

Held

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2ND REGULAR SESSION:

Kenton City Council met in their 2nd regular session on January 25, 2021 at 7PM in Council Chambers. Present: President Joel Althaus, John McEntee (Zoom), David Beazley (Zoom), Antwillia Davis (Zoom), Ray Lawrence, Pegg Wren (Zoom), Patti Risner (Zoom), Robin Jones (Zoom), Law Director John Schwemer, Mayor Lynn Webb, & Safety Service Director Cindy Murray.

Prayer given by Mrs. Risner & the Pledge of Allegiance recited.

MINUTES:

Althaus: Ok everyone, in your packets you have the minutes from our previous meeting. Are there any additions or corrections, it wasn't very long, but is there anything we need to have Brenda correct or update? Alright I'm not seeing anyone with questions, so we'll show the minutes stand approved as submitted.

CITIZENS REQUESTING TIME TO SPEAK:

Althaus: Tonight, it's really great to have with us Chief Musser & I'm going to turn the rest of the program over to Chief Musser & let him take it from here. I'll try to get the camera so you guys can see out there.

Chief Dennis Musser: We have invited some people in for this, but they're wearing masks so it should be okay. I appreciate everybody's patience...we're obviously managing some technical issues here & we're trying to go live with this on Facebook as well so hopefully that's working out. I appreciate everybody coming...we're here to do a couple of things. First off, we're going to promote Skyler Newfer to the rank of Sgt. As everybody knows we gave a Sgt. exam several weeks ago & everybody that took the test that was eligible did incredibly well, but Newfer came out on top on the test so he's going to accept the promotion to Sgt. So, we're going to do that this evening and as well we're going to thank the outgoing Sgt., Sgt. Edwin McNamara that retired...his last day was just a couple of days ago. So, without further ado, Skyler do you want to come up & Sgt. McNamara? This is Skyler's Certificate of Promotion..."The City of Kenton recognizes and commends Skyler Newfer on achieving the rank of Sergeant in the Kenton Police Department, and who is hereby charged with the duties and responsibilities and shall have the authority and command of his rank and assignments. Signed this 25th day of January 2021." We're going to do a pseudo military style pinning. It's common a lot of times when someone moves up in rank they have a person of their choice, usually their predecessor someone that influenced them in their life or career do the pinning, and Skyler asked that Sgt. McNamara come. Sgt. McNamara graciously took the time to come in & pin Skyler so we'll go ahead & do that. Also, we had Sgt. McNamara's weapon engraved & had a display case made for it, which has been tradition the last 5-6 years, as a token of appreciation to this officer who was here for 21 years. I believe he probably influenced Skyler & the rest of us in the Police Department...he came to our department from Lima PD with a wealth of knowledge and did a great job. So I want to thank Edwin. Do you guys want to say anything? Newfer probably does.

Sgt. Skyler Newfer: I'll keep this short & sweet. I just want to thank the City of Kenton for giving me this opportunity. That's pretty much it.

Chief Musser: Well congratulations to both of them. Skyler has been here almost 9 years & I'm sure he's going to do a fantastic job like McNamara did. (Applause). Thanks everybody for coming.

Althaus: Alright we're going to go ahead. I sent some information to all of you today...as you know they've been working on a rate study with water & sewer. The executive summary of that rate study was sent to you & I'm also going to share a screen so you can hopefully see what we're seeing here. We have Nathan Davis with us from RCAP & Nathan is going to work through that rate study, so I'll turn it over to Nathan now.

Nathan Davis: I'm Nathan Davis & I'm with Ohio RCAP & have been with them for about 12 years. Prior to that for 9 years I was the Village Administrator for Waverly, Ohio in Pike County. I've been doing this for small communities for quite a while...I've been doing rate analysis for probably the last 7-8 years. I've done several for different communities over the State of Ohio. Really my first goal when I present these things is before I get into the real numbers, I try to explain what I did & what we looked at. If anyone can't have that wrapped around their head about what numbers were looked at & what the process was, they need to refer back & look at the spreadsheet & look at the numbers themselves later on. It's going to be much more understandable because obviously this is a difficult situation to try to explain number by number especially in an environment such as this. So you have the executive summary in front of you & obviously there is not going to be a decision made tonight. Council, you guys are going to talk about this & discuss further on which you should but after tonight's meeting if you read through that you'll get the gist, however Mr. President if you'll bring up my presentation, I think the best thing will be for me to

