

EP COUNCIL 3/10/25 85 N. MARKET ST. 7:00 PM

Mayor Conaway called the meeting to order. Present was Mr. Glavan, Ms. Herriott, Mr. Povenski, Dr. Rocco, and Mr. Simon. Mr. Blythe was not present, his absence was excused on a motion by Dr. Rocco seconded by Mr. Glavan. Also present was Village Manager Antonio Diaz-Guy, Law Director David Powers, Chief Jim Brown, Chief Keith Drabick, W/WW Superintendent Scott Wolfe, Street Superintendent Scott Wolfe and Clerk Misti Martin the minutes of the special meeting of 2/18 and the regular meeting of 2/24/25 were approved on a motion by Dr. Rocco seconded by Mr. Glavan.

AGENDA: Chris Hunsicker-NS Mr. Hunsicker stated work continues at the east end of the site; there were two digs scheduled with one of those being completed and the other is currently in process. There will be one additional small dig at the north side of the tracks as well as continued evaluation of the wetlands at the east end, additional site restoration around town, and another stream assessment. Resident Lindsay Delarosa-Guy asked if the digs previously mentioned were vinyl chloride; Mr. Hunsicker stated they are not, they are mostly site restoration. Mr. Povenski asked about a time frame; Mr. Hunsicker stated they are letting the test results guide them and that there is no set date for completion however they are leaning towards the next couple months for potential completion. After completion there will still be long term monitoring (at least 10 years). Eric Pohl of EPA stated he would be taking over for project manager Ralph Dollhopf as he is retiring and that he and the EPA team will be at the 3/24 meeting to provide a more comprehensive update. Resident Ron Caratelli asked when they are “doing a dig” what they are digging for; Mr. Hunsicker stated an elevated (but not high) level of 2-butoxyethanol was detected, this is a derailment related chemical, and that is what is being removed during the dig. Mr. Glavan asked about the status of the creeks as well as the signage; Mr. Hunsicker stated the signage in the creeks was placed by the village at the direction of OEPA. In reference to the creeks themselves there were two thorough assessments done last year and another is forthcoming and based on those results they will determine the next steps. Mr. Simon asked if all of the sheet piling would be removed; Mr. Hunsicker stated much of the piling along the tracks will remain so as to maintain track stability however the sheet piling away from the tracks is being removed or being driven below grade. The tracks themselves are inspected frequently. Resident Melissa Smith asked about the blacktop being removed where the blue tanks were; Mr. Hunsicker stated they are working with land owners on individual site restoration and the blacktop being removed has nothing to do with detections. **Wendy Berrill MBI-Park Update Ms.** Berrill stated that Phase 2 is in final design and ready to go to construction as soon as one final permit is approved from the Dept. of Health. Resident/business owner Tom Brittain asked if there would be a site manager for phase 2; NS Senior Manager Community Impact stated there was miscommunication in reference to this subject at the last meeting when they said there was someone at the park once a month that was someone from NS as they are the main project manager however there is in fact a project manager on site daily from MBI (Abigail Hopkins). Village Manager Antonio Diaz-Guy confirmed there is an onsite manager and that NS has been very forthcoming with requested information; he said he will be asking for approval from council to move forward with phase 2 (the pool) and then we will come to reconsider phase 3 with community input after some financial analysis. Mayor Conaway added there were no proposed cuts in phase 2, the issue is with phase 3 only. It was noted the proposed completion date for phase 1 is by May 23 and that phase 2 can start as soon as contracts

are signed and the permit is received from Dept. of Health. The existing sport courts need to be demolished however they are waiting until tennis is complete per previous conversations. Manager Diaz-Guy added they have transitioned how communication on the project is handled between NS & Village; rather than weekly calls there will be emails stating what happened in the past week as well as what will happen the next four weeks. The pool itself has a 225-to-300-day completion schedule. Unknown resident stated the pool was originally promised to be ready for 2025 season and asked how it could go from that to this far behind; Ms. Berrill stated the project was put on hold during settlement talks and that the permit submittal process is very long. Resident Dan McKinstry asked if the same contractor for phase 1 (Rudzik) would be used for phase 2; Abbey Palmer stated the phase 2 contract has not yet been awarded. It was asked if there was a contract between the Village and NS: Manager Diaz-Guy stated the project is currently being run by NS contracting Michael Baker and Michael Baker to its subcontractors and we will continue this way to finish phase 1 as well as phase 2 so as to avoid any additional delays. He added there are discussions in reference to if the village could/should assume ownership of those contracts but nothing is final. Mr. Simon asked how change orders would be handled for phase 2; Ms. Berrill stated that moving forward that they can have the village review any change orders. W/WW Superintendent Scott Wolfe asked what was the engineers cost for phase 2; Manager Diaz Guy stated he did not have that info in front of him but that we would publish it when located. Ms. Berrill also stated that phase 1 is not over budget, that it is the overall budget that is over and they are looking at phase 3 to try to reduce some costs. Resident Shirley Wilson asked what caused the 3.9-million-dollar budget overage; Ms. Palmer state pre-settlement discussion the budget did not include design fees, during the settlement negotiations it was mutually agreed upon by the village and NS that the three million design fee be included in the twenty-five-million-dollar budget. It was noted there is a not a contract for the project but a non-binding memorandum of understanding between NS/Village and that the legal settlement supersedes that MOU.

