

## **EP COUNCIL 8/11/25 85 N. MARKET ST. 7:00 PM**

Mayor Conaway called the meeting to order, present was Mr. Blythe, Mr. Glavan, Ms. Herriott, Mr. Povenski, Mr. Simon and Ms. Stauffer. Also present was Finance Director Melissa Hiner, Law Director David Powers, Clerk Misti Martin and Officer Sherrill Milliken. Manager Diaz-Guy was out of town at a work conference. The minutes of the 7/28/25 were approved on a motion by Mr. Glavan seconded by Mr. Povenski, passed unanimously. The July department reports were approved on a motion by Mr. Povenski seconded by Mr. Glavan. Passed unanimously. Mr. Blythe left the meeting at approximately 7:35 pm due to feeling unwell. There were no Managers or Law Directors reports.

### **AGENDA: ERIC POHL EPA/CHRIS HUNSICKER NS TO UPDATE DERAILMENT CLEANUP**

**PROGRESS-** Mr. Hunsicker began by stating there has been additional work in Sulphur Run including spraying some of the banks where there was legacy impact with concrete so as not to mix with the current mitigation work being done for the derailment. Following that mitigation work they are now into a final re-assessment process with the same process that was previously done which includes sheen assessment as well as sediment sampling. Mr. Pohl added the reason for the stream work is due to sheen that was found in the spring including behind the old Velez Engine property which did include legacy chemical issues. The legacy issue made it difficult to determine what was and was not derailment related which is why they added the incremental concrete barriers. He added the Columbiana County Land Bank is working at 448 E. Taggart St doing mitigation for non-derailment Brownfield issues. Mr. Glavan asked the next steps would be if additional sheen is found in areas of the creek; Mr. Pohl stated they would work to remove the sheen through various methods such as stream washing, agitation and removing contaminated sediment. Mr. Simon asked if the concrete barriers were permanent and if there was testing done at those locations; Mr. Pohl stated they are considered a semi-permanent solution however the future for these have not yet been determined and the testing showed chemicals consistent with old petroleum products. Audience member Jami Wallace stated they were previously told by Mark Durno that it was possible to tell the difference between legacy/derailment chemicals, she had also heard that there were areas of the creek that had gotten worse and in reference to the concrete barriers she asked about permits and noted that she wasn't aware that it was permitted to pour concrete into the creeks and what happens when the contamination starts seeping around the barriers. Additionally, she questioned the wet land still being contaminated and how that isn't pushing more chemicals into the streams. In reference to areas of the creek getting worse Mr. Pohl stated that is not consistent with their findings and that things will naturally move from upstream to downstream which why they are performing additional assessments. In reference to the wetlands Mr. Pohl stated there is a different strategy which includes extensive monitoring and that the only thing found in the wetlands that needed to be monitored is a compound called 2be or 2 butoxyethanol; it is located in the subsurface and not naturally flowing and also not consistent. Ms. Wallace stated that people are sick (derailment related) and asked when the EPA would use their voice to acknowledge that residents are moving from symptoms to long term illness and advocate for their health needs/insurance and if they will support efforts to get residents the medical help they need; she stated the EPA is trying to control the narrative and say everything is okay when their bodies are telling them different. Mayor Conaway stated there may be people who are sick and don't want to come forward; he would like to see Anne Vogel come back to town and that the current administration hasn't forgot about us as they have put millions of dollars towards HHS. He

added the village cannot give her (Wallace) the answers she wants, it should be HHS/CDC to explain why certain people are having issues. He stated he is working to try and help get answers for the residents, specifically with Senator Husted and when everything is said/done and it is not cleaned up how we feel it should then he will go to social media/news to push things. An audience member asked why there is no water running from out by Pleasant Dr; Mr. Pohl stated they have done nothing to change the water flow. Chris Hunsicker of NS stated the issue could be the structure of that specific ditch as it is large cobble and if there are low water levels the water is still flowing it is just underneath the cobble. Audience member Christina Sicelof asked why the concrete work was only done behind the old Velez Engine and behind the old gas station and if what was left open would also be impacted; she also stated she heard there were additional areas of vinyl chloride found and asked if those were old or new. Mr. Hunsicker stated that is not what they were seeing during testing and that the issues were specific to where the concrete was installed and that they have not seen vinyl chloride in the streams or soil for almost two years.

**CLERK:** Clerk Misti Martin stated there were three letters of interest received for the vacant Planning Commission seat; that is a mayor appointment with Council consent and the e-waste recycling event last week was a success with anywhere from 75 to 100 participants. We hope to make this a yearly event.

**MAYOR:** Mayor Conaway asked for a brief executive session at the end of the meeting to review the PC letters.

**STREET:** Mr. Simon reported that along with normal department duties speaker wire was installed down in preparation for the sound system, 60 tons of stone was used to repair the alley between E. North/E. Grant as well as 26 tons of asphalt used for various projects/repairs throughout town. Street sweeper worked on the north side of town as well as the downtown. They also completed 13 work orders received through the website.

**PARK/REC/CEM:** Ms. Stauffer stated the Park crew cleared trees/debris from park entrance, removed all splash pad items prior to demo, the hillside by the BS Cabin has been cleared, removed shrubs from around the ball park, cleared around GS Cabin/upper restrooms, made minor repairs to CC restrooms, brush was burned from the stick pick. Upcoming projects include prepping for soccer and XC as well as maintaining new landscaping. As of Aug 1, the new tennis/pickleball courts are open.