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stand here...bring up the PDF of the Council presentation. Ok so it's a juggling act because we want a fair & equitable rate & obviously we don't want to charge consumers for something that is not needed. At the same time you need a rate that's going to produce the revenue you need to properly manage & maintain the system. So that's always kind of a juggling act & that's always the difficult part of the situation. What we do...there is a process that we do & the first thing I did was I took 5 years of revenue & expenses from the Chief Financial Officer. We go through that & look at the historical data line item by item through those 5 years and try to determine if there are trends, if there are downward trends in each of those line items, if there are upward trends, are there any expenses in there that just occurred in 1 year and aren't typical, and try to get a good idea of where those line items need to be to meet obligations...that's salaries, that's wages, that's PERS, that's maintenance of the system...all of those line items we took a look back 5 years at each one of those & lined them up side by side & worked towards setting up what our budgetary amounts needed to be for 2021. We looked at your Asset Management Plan. We take that & move towards what we call a typical year. So, what's a typical year for this water budget & this sewer budget in terms of expenses & revenues? We took a look at your usage history & we tried to make sure that we're coming up with an amount of gallons that are sold by Kenton that are going to be typical for the next 5 years. So, if there is a year where sales were way down, we try to determine why that was & make sure that we're comparing apples to apples and oranges to oranges. We take a look at your current debt & then we determine okay what is going to be the future debt, are there any projects coming up where there is going to be a perceived additional loan payment & if there is what year do we expect that to come into place. So, we did that for both the water & sewer. And incidentally when this is all said & done, your Chief Financial Officer, your President of Council, your Mayor & your SSD and whoever they distributed it to, they have a full copy of the excel spreadsheet which will have all these numbers in there so if anyone wants to look at those line by line they can. I'm certainly not going to try to explain that through here, but I want to give you the gist of the process. We also want to make sure we're accounting for inflation, so we used an inflationary index of 3-3.5% for each year. We know that each year of these last 5 years expenses have gone up in most of your line item categories. Now obviously debt payments or things of that nature stay the same. So that kind of leads me to the next point that I like to make & that's when we look at your expenditures, we try to break them up into two different categories. We break them up into what we call okay what is this community's fixed costs & what are their variable costs? When I say fixed costs, we're saying hey what are the costs that this water & sewer system is going to have whether they sell 0 gallons or they sell a million gallons? For example, if the City of Kenton's water sales went way down, they're still going to have an insurance payment that they have to make on their system ok? That's still going to be there. They're still going to have to make those debt payments for the existing loans they already have on the books. So these are examples of fixed costs. So I divided those up in a spreadsheet between your fixed costs & your variable costs. Your variable costs are going to be line items that at least fluctuates somewhat depending on how much water you sell & how much sewage you treat. For example, your electricity at the plant, your repair & maintenance to your system, chemicals that you purchase & things of that nature. Those are your variable costs. Now the reason we divide this up is because we want to make sure if you have a minimum bill, which Kenton does on both their water & their sewer, we want to make sure that that minimum bill is generating enough revenue so that Kenton can cover its fixed costs. Everybody pays in evenly on their minimum bill to make sure those fixed costs are going to be covered. So that's what we look at when we determine well what should the minimum bill be for this community. That's going to be based on what the fixed costs are, how much debt payments do they have, what is their insurance costs, what are their main salaries that they're going to need to pay, etc. So then when we get to the usage bill, which is the amount you pay over that minimum bill...you know you have a minimum bill and then you have a certain amount you pay for each 1000 gallons over that minimum bill. I stand corrected...I think Kenton is cubic feet correct?

Murray: Cubic feet.

