM COUNCIL.)

Fire Chief Eastham?

CHIEF EASTHAM:

Yes, Mr. Mayor. To let you know where we're at on the Spectrum deal, they started wiring the buildings today. They did the Police Department and Fire Department today.

Tomorrow they're scheduled to come to the Roads and Water and possibly the Parks if they have time. Hopefully be into the Admin Building sometime on Wednesday. So, they are

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moving along.

MAYOR HILL: We are following them around pulling out old wiring, correct?

CHIEF EASTHAM: We are not as of right now because the way they explained it to us is they have to install everything and then do a cut—over all at once or we wouldn't have phone or Internet until they did the switch. So, we have to run on the old next to the new and then we'll be able to take out the old. They have to do a one—time cut at one time and switch.

MAYOR HILL: Okay. Any questions for Travis?  
(NO RESPONSE FROM COUNCIL.)  
Planning and Zoning Administrator and Director of Economic Development, Kellie?

MS. BORDNER: Yes, Mayor. I have two things. First of all, it has come to our attention that several comments have been made on Facebook, and the Planning and Zoning Office has received some calls about minutes being placed on the website for Council, Planning Commission, Board of Zoning Appeals and Board of Public Affairs. I wanted to explain again that—on the record—that any minutes for any and all of those Boards must be approved before they can be posted to the website. Minutes are reviewed for approval at the next scheduled meeting which takes place, and approval of minutes is always an item on the agenda, so it does not get skipped or overlooked. If there is no meeting, then there can be no approval of minutes. If the minutes are not yet prepared for Council or a particular Board to review, then they cannot be approved. So we just wanted to let everyone know again that once the minutes are approved and the Planning and Zoning Office has been notified of that, the minutes are posted to the website within 48 hours.

Number two, we have been in communication with TJX officials regarding the relocated Hallock-Young roadway. Now that there is some fairer weather and the supply chain and manpower issues are somewhat resolving, we've been advised by TJX officials that they are scheduling to begin the repairs and work necessary to complete the relocated Hallock-Young Road this week. They've advised us that Independence Excavating will be conducting the work. And that TJX will seek a final review from our engineer and appropriate Village department heads once finished. Then TJX will move forward with submitting their final paperwork to come to Planning Commission for a street dedication and acceptance.

MAYOR HILL: Yes, Paul?

SOLICITOR DUTTON: We've discussed the on—site inspection when the paving takes place or the foundation is placed there and compacted. I don't know if we have anyone in the Street Department that we could free up who is knowledgeable of the mixes and compaction and the depth of pavement asphalt. And, if there is, it would be a good idea to send that person out periodically while the pavement is being laid to actually measure it and actually confirm it. Because once this is done and it's approved, they're on their way. We'll never see them again.

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MR. HICKOX: We have no one certified in the Street Department at this time. I don't believe they're—is that in regards to TJX? They're not doing any paving that I'm aware of.

SOLICITOR DUTTON: They're not?

MR. HICKOX: No. They're replacing some culverts—

MAYOR HILL: They're replacing some culverts and things like that.

MR. HICKOX: They did stage equipment today. I have that in my report, but it's a good time to bring it up. So, they are—

SOLICITOR DUTTON: Because there was discussion that the pavement is—

MR. LIMING: Then it was patched.

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

MR. HICKOX: Thank you, Mayor. As I mentioned, TJX is staging equipment over on Hallock-Young Road, and I expect them to be working on it this week.  
Our road crews have been working on berming, rebuilding and repairing in various locations, and today we started roadside mowing.  
The Parks Department has been rebuilding benches throughout the park that winter was not kind to. And we've been on the walking trail and a few other places. Making good progress on those.  
We have the merry-go-round from the parks out now and it has to be rewelded and repaired, and we'll put it back as soon as we can. Also, in the parks, we're mowing and getting ready for Memorial Day, which will be here before we know it. That's all I have.