**DEVELOPMENT/FINANCE:** Ms. Herriott stated there were 18 building permits for the month of July, 16 were residential improvements and 2 were commercial improvements totaling \$791.31. Contractor registrations totaled \$1350.00 and two vendor registrations totaling \$100.00. There were four new businesses in July/August; Figley's Kennel Service, Perk Avenue Mobile Sip Shop, The Golden Spa LLC, and Dollar Tree. In reference to the CIC, Brock Builders has completed the selective deconstruction at the depot, the findings/next steps will be discussed. A call was had with Jobs Ohio/Lake to River in late July; Jobs Ohio previously paid for a utility study to investigate the feasibility of extending water to SR 14 as well as address sewer bottleneck in the village. They are working on a letter of intent to submit for the AMLER grant. The next DID meeting is 8/26. The education group of the Think Tank has a Scavenger Hunt scheduled in conjunction with the Back to School Bash on 8/23. Finance Director Melissa Hiner stated she needed to repeal/replace her appropriations that was passed last meeting because she did not realize that encumbrances for 2024 were closed and reissued those funds could not be used until 2026.

**WATER/WASTEWATER:** Mayor Conaway noted the department replaced a six-inch valve at a cost of \$2,200.00, repaired a water main break on Taggart at cost of \$1,300.00 and a shut off valve on Pinetree Circle was repaired at a cost of \$500.00. Changes made to the polymer feed system on the belt press have saved several thousand dollars in sludge press operational costs; they worked with the contractors at the park installing the new six-inch water line for the pool. The potential start date for the lead service line identification is 8/25 starting on Alice St. 84 disconnection notices were sent out in the month of July with 3 being shut off for non-payment.

**SAFETY:** Mr. Povenski stated PD worked the 150<sup>th</sup> anniversary and donated 250 Child ID kits, the DART grant was received and will be used to offset wages/training related to mental health crisis intervention. In July PD logged 563 calls resulting in 129 reports and assisted in 13 zoning violations. FD responded to 122 calls in July, 75 in the village, 29 in Unity and 18 mutual aids. 6 were fire only, 103 were Ems only and 13 combined. 1 call was dumped due to the squad already being out.

#### **THERE WERE NO VISITORS COMMENTS ON CURRENT LEGISLATION**

**VISITORS:** Bennet Bruno, John Davis, Sherri Bable, Michael Bable, Barb Kliner, Dot Herbert, John Cozza, Ron & Peggy Caratelli, Dave Biggins, Chris Hunsicker, Eric Pohl, Michelle Kerr, Matt Gernand, Christina Seceloff, Brian Moore, Amy Moore, Dan McKinstry, Jami Wallace, Shelby Walker, Christa Graves, Carol Harvey.

**LEGISLATION:** Mr. Glavan introduced Ord. 11-2025 for a third reading and made a motion that it be read in its entirety seconded by Mr. Simon. **An ordinance authorizing the Village Manager to enter into a contract with Brodi Conover, of the Bricker Graydon Law Firm, to serve as municipal attorney for a one-year term, commencing January 1, 2026 in accordance with the terms set forth in the attachment hereto, which is hereby incorporated by reference.** Mr. Glavan called for a vote on Ord. 11-2025 seconded by Mr. Simon. Passed unanimously. Mr. Glavan introduced Ord. 15-2025 and made a motion that it be read by title only seconded by Mr. Povenski. **An ordinance authorizing the Village Manager on behalf of the council of the Village of East Palestine to enter into a contract with MS Consultants Inc. to study the Village water and sewer rates to determine if the current rates are adequate to fund the continuing operating of the water and sewer operations within the Village of East Palestine and declaring an emergency.** Mr. Glavan made a motion to suspend the rules and declare an emergency seconded by Ms. Herriott. Passed unanimously. Mr. Glavan called for a vote on Ord.15-2025 seconded by Mr. Simon. Passed unanimously. Mr. Glavan introduced Ord. 16-2025 and made a motion that it be read by title only seconded by Ms. Stauffer. **An ordinance repealing Ordinance 13-2025 and replacing authorizing the Finance Director to make supplemental appropriations for the City of East Palestine, Ohio for the fiscal year beginning January 1, 2025 and declaring an emergency.** Mr. Glavan made a motion to suspend the rules and declare an emergency seconded by Mr. Simon. All in favor, passed unanimously. Mr. Glavan called for a vote on Ord.16-2025 seconded by Ms. Herriott. Passed unanimously. Mr. Glavan introduced Res.15-2025 and made a motion that it be read by title only seconded by Ms. Stauffer. **A resolution authorizing the Village Finance Director to pay invoices for WRL (Economic Development/Public Relations) and Bricker Graydon (Legal Representation related to derailment issues) from Norfolk Southern settlement funds or income derived therefrom.** Mr. Glavan called for a vote on Res.15-2025 seconded by Ms. Herriott. Passed unanimously. At this time Mr. Simon made a motion to go into executive session per ORC 121.22 G 1, to

consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official inviting in Manager Diaz-Guy. The motion was seconded by Mr. Glavan. Passed unanimously. There would be no business to follow.

**ADJOURN:** Mr. Glavan made motions to return to regular session as well as adjourn the meeting seconded by Mr. Simon. Both motions passed unanimously, meeting adjourned.

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**MISTI J. MARTIN CLERK**

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**MAYOR TRENT CONAWAY**