Davis: Okay so we want to make sure that the usage charge you have is generating the revenue you have for your variable costs. So that's kind of the method we go through when we look at this. I'm going to go to the executive summary right now, the word document that has the executive summary, and in that there are some tables that come up with what the recommended rates are that we're looking at for the next 5 years. So right now, if you look at the current water bill for Kenton, right now for an incorporation customer residential 5/8-1" meter, the minimum bill is \$13.00. Ok? Their usage rate is \$2.75 so for the first 100 cu. ft. they're charged \$13.00 & then for every additional 100 cu. ft. over that minimum they're charged \$2.75. Ok? Once we came up with what the budgetary numbers needed to be, we went through & looked at the financial history, we determined what existing loans you have that are going to continue for the next 5 years, and then determining the big additional loan payment coming up is a Phase

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If Downtown project which the water fund is going to pay for some of that & the sewer fund is going to pay for some of that. Those loan payments were projected in the years I believe 2023 & 2024. They're not coming up right away, but I gave a rate recommendation for each of the next 5 years. Now obviously you wouldn't adopt an ordinance & adopt all 5 of those right off the bat, that would be silly because something might change. The first thing you need to look at of course is what we're recommending for 2021. Now on the sewer side its actually very good news & very simple so I'll start with that. On the sewer side we really don't see a need to raise the minimum bill, even with your loan payment coming in on Phase II a couple of years down the road. I am recommending a 3% increase approximately each year, actually it's a little more than 3%...it's around I think 15% or so for the first year, no I misspoke it's only 3%. So on the sewer it's only a 3% increase to your usage rate over the next 5 years. For example, an in-corporation customer residential customer right now pays I believe \$4.25. The minimum bill is \$35.07 for the first 100 cu. ft. and every 100 cu. ft. over that is \$4.25, that's what it is currently. For 2021 I'm actually leaving the sewer rate as is, so it stays the same, it does not go up. In each of the subsequent years after that (2022-2025) I'm simply recommending a 3% increase to your usage rate, not the minimum bill just the usage rate. So, for example in 2022 the 100 cu. ft. usage rate would go from \$4.25 for every 100 cu. ft. to \$4.38. Each of the years after that it caps out in 2025 at \$4.78 per 100 cu. ft. from the current \$4.25 so that's the good news. It's very minimal, that's leaving the minimum bill alone so we're really not looking at a big need on the sewer side for increase. Now on the water side it's a different story. On the water side you have to remember number one I think the first thing that comes into play here is you went approx. 7 years without raising rates at all. So right now, you've got a minimum bill for most of your residents...obviously you've got a different minimum bill for your different meter sizes and that's all been taken into account so whatever percentage increase was recommended for a residential customer that same percentage increase was recommended for the other categories. Okay? So the majority of your customers are your residential in-corporation limit customers so we're using that as an example. Right now, they're paying \$13.00 for a minimum water bill. In 2021 we're recommending that go up to \$19.11. Now, I think it's important to point out that over the course of the last 7-8 years, if Kenton had been increasing their minimum bill 3% each year, that alone would have brought it up to around \$17 and change. So a lot of this is catch up, okay? So while you had your rates staying the same, what was happening to your expenses, the cost of your chemicals, the cost of equipment you need, a lot of your salaries...you had inflation affecting that so the cost of that was going up and the whole time your rates were staying the same. The first thing you've got to do is try to catch up and that's why we always recommend to a village or a city even if they are not facing a rate increase we always recommend an automatic 3% increase to take place every January. If it's viewed in that budgetary year that it's not going to be necessary the Council can always waive it. Many communities have adopted this policy & they've gone ahead & just made it where in January of the budget year there is a 3% increase that occurs, it's passed by ordinance, it's not needed to vote on, however if during any of those years they see it's not necessary they can always waive it for that one year. So that's how a lot of communities are handling that right now. Back to Kenton, from the water side this first year we're recommending an increase in the minimum bill for your residential customers to from \$13 to \$19.11 and then you've got your other bigger customers with 1/2" meter, 2", 3", 4" & 6" meters, their minimum bills will all go up the same percentage amount okay? That's listed there in the table. The usage rate is recommended to go from \$2.75 per 100 cu. ft. for your residential in-corporation customers to \$3.85. What that translates to for example on the water side is, if you take an average residential in-corporation customer who we like to use 4500 gallons per month, which translates to about 700 and some odd cu. ft., that's a typical average residential use in corporation limits. I looked at your usage history & that was pretty close, that's what an average residential home in Kenton is using per month. Right now, an average 4500 gallon or 700 (+) cu. ft. per customer is paying \$26.75 for that water portion of the bill. Ok? So, if you were to take this recommendation for 2021 that would take their bill up from \$26.75 to \$38.36. Now another thing we look at when we do that, and the reason we do this is because this is how the funders look at it, we look at the affordability index analysis. What we do there is we take the community's median household income, which in Kenton's case, and don't shoot the messenger this is just according to the American Community Survey 2020 statistics, the median household income not the average, the median household income for Kenton is listed at \$40,613.00 per year. If you looked at all the incomes in Kenton they're saying that's what it is right in the middle. Ok? There are going to be several higher than that & several lower than that, but they're saying that's the median household income. Right now, if you take an average customer's bill & you multiply that by 12 (over the course of a year) that means right now an average customer in Kenton is paying about .79 of a percent of their income towards their water bill. So not quite 1%. Less than 1% of their annual income is going to their water bill. The reason the funders look at that is they want to see like for example if Kenton was going to the Ohio