MAYOR HILL: Any questions for Ron?

MR. SULLIVAN: Arno, what's going on with the pond?

MR. TERRY CAMPBELL: I'm going to bring that up in a minute.

MR. SULLIVAN: Okay.

MAYOR HILL: Terry will bring it up under his report.  
Ron and I have had a lot of discussion. In the past, we did have several employees certified in different jobs, such as following the pavers when in town to make sure that the right temperatures and depths and everything were done. And the last couple years because of Covid and everything else, all the classes where our employees used to go to have not been held. So, right now Ron is waiting to see if some of those classes—once the classes are held, it is our intent to send employees to those classes to get them knowledgeable. So that way when pavers do come into the Village, we can follow them around and make sure they're doing what they're supposed to do. But the classes haven't been held for a couple years. Ron's following them periodically to try to find out when those classes are. That's not just paving, that could be pesticides. There's a lot of specialty classes which are held which we have had our employees in the past certified so we could use them. But due to Covid and everything else, those classes have not been held.

MR. HICKOX: And as far as the paving certification, I would not expect anyone would be able to get through anything this year. As slow as it's getting going again and as many classes as they



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have to take, about this time next year at best for someone to be certified.

MAYOR HILL: Questions for Ron?

MR. RADTKA: Ron, have we heard anything about the information on the roof coming back in yet?

MR. HICKOX: I was going to call that gentleman today. He was out and inspected it. He was to get us some prices for both, for replacing what is here and to put a truss roof on. He was out last Friday and I haven't gotten his report back yet. Dan Brecker—was that his name, Arno?

MAYOR HILL: Yeah.

MR. BLANK: Do we have any correspondence this evening?

MAYOR HILL: No correspondence, Mayor.

MR. McNINCH: Public remarks. If you'd like to make a public remark, after I acknowledge you, stand up and give your name and address so we can get it recorded in the minutes correctly. Yes, sir? Mike McNinch, Chief Engineer, Mahoning Valley Sanitary District, 213 Edna Street, Poland, Ohio. I have a handout for everyone. I'm sure everyone is aware, TEC is high in everybody's thought process right now. There's some mention of Warren and also MVSD providing water. I wanted to at least get the high points of MVSD's perspective and give everyone an idea of what we think and why MVSD is the best source of water for TEC, Lordstown and the entire region going forward. If I may?

MAYOR HILL: Yes.

MR. McNINCH: I hope everyone knows a lot of these facts already, but I'm going to hit on them. Mahoning Valley Sanitary District is comprised of the Meander Reservoir and a water treatment plant. The water treatment plant is a Class IV licensed EPA water facility. We have a turn capacity of 60 million gallons of water a day. Our current production averages 25 million gallons a day. We have the potential to serve plus 35 million gallons a day.

We are in a constant state of improvement. We always are trying to improve efficiency, production and quality. We've invested over \$30 million in the past ten years in the treatment processes. MVSD would like to be a key player in providing water to TEC. We have developed a funding mechanism. We have it in place. I met with Mayor Tito Brown and Mayor Steve Mientkiewicz last week. Ran this scenario by them. They are very supportive at this point. They are reviewing it, but they were okay when I presented the idea of me coming and speaking to you tonight.

The source would be MVSD. The transmission line would be a brand new 24-inch water main. For those of you that are not aware, there's an existing 24-inch water main that comes out the north gate of MVSD down Salt Springs Road and ends up, basically, at the water towers.

The new one would follow almost the exact same line parallel and be interconnected at different points to ensure redundancy on the off chance there was a mechanical malfunction, a water break. You'd be able to switch through the interconnections from either line. That's a safety feature that you do not currently have.

