

EP COUNCIL 5/28/24 85 N. MARKET ST. 7:00 PM

Mayor Pro Tem Jessica Rocco called the meeting to order. Present was Mr. Blythe, Ms. May, Mr. Povenski, and Mr. Simpson. Mr. Glavan was not present, his absence was excused on a motion by Mr. Povenski seconded by Ms. May. Mayor Conaway was not present. Also present was Village Manager Chad Edwards, Law Director David Powers, Chief Jim Brown and Clerk Misti Martin. There were no department reports, clerk's, mayors or street reports. The minutes from the regular and special meeting of 5/13/24 were approved on a motion by Mr. Povenski seconded by Mr. Blythe, passed unanimously.

AGENDA: DAN BEVINGTON OF TREE WORX/TREE CITY- Mr. Bevington gave a short presentation on the benefits of being a Tree City. Requirements involve spending two dollars per capita per person on tree related projects (pruning, planting, maintaining, removal) and having a tree commission. There are grants available that would require being a Tree City to apply. He stated his company, Tree Worx, has been in business in EP since 2016. They are currently assisting Shaker Heights in their Tree City projects. Benefits include increase in property value, less hazardous trees, more shade, keeps dust down. Mr. Simpson asked if a requirement of the program is going through a tree board to have any work done on trees, Mr. Bevington said it would.

MANAGER: Manager Edwards stated he would like council to consider moving the funds from the Electric Light Trust to a Capital Improvement Fund with any potential usage being approved by council. Atty. Powers stated at one time the Village owned its own light plant and in 1974 it was sold to Ohio Edison for a little over three million dollars. In 1977 two ordinances were passed, one creating the Electric Light Fund; the second stated the sole purpose of the fund was to pay electric utility charges for all village departments. Over the years there were loans taken against the fund with most not being repaid and eventually being forgiven by the sitting council at the time. Currently there is approximately \$108,000.00 left in the fund. Powers stated that the only permitted use for the funds would be paying the village electric bills. The rules of the fund were created by ordinance so council can also repeal the current ordinance and create a new one to change its usage. Mr. Simpson stated he feels the Electric Light Fund needs to be repealed with a new fund created that would require council approval for usage. Former Finance Director stated that any new fund created has to be approved by the state auditor and could take up to a couple months. Mr. Simpson made a motion to direct Atty. Powers & Finance Director Melissa Hiner to work on repealing the legislation in ref to the Electric Light Fund and coming up with new legislation or a line item that would still require council approval for use of the remaining funds. The motion was seconded by Mr. Blythe and passed unanimously. In reference to the cemetery Manager Edwards stated we have to get the roof on the mausoleum repaired and he hoped to use the money from the Electric Light Fund. He stated the pool is open however we do not have heat this year and we did not want to spend that kind of money for one year; additionally due to being understaffed with lifeguards this year there will not be swimming lessons and there may have to be a reduction of hours at some point. The waterline contractors will be back in thirty days to do the final walk through. A special council meeting was called for Monday 6/3/24 at 6:00 pm to review phase 2 of the park renovation project. Approval is needed by council to keep moving forward so as to stay on the timeline of the new pool being open for the 2025 season.

LAW DIRECTOR: Atty. Powers requested an executive session to discuss pending litigation.

PARK/REC/CEM: Dr. Rocco stated DOG Days was successful with around 104 volunteers. She thanked everyone involved. A special Park Board meeting would be held Wed. 28 to go over park plans. She added they are looking for volunteers to help water flowers specifically at the Log Cabin and the park.

DEV/FIN: Ms. May stated the EPCIC met today. RCAP/Think Tank will be at the Way Station to give the public a final opportunity to give input on project priorities within the village.

UTILTIY: Mr. Blythe stated the contractors for the waterline replacement project would be back in four to six weeks to do a final walk through. The carbon for the filters has been installed but they are not yet online.

SAFETY: Mr. Povenski thanked Police & Fire for their work during the Street Fair. PD currently has one recruit going through the academy. They should finish up in the few weeks and join the force shortly after. The FD still has smoke detectors available from the Red Cross smoke detector campaign, any resident wishing to participate should contact the station.

VISITORS: John Davis, Lisa & David Mahoney, Ron & Peggy Caratelli, Traci Spratt and John Hamner.

THERE WERE NO VISITORS COMMENTS ON CURRENT LEGISLATION

LEGISLATION: Mr. Simpson introduced Ord. 7-2024 for a third reading and made a motion that it be read by title only seconded by Mr. Povenski. **An ordinance authorizing the Municipal Manager to advertise for public bids for the construction/paving, to be known as the 2024 street resurfacing project and to further award and enter into a contract with the lowest and best bidder as relates to the contract pursuant to the specifications and bidding requirements as determined by the Municipal Manager and in compliance with law.** Mr. Simpson made a motion to suspend the rules and declare an emergency seconded by Mr. Povenski. Passed unanimously. Mr. Simpson called for a vote on Ord. 7-2024. Passed unanimously. Mr. Simpson introduced Res.12-2024 and made a motion that it be read by title only seconded by Mr. Blythe. **A resolution accepting a grant in the amount of \$50,000.00 from ARPA, through the Columbiana County Ohio Commissioners.** Mr. Simpson called for a vote on Res.12-2024. Passed unanimously. At this time Mr. Simpson made a motion to go into executive session per ORC 121.22 to discuss pending litigation involving Manager Edwards, Traci Spratt and Atty. Powers. The motion was seconded by Mr. Povenski and passed unanimously. There would be no further business after.

ADJOURN: At approximately 8:00 pm Dr. Rocco made a motion to return to regular session seconded by Mr. Povenski. Ms. May then made a motion to adjourn seconded by Dr. Rocco. Both motions passed unanimously.

MISTI J. MARTIN CLERK

MAYOR PRO TEM JESSICA ROCCO