DEPARTMENT REPORTS- FEBRUARY 2025- Dr. Rocco made a motion to approve the reports seconded by Mr. Simon. Passed unanimously.

CLERK: Clerk Misti Martin state a special EPCIC meeting would be held 3/13/25 at 10:00 am and that the Chamber of Commerce was hold a special St. Patrick's Day shopping event on Saturday 3/15 at 10:00 am.

MAYOR: Mayor Conaway stated he reached out to Kroll in reference to settlement payments in reference to payment delays. He was told they are working with NS and that in the next six weeks the goal is to have all of the letters mailed out. The hold up is that both Kroll and NS review all of the paperwork prior to mailing.

MANAGER: Manager Diaz-Guy stated emt Amanda Noel passed her national paramedic certification. Phase 1 environmental testing is being done at that old Jasar property and is not derailment related; it is transfer of property related. On 3/12 phase 2 environmental vapor testing will happen at the train depot, this is also transfer of property related. Planning for the 150-year celebration has begun. At this time, he requested a motion from council to move forward on phase 2 of the park at its current bid levels to keep the project on track with Mayor Conaway adding that we should be notified of change orders and also the ability to recommend cost saving changes for this phase. Manager Diaz-Guy reiterated that the ask is to move forward with phase 2 as is and then reconsider how to structure moving forward with phase 3 as we have time to make those adjustments prior to the bids

going out. Ms. Berrill stated that some parts of phase 2 and 3 could possibly run concurrently. Dr. Rocco made the above motion to move forward with phase 2, the motion was seconded by Mr. Povenski. Passed 4 – 1 with Mr. Glavan being opposed. Next a motion was requested from Council for the EPCIC to spend up to \$100,000.00 (funds from NS) for design/drawings/engineering for the train depot contingent on a letter of intent from a prospective lessee. Mr. Povenski made the above-mentioned motion seconded by Mr. Glavan. Passed unanimously.

LAW DIRECTOR: Atty. Powers stated in reference to demolition of dilapidated properties that it is important to have an ample opportunity to appeal the process; the section of our code that gives the village the right to tear down unsafe properties does not directly have appeal provisions however the newest version of the vacant structure code so he will work with the BZ inspector to come up with a checklist that will site the appeals process.

STREET: Mr. Simon stated last month catch basin maintenance as well as pothole repair took place. Additionally, equipment maintenance was performed, a new asphalt roller was purchased, removed cement dividers and shrubs at the PNC lot. ODOT will begin Market St. paving on April 14 and will maintain one lane of travel for 90 days, flooding concerns are being addressed on Meadow Lane. In January 7 construction permits, 17 contractor registrations, 20 vacant structure registrations and one demolition permit was issued. In February 5 construction permits, 9 contractor registrations were issued.

PARK/REC/CEM: Dr. Rocco a new mower was purchased for the park, restrooms will open as soon as the weather changes, and baseball field maintenance has begun. Dr. Rocco asked about interest in moving forward with DOG Days this year; Council felt we should still have it. Dr. Rocco stated she would contact the appropriate committee members. Target areas include the PNC lot as well as the cemetery. It was noted that BZ inspector Rube Ginder has been in contact with CSI Environmental about the potential for a spring clean up this year. Mr. Glavan also suggested helping some of the senior population who may need help with spring yard work.

FIN/DEV: Ms. Herriot stated the CIC is in the process of receiving proposals for tenants for the train depot; a decision about the tenant as well as a non-binding letter of intent will hopefully be made in 30 days. They are also accepting proposals for full design work and a grant application will be submitted next month with a second in July to hopefully cover two thirds of the cost of interior renovations. The SS4A planning grant was submitted in November, the Federal Highways Commission states that all grants are currently on hold. There will be clean up at the PNC lot as weather permits; foundation grants are still being applied for for the lot and public input is welcome. She stated she attended a meeting at the Port Authority to hear a presentation from Towne Center Associates in reference to building facades/signage. She is also working with RCAP on revamping the strategic initiative groups for the Think Tank and that she and Ms. Streiffert also met with the leadership group at the high school. Finally, she said council would need to have an application process in place by the end of the school year to move forward with having a student representative on village council.