The new line, as part of your master utility plan, would

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actually replace one of the old 10-inch lines that is a feed from Niles that you currently pay to maintain. This new line, MVSD would pay to maintain. It would become MVSD's property to the termination point. The new water line would follow, as I said, along the—to the right-of-way of Salt Springs Road and then down 45 to whatever the termination point is close to the new water tower. For the timeline, worst case scenario would be 30 months from today. We have already gone out for requests for proposals from different engineering firms. We've received four of them. We're scoring them and grading them right now. Once we have that, we're going to enter into negotiations to start the actual design of this water line.

Regarding the water quality, the water is the same source and quality as what you are getting now for all of your potable water. I believe we service the entire Village; if I'm not mistaken.

MAYOR HILL:

Everything except for a couple people who are on the Warren line, which was originally run for General Motors.

MR. McNINCH:

Okay. Thank you for that. The one key piece of that is that with this new line, it would be able to commingle or be mixed with all of your other existing water sources. You can tie it in at whatever point would fit best with your master utility plan. You would be able to shut off in the event your maintenance department has issues, and you had to isolate part of your internal system. Because if there's a water break, you could backfeed around—work around without having to notify the EPA that you're changing the water source. I believe that's a very critical issue for your day-to-day operations.

On the financial side, Lordstown already has existing water agreements with the City of Niles. I believe Lordstown and Niles have a pretty good working relationship at this line because it would be—and I don't want to speak for Niles or Mayor Mientkiewicz—but I believe because you would be replacing an existing line, this rate would be comparable to the line it is replacing.

Another key issue is that if MVSD became the supplier to TEC, Lordstown would benefit from the economy of scale. Because MVSD is producing more water, we could produce it more affordably. That would drive down the cost for all of your existing water services and your water contract through Niles. And then the reason I'm here is because it benefits the entire region.

I mentioned that once the new line is in place, the 10-inch line can be decommissioned. That would save on maintenance costs. I don't know what the life expectancy of that water line is but my understanding is it's approaching the end of its life cycle. The 24-inch line would be maintained by MVSD. If you consider using Warren's water as a potential other source, as I touched on, you cannot commingle that. If you wanted to extend that line from Warren to some other region of the Village, you would have to then run two completely separate water systems, doubling your costs. Who's going to pay for that additional water pipe to get to the west side of the Village?

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The 24-inch line is already, I believe, incorporated into the future in your master utility plan. One key aspect of that is by getting this additional water source here, you would have the ability to expand further west. I know there's talk of a JEDD on Bailey Road. There's considerations as to whether that water line would have to come from Mahoning County or whether from Lordstown or how you would meet in the middle. Another key aspect of that is it is the same water. If there was an interconnection pit there and you wish to feed to either Mahoning County in the event they had an emergency, or for whatever reason you wish to feed from Mahoning County coming north on Bailey Road, it's the exact same water. Again, you do not have to go through any of the regulatory requirements beyond the notification, but it is the exact same water.

How am I for time? I was told I only had five minutes.

MAYOR HILL: I'm sure you got their attention, so we'll give you a little bit of time.

MR. McNINCH: Okay. Thank you for that. Again, the key reason I am here is to state MVSD's position. Youngstown, Niles, the two member cities, are very supportive of everything Lordstown does. We want to be a part of this going forward. We view this as the future for the region. I don't know if I'm allowed to take questions, a brief question—and—answer period?

MAYOR HILL: Nobody has a problem with questions, do they? Paul?

SOLICITOR DUTTON: I'm sure that everything you said here is accurate and thank you for your input—I thank you for your input. I have a couple questions. Have you shared this proposal with the developer of TEC?

MR. McNINCH: We have been in contact with—and I believe you're referring to Bill Siderewicz?

SOLICITOR DUTTON: Yes.

MR. McNINCH: Yes. We have been in contact with him and let him know our intentions. He said that he would get back in touch with us next time that he's able to and to try to meet with us.

SOLICITOR DUTTON: Okay. And I'm sure you're aware that we now have —— I have and Mr. Kevin Campbell and Ron Radtka have proposed agreements with TEC for Warren water and a supply agreement with Warren that we're looking at. So my next question is, if for some reason TEC is not interested in MVSD water and wants to remain with Warren as a source of water, is MVSD still proposing to build a 24—inch line to Lordstown?