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Water Development Authority to try to get a loan to do a project for their water fund, the first thing OWDA is going to do is look at your rates & they're going to determine is the water billed at 1.5% or over. If it's at 1.5% or more, you're going to be eligible for the lowest interest rate or for any grant programs available at this time. Ok? So right now, you are well below that at .79. If you were to adopt the recommended increase on your water side right now for 2021, it would take you up to about 1.13 so you're still not at 1.5 but it's a good indication. If you did every single increase that I recommend over the next 5 years, in 2025 you would be about 1.45, which is very close to that 1.5 mark. Now I'm not saying that should be a reason why you should raise your rates, I just want you to see where you are in terms of how the public banks & most of the grant & loan programs out there that are available for infrastructure...I just want you to know how they look at it & what they're looking at. So I'm just giving you that. If you're able to produce the amount of revenue that you need to run your system correctly & your affordability percentage is less than 1.5 well so be it, but we always show that because it's good information to have. I think the big thing here is the main reason for the rate recommendation increase on the water side really comes down to two things, maybe three. The big two being #1, you went several years in a row without raising your rates at all & inflation caught up to you. So that's #1. #2, if you go through & you looked at that excel spreadsheet that I gave to the officials, it's going to have the 2021 budgetary amounts in there for each line item, salaries, everything from A-Z. Ok? There are 2-3 line items that are for preventative & predicted maintenance to your system, for parts, for short lived assets...like in your plant pumps, well, tanks...a lot of these things in your system that are going to need regular replacement, cleaning, inspections, things of that nature...there are 3 line items in that budget that cover those aspects & in the 2021 budgetary recommendations I think we finally have those to a level where they need to be so that you're actually properly maintaining your system into the future. What you want to avoid is going long periods of time where you don't raise your rates & then also during that same period of time what always ends up getting cut first? The preventative & predictive maintenance & replacement of those short-lived assets. So in the end what happens is your revenue stream stays the same, the cost of the chemicals & parts go up, and your system is over & in more of a state of disrepair. So the gap between having your system in a positive light and having it get older & in worse shape gets wider & wider & wider. That's what you want to avoid & that's where these rate studies really come into big play. Another thing that really affects the water rates down the road is your projected loan payments so that you can do those big capital improvement projects that you need to do that are going to require debt capacity that there is no way you can save & pay for them in cash...they're going to require loans. When we figured up the Phase II water & sewer portion side, Cindy Brookes my counterpart at RCAP, was heavenly involved with Kenton at that time & we assumed that loan payment based on Kenton receiving at least 20% of cost in a grant or what they call principal forgiveness. So we have tried to lower that loan payment amount as low as we could get & sharpen our pencil there as much as we can. The rate increases on the water side you've got them in the table there and if you went with the recommendation for 2021, 2022 is very minor...we're looking at about 3%, 2023 is very minor again in fact the minimum bill stays the same & the usage rate only goes up slightly from \$3.97 to \$4.08, then in 2024 you notice there is another decent increase on the minimum water bill from \$20.64 to \$26.62 and the reason that is is because that's the year the Phase II loan payment is expected to kick in. I think on the water side it was projected at right over \$200,000 per year but I can't remember the exact amount. It's in the spreadsheet & it's a significant payment so in 2024 there is a large jump and then in 2025 it's back to just another standard inflationary 3% increase going from \$26.62 to \$27.42. So that's all right there in the executive summary. I wanted mainly to kind of explain the process so that you understood how we came up with those numbers. If you want to look at those numbers individually like I said your Chief Financial Officer, your President of Council & others have that so it can be shared with you if you do not have it. At this point I think I'll open it up for questions, that's what I usually like to do so I'll just turn it over here to the President of Council & let him entertain any questions to me at this time.