UTILITY: Mr. Blythe was absent. Manager Diaz-Guy stated there is continued work on the water treatment plant with it being at 30% design. Heavy flow was recorded in Feb, the EQ basin worked as it should. There will be electrical work on the Hamilton Rd. booster in mid-March.

SAFETY: Mr. Povenski stated in Feb FD received 111 calls. 4 fire only, 90 Ems only, and 17 combined. Also in Feb PD had 335 calls for service resulting in 123 reports. A Safety Committee meeting was called for April 14 at 6:00 pm to discuss training/certification needs of both PD and FD.

VISITORS: Dot Herbert, Barb Kliner, Bettina Dilworth, Shriley Wilson, Gary Linhart, John Davis, Ron & Peggy Caratelli, Jerry Coblentz, Mike Dugan, Carol Harvey, Abbey Palmer, Becky & Todd Westover, David Peters, Bennet Bruno, Dave Biggins, Kent Chapman, Karen Gorby, Dan McKinstry, Tom Brittain, Brenda Povenski, Curtis Veiock, Chad Lewis, Chris Hunsicker, Eric Pohl, Sandi Weigle, Nicole Drabick, Pam Figley, Cory Brittain, Steph Elverd, Melissa Smith, Cindy Cowan, Ben Ratner, Brennen Harvey, Officer Chris Weingart, Robbi Hill, Bonnie Sansenbaugher, Wendy Berrill, Jason Wazelle, Lindsay Delarosa-Guy.

LEGISLATION: Mr. Glavan made a motion to amend the agenda to add Resolution 7-2025 in reference to the village match for USDA Disaster grant. The motion was seconded by Dr. Rocco. Passed unanimously. Mr. Glavan introduced Res.6-2025 and made a motion that it be read by title only seconded by Dr. Rocco. **A resolution authorizing the finance director to accept a grant of fifty thousand dollars (\$50,000.00), for the Norfolk and Southern Thriving Communities Grant, to be allocated to the cemetery fund, to be used exclusively for the restoration of the East Palestine Glenview Cemetery buildings and grounds, to include the mausoleum, chapel, entrance, caretaker building, trees/foilage and maintenance of headstones.** Mr. Glavan called for a vote on Re. 6-2025 seconded by Dr. Rocco. Passed unanimously. Mr. Glavan introduced Res.7-2025 and made a motion that it be read in its entirety seconded by Dr. Rocco. **A resolution authorizing and directing the village finance director to encumber the sum of five million two hundred thousand dollars (\$5,200,000.00) as the potential required local match for the fifteen million eight hundred-thousand-dollar (15,800,00.00) grant from the United States Department of Agriculture (USDA) for the purpose of construction of a new municipal structure, including police and fire department facilities. WHEREAS the Village of East Palestine has been awarded a fifteen million eight hundred thousand dollar grant from the USDA for purposes of constructing new facilities for police and fire departments at a strategic location with the Village; and WHEREAS the required local match for said grant is up to five million two hundred thousand dollars; and WHEREAS, the Council of the Village of East Palestine finds it is in the best interest of the Village to accept said grant and encumber the required local match from the proceeds of settlement with Norfolk and Southern Railway. THE COUNCIL OF THE VILLAGE OF EAST PALESTINE HEREBY RESOLVES THAT: Section 1. The Village Finance Director is hereby authorized to encumber the sum of five million two hundred thousand dollars as the potential required local match to the fifteen million eight hundred-thousand-dollar grant from the USDA, for the purposes set forth in said grant and the grant program and associated documents. Section 2 The Finance Director is authorized to execute and deliver all necessary documents required by USDA, related to local matching funds provisions of said grant. Section 3. Nothing herein shall prohibit or prevent the use of other funds for said local matching funds, as may be authorized by the Council of the village of East Palestine. Section 4. All formal actions of this council concerning and relating to the adoption of this resolution were adopted in an open meeting of this council, and that all deliberations of this council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including section 121.22 of the Ohio Revised Code.** Mr. Glavan called for a vote on Res. 7-2025 seconded by Dr. Rocco. Passed unanimously.

ADJOURN: Dr. Rocco made a motion to adjourn the meeting seconded by Mr. Simon. All in favor, meeting adjourned.

MISTI J. MARTIN CLERK

MAYOR TRENT CONAWAY