MR. McNINCH: We would have to do the calculations. The way MVSD is able to propose to do this is that through the sale of water, we would eventually recoup the construction costs. If TEC has a fixed volume of water, it's relatively easy to calculate what that demand would be over a year and what your profit, chemical costs, what everything is that is wrapped up in that. Without that firm piece of the puzzle, everybody would have to work together to try to come up and say Lordstown believes we are going to have this volume demand for whatever this extent of time is. Now is it financially feasible for that infrastructure commitment from MVSD?

SOLICITOR DUTTON: So it's dependent upon whether TEC would buy water from MVSD? Is that fair to say?

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MR. McNINCH: Having TEC fills in that missing—  
SOLICITOR DUTTON: It's 5.8 million gallons a day.  
MR. McNINCH: Yes.  
SOLICITOR DUTTON: So, without TEC, again, will MVSD still be able to run a line here without Lordstown finding another golden goose to buy the water?

MR. McNINCH: To be fair, I cannot answer that. I'll be honest with you. I know there is potential development. Mayor Hill spoke of the shipyard, whether that is definite, whatever water demands they would need. There's talk of a recycling plant, whatever demands that would be. Whatever the projected usage would be on Bailey Road. If you—and again, I know some of that is confidential at this time. If you were able to produce those numbers, then we can do some projections.

MR. BOND: May I ask a question?  
MR. McNINCH: Yes.  
MR. BOND: I was reading an email that said that the new 24-inch water line you're proposing that you would handle O&M on that and that MVSD would also provide the O&M on the existing 24—inch water line; is that correct?

MR. McNINCH: That is one discussion that we have had. If Lordstown was willing to—and that's at the very end of that presentation I had that we needed to come up with a meeting to try to come up with—I believe your maintenance department has a hard time dealing with pipes that large. I don't want to speak for Darren but it's hard to obtain 24-inch pipe. It's hard to obtain 24-inch fittings. If, as part of the agreement, Lordstown was willing to seek ownership of that, then MVSD would accept it and then take over the O&M. It would be easier from our part also because we would have control over both pipes, interconnections, we could do maintenance as we needed in coordination with Darren and Lordstown. But it makes it easier if you have the whole trunk line out here as a whole.

MR. BOND: Thank you.  
MAYOR HILL: Bob, you are right. When this thought had originally come forward—and that's when Jim Jones was there. He had said they would consider taking over that because they have all the equipment to flex the valves. They would be willing to work with us if that's the route the Village wanted to go. So that's a good question.

MR. BOND: Well, I think it's something that has a bearing on it. No doubt that 24-inch line is still a relatively new line but eventually, as anything else, it will need maintenance.

MR. McNINCH: If I could comment real quick. We have very similar situations. We have a storage reservoir on the west side of Youngstown. We have a stand pipe on Stevens Park in Niles. MVSD controls the water lines to those two points. So we duplicated them. That's the scenario. There is a mechanism in place, we believe.

MR. LIMING: This water line will be totally funded by MVSD?  
MR. McNINCH: Correct. There would be no up front cost to Lordstown. MVSD, as everyone knows, is a non-profit public utility. So the idea is we can look at 30-, 40-year returns to break even. We're not trying to make a profit. We're trying to break even for the region.

MR. KOGELNIK: I'm sorry. Go ahead and finish your statement.

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MR. McNINCH: The other key point is by—and I mentioned this—by increasing our production, we actually, through economy of scale, lower our cost for the entire region. We go from Pennsylvania to Portage County. We go from south Boardman all the way up to the airport. Because the extent whatever we're able to hopefully make work with Lordstown affects that large of an area, almost a quarter million people.

MAYOR HILL: We would probably be 20 percent of your volume?

