

EP COUNCIL 8/28/23 85 N. MARKET ST. 7:00 PM

Mayor Conaway called the meeting to order. Present was Ms. May, Mr. Povenski, Dr. Rocco, Mr. Runnion, Mr. Simpson, and Mr. Walker. Also present was Village Manager/Fin Director Traci Spratt, Law Director David Powers, W/WW Superintendent Scott Wolfe, Police Chief Jim Brown, Clerk Misti Martin and BZ Inspector CH McCutcheon. The minutes of the 8/14 special meeting and 8/15 regular meeting were approved on a motion by Dr. Rocco seconded by Mr. Runnion. There were no department reports, agenda items, clerk's report, street, utility or safety committee reports.

MAYOR: Mayor Conaway there has been \$43,000 allocated to the village from a Public Works grant and stated Council has been in discussion about paving the Vineyards for some time now. The roads in the development have been dedicated and feels we should these funds to move forward with paving there. In working with the County Engineer, we have got a quote of around \$99,000, after the grant funds the village share would be approximately \$55,000; it would be included in the 2024 paving project. Mr. Runnion made a motion to direct Atty. Powers to draw legislation in reference to paving the Vineyards in 2024, Dr. Rocco seconded the motion, passed unanimously. Mgr./Fin Director Spratt noted that additional streets can be added on to that next year.

MANAGER: Mgr./Fin Director Spratt stated that W/WW Superintendent Scott Wolfe and Bill Zawiski from the OEPA were going to discuss potential discharge of water into the village system. Mr. Wolfe began by explaining that the water that is considered hazardous waste at the derailment site goes into the big blue tanks that everyone sees and is then shipped off site; he noted there is also a facility (that has USEPA approval) there that treats this same water. Mr. Wolfe stated he would like council to look at the option of our wastewater plant taking some of this water which would go as a direct discharge into the sanitary system once it is treated. The water would go through the treatment plant at the sight into holding tanks at the sight to store the water while waiting for the testing to come back; once testing is clear they are given the go ahead to either haul offsite of discharge directly (where it would be treated a second time before being discharged as the plants affluent) to us depending on what route council chooses. He stated he wanted it to be made public that the village is exploring this possibility. Mayor Conaway asked if once that water is treated if it is basically drinking water but without fluorides/chlorides; Mr. Wolfe stated it is treated to drinking water standards and would be very clean. Mr. Walker asked how it would get from the site to the plant; Mr. Wolfe stated it would be a direct discharge into the sanitary system. He said there would pumps in place to monitor and control how much is taken, we would have the ability to say how much we can take or not take at all on any given day. Wolfe noted if this option was chosen it would get a lot of the truck traffic off the roads but does feel some water would still have to be shipped off site as he doesn't feel we can handle all of it to start. Dr. Rocco asked where the storm drain water goes; Mr. Wolfe said the storm sewer system are the catch basins that are seen along the road and is discharged into the creeks, the sanitary sewer is where the waste/water goes from inside of homes and they are completely separate. Mr. Zawiski of OEPA stated the OEPA, USEPA and NS do not have a preference where this water goes; he said their requirements are only that it is treated and managed. He stated the OEPA reviewed the treatment system and that minus fluoride and chloride it is basically a drinking water treatment plant that has multiple levels of redundancy. These plants have been approved for these types of situations many times over the years. Mr. Povenski asked if the water would be continually tested, Mr. Zawiski stated each batch of water would be tested and meet drinking water standards and that the EPA would be will to test for vinyl chloride. Dr. Rocco asked how often vinyl chloride would be tested for, Mr. Wolfe said it would be similar to how current testing is, potentially weekly. Mr. Simpson asked what the main concern was for the discharge after it is treated before it is hauled away or taken by the waste water treatment plant, Mr. Zawiski said it is vinyl chloride. Dr. Rocco asked if the chemical panel that is being seen during testing is changing and what else are they seeing. Mr. Zawiski said it is definitely changing and that right now there is one area on Sulphur Run that has the occasional hit of ethyl hexinol and that's it; he added most of these chemicals have an environmental half life of 30 to 40 days so every 40 days post spill event half are gone. Spratt noted this issue is still in the early stages of discussion and said they wanted to make the public aware that it is being considered. In reference to Ord. 18-2023 that is before council for it's first reading tonight Spratt explained that it is a tax exemption for derailment related payments from NS for village taxpayers. She stated anyone receiving assistance from NS will probably be receiving a form 1099 from those payments as they are currently