Althaus: Are there any questions for Nathan? You have the executive summary in the email I sent you earlier today & if you would like the spreadsheet, we can get that to you. I could send it right now if need be. I will also send his presentation from this evening but that's really just summaries of the executive summary. So the important thing was that you got the executive summary. So what questions are there at this time?

N. Davis: Mr. President, I might add at this time that if at any time a Councilmember after this meeting had a question for me that they didn't think of or didn't have at this time, you can get with the Mayor or Cindy or the Chief Financial Officer & you can obtain my email address if you wish to email me directly. That is not a problem & I can try to answer it that way.

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Althaus: David, Finance, you guys can really start to look through this at your leisure also & see what questions you might have.

Beazley: I think we need to schedule a meeting with Finance to talk about this principally & if you'd like to attend Mr. President, I know you've been actively involved so that would be helpful for the rest of us as well for our next scheduled meeting.

Althaus: Yes, I'm going to go ahead & get that spreadsheet out so you can look at that as well. The executive summary really summarizes an awful lot of it so that would be where I'd start. Cindy, do you have anything to add? Not to put you on the spot...

Cindy Brookes, RCAP: I would just like your Council to be aware you do have 2 loan applications that have been submitted to OEPA, one is for the design on Phase II water and the other is for the water transfer channel. Just an FYI to keep in mind, in the processing of the loan documents they do look at your rates to ensure that you have repayment ability. So please keep that in mind. Those numbers are in Nathan's documents so please look over that carefully.

N. Davis: I'm glad you brought that up, Cindy, that is important. I know when Cindy sends an application to the OEPA to say like the Drinking Water Assistance Fund for your current Phase II project, they usually require at least a 3 year examination of your financial history included with that application. So the beauty of this is now Cindy has this rate study to submit with that, which goes back much further than that & provides even more detail. So that is correct...before they'll award a loan or if they look at a community to award them principal forgiveness or any of that, they always do a look into the future in terms of determining if you're going to have the ability to pay that. So obviously all of those loans for design & construction & whatnot, like I said we took those into account & those are included in the spreadsheet & are included in the rate projections.

Althaus: Other questions? Okay, well Nathan thank you very much for all of the work you've put into this. I'm certain we'll be getting back with you, I'm going to provide your email & contact information to the rest of Council, especially Finance...I can see them reaching out to you.

N. Davis: Sure, good.

Althaus: And this is something we've known since the original RCAP rate study in what 2012?

Clerk: I believe it was in 2013, but it might've been 2012.

Althaus: 2013, okay. And at that time, I know Mr. Hattery is very familiar with that study, there are things we didn't do in it so you're not really telling us anything we didn't expect. Actually, in hindsight as I've had more time to digest it, it's probably not as bad as I thought it would be. But I do know that 1-1/2 years ago when Cindy was first working on the Phase I applications, we were struggling to get repayment. If you recall Cindy that was a struggle to get the repayment we needed to qualify for those applications. We had to work with Kerri quite closely, that was before Pam was with us, to even get that figured out. A lot of it had to do with we started to look at the debt load & when that was coming off & that's how we were able to achieve it. So everybody look at that...we'll try to send you everything we think we can. You have the executive summary & the other couple of pieces I will send out later tonight.

N. Davis: Mr. President, I just want to brag on Pam, your Chief Financial Officer, I've worked with a lot of communities and I have to gather a lot of information from them and you guys were easy. You were easy because Pam keeps such great records & she was able to share that information with me very efficiently & very easily. I just want you to know you're lucky to have someone like that because there are a lot of communities out there that that's not necessarily the case.

Althaus: Thank you for telling us that. That's another one of those things that you're confirming something we already know but we've got to make certain everyone knows how great Pam is, Doris, Brian...that whole office. We're very fortunate to have the 3 of them there.

N. Davis: I think that's all I have.

Althaus: I'm certain someone will be reaching out to you & it might even be something where we might even try to line up something where we might have you call in for Finance.

N. Davis: That's not a problem. Thanks.

Brookes: I just wanted to say I'm going to sign out, but if you have any questions for me at any point please feel free to reach out.