MR. McNINCH: Just around. Youngstown is approximately 18 million a day. Niles is approximately six million and McDonald makes up a small piece.

MAYOR HILL: We would be probably more than Niles. We'd probably be the second largest customer.

MR. McNINCH: Potentially, yes.

MAYOR HILL: Probably 20 to 30 percent of the total volume.

MR. McNINCH: If we went from—rounding numbers—from 24 to 30, that would be one fifth. So, yes, it could be 20 percent of total usage.

MR. KOGELNIK: The 5.8 figure that has been mentioned by TEC is a peak. We all know that that is just on hot summer days, if that. So the average daily flow is likely to be similar to LEC's average daily flow.

The other thing that I think Council should be reminded about and we have discussed with the BPA is that the LEC agreement allowed for the Village to receive up to \$315,000 from LEC at the end of the fifth year anniversary. It's in the sixth year for the replacement of the seven valves along the old 24-inch water line. In the event of a scenario by MVSD to bring in a duplicate 24-inch water line right next to it would be very convenient to utilize that money for those valves. Those valves are getting more expensive by the day. I'm sure Mike will tell you.

MR. McNINCH: Two issues. One is cost, the other is delivery time. The delivery time on a lot of the larger equipment is stretching out. You put an order in, they'll tell you it's four to six weeks. Six weeks go by and then it's three or four more weeks. And then you might get it a month after that. So, MVSD has the ability. We do stockpile all the larger pieces of equipment for everyday repairs and for emergencies.

SOLICITOR DUTTON: Is it your assumption that you're here tonight making this presentation that the Village can dictate to a user—in this case, a developer—which source of water they have to use? In other words, that if you build the line, we can dictate that TEC has to use Meander water or otherwise go home?

MR. McNINCH: It is my understanding, because you're an incorporated village, any utilities have to go through the BPA and Council. I may be mistaken on that.

SOLICITOR DUTTON: We can say that. What I'm saying is are they compelled to do that? Don't they have legs that they can say, "no, this is not a good deal. We don't want to wait that long. We need an agreement yesterday, not today, to complete our financing"? This is what I'm hearing and I'm just repeating it.

MR. McNINCH: Those are all very good questions. At the end of the day, money talks. Whoever is building that electric plant has much more financial reserves than all of us put together. That's reality. If they come to you and say that's the way it's



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going to be, that's a decision you would have to make. But you do not—my understanding. I defer to the lawyer in the room—that if the Village says you're going to use whatever water source we decide, then they either go without water source or they go elsewhere.

SOLICITOR DUTTON: Yes. That's an accurate statement.

MR. McNINCH: And then one other question you pointed out and I tried to touch on that, we believe, worst case scenario, 30 months from now we could have a water line here without any problems. And I intentionally drove the long way around and looked at the job site. They don't even have a shovel on site. How long is it going to take for that plant from the day they start?

SOLICITOR DUTTON: Since I'm responsible for developing—I hate to prolong this, but since I'm—there's a chicken and the egg syndrome. So you could start tomorrow on this 30—month time clock. Are you going to start before you have an agreement with TEC?

MR. McNINCH: We have no agreement with TEC.

SOLICITOR DUTTON: Right. But are you going to start? Are you going to complete the line?

MR. McNINCH: We have already started. We have gotten the request for proposals from engineering. We're going to start negotiations with the firm that we select within two weeks. We're going to come up with a hard price of what the design and engineering costs might be.

SOLICITOR DUTTON: Before you let out bids, before you're contractually obligated, do you need to include the end game and that is to have some agreement with TEC?

MR. McNINCH: Again, we do not negotiate with TEC. MVSD would come up with an agreement with Lordstown and with Niles being a key player in that. So, Niles, Lordstown, MVSD come together. We come up with a win—win scenario for everyone. We come up with a rate structure that makes sense. We come up with—

SOLICITOR DUTTON: We would have to have an agreement to supply Meander water to TEC. That's the agreement I'm talking about. They would have to accept your water contractually well before the 30 months is up for you to have a customer and justify that kind of expenditure, correct?