considered taxable income, this ordinance would exempt those payments from the current 1.5% income tax. It will be voted on at the September 25 meeting. She said there is a new information hub link on the website in relation to the train derailment. She also stated there has been a request to live stream the meetings and asked councils' thoughts. Dr. Rocco and Mr. Runnion stated it is worth at least looking into. In reference to the school resource officer Spratt stated the school district will now be paying a portion of the wage from September to June and then off months he would be on duty for the Village. She stated the waterline replacement project will be starting September 5 on South Street. Finally, she said they are aware that the inclement weather siren has not been working for some time, a contractor looked it over and said it is no longer in working condition. A new siren will cost around \$43,000 and NS has agreed to pay for it, the order has been so hopefully it will be up and running by Jan or Feb. Mr. Walker asked what the issue was with the traffic lights at James and Taggart. Spratt those lights as well the one for Market on Martin are ordered.

LAW DIRECTOR: In reference to Ord. 18 Atty. Powers stated the tax ordinance was left open ended as there is potential for people to receive funds that would impact their 2024 taxes as well.

PARK/REC/CEM: Dr. Rocco stated the Park Board is sponsoring Falliday in the Park on Oct. 14 from 10 to 3 pm and Oct. 28 the Fire Department and Park Board are sponsoring a Trunk or Treat at the Park from 4:00 to 9:30 pm, the event is free to the public.

DEV/FIN: Ms. May stated there has been a number of meetings with the Port Authority and RCAP. She stated RCAP has posted links to a visioning survey to get input from the community in reference to moving forward from the derailment. Mgr. Spratt said council has heard presentations from two economic development firms and asked what direction they would like to go. At this point Ms. May made a motion to hire Bricker/Graydon (Argus) as the village economic development firm and directed Atty. Powers to draw legislation stating the previous. Mr. Walker seconded the motion. All Ms. May, Mr. Povenski, Dr. Rocco, Mr. Runnion and Mr. Walker voted yes. Mr. Simpson abstained.

jTHERE WERE NO VISITORS COMMENTS ON CURRENT LEGISLATION

VISITORS: Rich Spratt, Janice Cartwright, Bennet Bruno, Joseph Delle Volle, David Peters, Ron & Peggy Caratelli, Dent & Darlene Chapman, Misti Allison, Matt Gernand, Dave Biggins, Zach Gorby, Missy Smith, Steph Elverd, Neko Figley, Danielle Menning.

LEGISLATION: Mr. Runnion introduced Ord. 18-2023 for a first reading and made a motion that it be read by title only seconded by Mr. Walker. An ordinance repealing and replacing section 882.02 definitions of chapter 882 earned income tax regulations of the codified ordinances of East Palestine, OH in order to exempt amounts from income tax relating to recovery from the East Palestine train derailment. Mr. Runnion introduced Res. 12-2023 and made a motion that it be read by title only seconded by Mr. Walker. **A resolution authorizing the fiscal manager to certify annual special assessments to the county auditor and declaring an emergency.** Mr. Runnion made a motion to suspend the rules and declare an emergency seconded by Mr. Walker. Passed unanimously. Mr. Runnion called for a vote on Res. 12-2023. Passed unanimously. At this time Mr. Simpson made a motion to go into executive session per ORC Section 121.22 G1 to consider employment in reference to law director inviting in Danielle Menning. There may be business conducted after. The motion was seconded by Mr. Runnion and passed unanimously. At approximately 7:50 Mr. Runnion made a motion to return to regular session seconded by Mr. Walker.

ADJOURN: With no further business Mr. Simpson made a motion to adjourned the meeting seconded by Mr. Walker. All in favor, meeting adjourned.