MR. McNINCH: Correct. Yes, in those terms, yes. But I want to make sure that agreement is not with TEC and MVSD—

SOLICITOR DUTTON: No. You would be our supplier and they would be our customer.

MR. McNINCH: It's Lordstown and Niles. We would all get in a room together. I'm giving you the physical how and why and the when and where.

MAYOR HILL: He's letting us know what he's willing to—

SOLICITOR DUTTON: I know.

MAYOR HILL: —offer.

MR. BOND: And we have our own water district, so I thought we could choose who we contracted with.

SOLICITOR DUTTON: Oh, we can. And, frankly, we need to do what's in the best interest of Lordstown.

MR. BOND: Right.

SOLICITOR DUTTON: But we can't control other parties. We can just incentivize it but we can't control them.

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MR. KEVIN CAMPBELL: I have one quick question. Were there any plans for storage in expansion or is it just a line, like a tank?

MR. McNINCH: This proposal gets the water here. I believe the master plan has provisions for a four-million-gallon elevated tank.

MR. KOGELNIK: Correct.

MR. KEVIN CAMPBELL: But that is not part of this proposal or project—

MR. McNINCH: Correct. If—and, again, there's a lot of "ifs." So thank you for bringing that up, actually. If that is something that needs to be addressed, that is something that we sit down to run the numbers and we figure out, again, a win-win. There is a win—win way where everybody benefits; Lordstown benefits; the existing customers of Lordstown benefit. Niles is able to still maintain whatever agreement they have with you. And MVSD benefits because now all our capital improvement costs are shared over a wider area. When I say, "win-win," that is what I envision. But the tower is a key part of that part and I think that does need to be addressed. Thank you. We can talk about that hopefully when we all meet again.

MAYOR HILL: Anybody have any questions for Mike?

COURT REPORTER: Sir, can you spell your last name for me, please.

MR. McNINCH: M—c—N—i—n—c—h.

COURT REPORTER: Thank you.

MAYOR HILL: Well, Mike, I appreciate your presentation.

MR. McNINCH: Five minutes.

(Laughter.)

MAYOR HILL: Hey, nobody complained so we got away with it this time.

MR. McNINCH: Thanks for your time, everyone.

MAYOR HILL: Are there any other public remarks?

(NO RESPONSE.)

Hearing none, Council remarks?

(NO RESPONSE FROM COUNCIL.)

Hearing none committee reports. Finance, Mr. Radtka?

MR. RADTKA: The only thing I have is our next scheduled meeting is on the 9th at 1:00. I'd like to have support for this Resolution today. That is it.

MAYOR HILL: Questions for Ron?

(NO RESPONSE FROM COUNCIL.)

Parks, Buildings, Grounds, General Improvements, Streets and Sidewalks, Mr. Campbell?

MR. TERRY CAMPBELL: Yes, at the Finance meeting the other day, we kind of, like I said earlier, we talked to Ron about road paving and some grants that he could write for and so forth. He's looking into it.

The other thing is, everybody knows, that the pond has been drained. I'm going to let him explain the problems and what the costs would be to have somebody else clean it out. But, he can also explain to you that he has the dirt and everything back at the cemetery to do it. Go ahead, Ron.

MR. HICKOX: Okay. Thanks, Terry. What we have now that—first of all, the overflow failed on the pond is how it came to be drained. As everyone can see now that it is drained, it wasn't much of a pond. It's only 16, 18 inches of water. To dig the bottom of it out to get it to where it's a four-foot pond— and we do not have the ability to do that—we would have to contract that out, and we are probably now in the neighborhood of

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\$15,000 to \$20,000 to do that. That just gets it to where it can be filled with water again.

Then there's the issue of the aeration unit that used to be on it that would have to be rewired and another aeration unit bought. I do not have prices on any of that. I just know that it's in the thousands.

Last year when we had the Soil and Water Conservation District out, they gave us a price on putting chemicals to treat this pond to keep it clear of the algae and seaweed and everything that overtook this one. The cost on some of those chemicals were \$5,000 a quart, and we would need about six quarts a year for a pond that size.

If we wish to fill it in, the Street Department could rent some equipment to help out with that process. We would be in the neighborhood of \$10,000 to \$12,000 in rental. We would take the fill dirt that we have behind the cemetery now plus the grindings that we have behind the Road Department. We would build a road to go out to 45, go behind the cemetery, come back in, cross the creek and come back in and start filling the pond in. We can do most of that in-house. The length of time it pulls off other things would be the question that would come up. That could easily take two months to do this in—house.

MR. TERRY CAMPBELL: I don't know how the rest of Council feels but at Finance we just decided that since the state was already here and gave us a fine and told us what we need to do to keep that pond active, it's not worth putting the money in. So that's why we suggested that Mr. Hickox just take his time and get it filled in and be done with it.

MAYOR HILL: Are you looking for input from Council, Terry?

MAYOR HILL: Yeah. Does anybody else have any—all of us at the Finance meeting agreed to do this. I'm just asking—

MR. LIMING: I'm fine with it.

MR. TERRY CAMPBELL: —if that's okay with the rest of you.

MR. BOND: I don't have a problem with it. What do you mean the state fined us?

MR. TERRY CAMPBELL: They came out—

MR. HICKOX: That wasn't the state, Terry. It was the Trumbull Soil and Water Conservation—

MR. BOND: They told you—there wasn't a fine like a criminal case.

MR. HICKOX: —they told us how to treat it—

MR. BOND: I got you now.

MAYOR HILL: I think Terry is looking for some sort of direction so that way Ron has some idea, you know, there's people out there that like the pond. There's people out there that don't like the pond. There's pros and cons. Big thing is how much it's going to cost us to keep this thing going for the next how many years. So, I guess if Council could make a decision. There wouldn't be an Ordinance that would have to be brought in for this other than to probably rent equipment or if you decide you want to keep the pond, you'd have to bring in something for the chemicals for the maintenance and everything. So we can just come down the line.

MR. BOND: My question is, and I've got one, it looks like an awful lot of mucky stuff.

MR. HICKOX: Yep.

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MR. BOND: Do you have to get that out of there to fill it?  
MR. HICKOX: No, we're going to try not to. We're going to try to use that as part of the fill. That's why I'm saying it could take a couple months.  
MR. SHEELY: It's going to have to dry out.  
MR. HICKOX: We are not going to be making a parking lot on top of that anytime in our foreseeable future. At best we'll get to where we can mow over it in about two years.  
MR. BOND: That was what I was wondering. If you don't remove that and just throwing dirt on top of it, it's going to keep sinking and coming up.  
MR. TERRY CAMPBELL: I'll make a motion that Mr. Hickox take his time and get that job done eventually. It ain't going to be overnight. Rather than us put money in it because now we don't have the Rec. Program. We don't have kids here. So I just think it's time to take care of it.  
MR. HICKOX: Take our time and fill it in?  
MR. TERRY CAMPBELL: Yes.  
MR. SHEELY: I'd just as soon keep it.  
MR. LIMING: I'll second that.  
MAYOR HILL: Motion by Terry to let Ron proceed in filling in the pond and doing it correctly and everything and a second by Liming.  
Any comments or questions on that motion?  
(NO RESPONSE FROM COUNCIL.)  
Hearing none, all in favor?  
COUNCIL: Aye.  
MAYOR HILL: Opposed?  
(NO RESPONSE FROM COUNCIL.)

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

Motion carried. You've got your direction, Ron.  
MR. HICKOX: Thank you.  
MAYOR HILL: Terry, do you have anything else for your committee report?  
MR. TERRY CAMPBELL: No, that's it. Thank you.  
MAYOR HILL: Questions for Terry?  
(NO RESPONSE FROM COUNCIL.)  
Public Safety and Police, 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.  
MAYOR HILL: Questions for Bob?  
(NO RESPONSE FROM COUNCIL.)  
Public Utilities, Mr. Reider?  
MR. REIDER: No report.  
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, legislation.

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MR. BLANK: From Council as a Whole For Emergency Passage, A  
**RESOLUTION AUTHORIZING THE VILLAGE OF LORDSTOWN TO ACCEPT A \$1.5 MILLION 166 DIRECT LOAN FROM THE OHIO DEPARTMENT OF DEVELOPMENT TO BE USED FOR THE ULTIUM CELLS, LLC, WATER UTILITY INFRASTRUCTURE PROJECT AUTHORIZING THE MAYOR AND CLERK TO EXECUTE THE FORGIVABLE LOAN AGREEMENT WITH THE DIRECTOR OF DEVELOPMENT OF THE STATE OF OHIO AND DECLARING AN EMERGENCY.**

MAYOR HILL: Comments or motions?

MR. RADTKA: Motion to suspend.

MR. LIMING: Second.

MAYOR HILL: Motion to suspend by Radtka; second by Liming. Roll call, please.

MR. BLANK: Mr. Bond?

MR. BOND: Yes.

MR. BLANK: Mr. Campbell?

MR. TERRY 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. RADTKA: So moved.

MAYOR HILL: Moved by Radtka. Second?

MR. SHEELY: Second.

MAYOR HILL: Second by Sheely. 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. TERRY 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. Resolution 6-2022.



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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. Everybody got a request from Chief Eastham to hire Catlin Haddle as a firefighter/EMT. I'll entertain a motion.

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.

Mr. Radtka?

MR. RADTKA:

Yes. I'd like to make a motion to expend up to \$400 for the Memorial Day service, which is going to be handled by the Lions Club.

MAYOR HILL:

Everybody heard the motion for \$400 for the Memorial Day service. Is there a second?

MR. BOND:

Second.

MAYOR HILL:

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.

Mr. Radtka?

MAYOR HILL:

MR. RADTKA:

Also, I'd like to make a motion for executive session for contract negotiations for the TEC project, inviting Mayor, Solicitor, Council, BPA members, Village Engineer, Water Clerk and Water Superintendent. No action after.

MAYOR HILL:

This will take place after additional public remarks. And no action will be taken. Is there a second to that motion?

MR. BOND:

Was the engineer included in that?

MR. RADTKA:

Yes.

MR. LIMING:

Second.

MAYOR HILL:

Comments or questions on the motion?

(NO RESPONSE FROM COUNCIL.)

Roll call, please.

MR. BLANK:

Mr. Bond?

MR. BOND:

Yes.

MR. BLANK:

Mr. Radtka?

MR. RADTKA:

Yes.

MR. BLANK:

Mr. Campbell?

MR. TERRY CAMPBELL:

Yes.

MR. BLANK:

Mr. Reider?

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MR. REIDER: Yes.  
MR. BLANK: Mr. Sheely?  
MR. SHEELY: Yes.  
MR. BLANK: Mr. Liming?  
MR. LIMING: Yes.

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

MAYOR HILL: 6, ayes; 0, nays. Motion carried for that executive session, which will take place after I call for public remarks. Are there any additional public remarks this evening? (NO RESPONSE.) Hearing none, I believe we will be having the meeting in this room here. So I will be swearing Ron Reed in real quick. Appreciate everyone for coming this evening. The only action taken by Council when we come out of executive session will be to adjourn. I'd like to thank everybody for coming.

**(WHEREAS, THE REGULAR MEETING BEFORE THE  
VILLAGE OF LORDSTOWN COUNCIL ADJOURNED  
INTO EXECUTIVE SESSION AT 7:00 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