Althaus: We'll definitely do that & we really appreciate you being such a part of our City the last 2 years. You've practically been an employee...really you ought to have an office here to be honest. Ha. I was hoping you'd move toward Hardin County at some point...

Brookes: I did get closer, but not that close. Ha.

Althaus: Ok, yes go ahead & sign out but we'll be in touch with you Cindy. Thank you very much.

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Althaus: I have no communications...

Murray: You skipped Departmental News/Updates...

Althaus: Well, I mean the Chief already went...is there anybody else that does?

Murray: Well, we'd like to have Nuisance schedule a meeting.

Althaus: Okay. I was going to get to that in committee reports. Cindy mentioned it would be nice to have Nuisance schedule a meeting, Antwillia, at some point.

Davis: What I was going to do in my committee report was basically say sometime this week I was going to email everybody about Safety & Nuisance to see if there was a time they could get together so we could schedule our yearly meetings and if we wanted to do those live or by computer. It's kind of our first of the year get together. So Cindy, if you just want to send me an email since I can't see you while I'm talking, and we'll schedule something in the next week or so.

Althaus: That sounds good.

Murray: Alright, thank you.

Althaus: Okay, while we're looking at specific areas, I'd ask Brenda if she wants to talk any about her report. No? Okay, well I wanted to give her the opportunity as Brenda has in front of you her report that we eagerly anticipate each year. Ha. Any questions regarding Brenda's report for 2020? Alright, then you also saw John submitted his written report for 2020. He had mentioned that 2 weeks ago in the midst of my technological fiasco. John, anything you want to follow up on that report?

Schwemer: No, I would run through all the details, but we have enough on our plate tonight & I don't want to keep you all night so I'm just going to let it sit as is. Ha.

Althaus: Again, that's another one of those reports we really anticipate, in fact yours probably more so than Brenda's to be honest. Ha. Very exciting. It is...again, we're very blessed to have both of you and appreciate that you're always very timely in getting those to us. Anything else Mayor or Cindy departmental wise that we need to touch on? Okay, as I said we have no communications, and we have no petitions in front of us at this time. Does any Councilmember have any communications they wish to share?

MONTHLY/ANNUAL REPORTS:

Althaus: I'd just point out what was in your packet. Beyond the 2 annual reports we already mentioned, you also then have the Kenton Tree Comm. minutes from 1/14/21, the KFD activity sheet for December, and with that I'd introduce Chief Donnelly...of course all of you know Chief Donnelly, he's been with the department for many years, but I'll give Chief Donnelly a moment...if you want to talk the floor is all yours, well the airwaves are yours whatever is the correct way to say it.

Chief Bruce Donnelly: The monthly report shows kind of a normal type year for us, but our sick leave hours were kind of up for the month...a lot of that was due to the fact that we actually had one guy in quarantine for COVID and 3 tested positive. With our schedule the way we work with guys time off and stuff, it worked out that one of the guys was through his quarantine & stuff on his days off so we never actually missed any workdays on that. So it could've been a lot higher than what it was, fortunately it wasn't. The fire activity has actually been pretty slow through the last ¾ of 2020, but I feel like we're kind of making up for it now because we've already had 3 structure fires this year and while we're here they got called out to Eagles Point Apts. So things are really hopping & I think we're close to almost 100 runs for the month already so it's been busy. Myself & Jason Conley, our new Captain, we're still kind of getting our feet wet in the new positions & everything. I feel like we've known each other for quite a few years, and everybody's worked with each other, so it's been a relatively smooth transition & we're still kind of learning our places & everything. Some of the things we're just kind of sorting out right now is some of the projects we've got coming up for the year, any new equipment type projects or purchases we might be looking at. We are currently working on 2 grant applications, one through the State Fire Marshall's office for equipment and also the FEMA Assistance to Firefighter grant. The State Fire Marshall's is due the end of the month & FEMA's is due Feb. 12th so we've got a little bit of time on that one. There are other grants we apply for...the Community Foundation grant, the Moose & Elks also have some we apply for...we're always looking at those types of revenue sources for some new equipment purchases or even update some of the stuff we have currently. But like I said, we're just kind of feeling out some of the priorities we have for this year for activities and all of that. There has been some training scheduled for the coming year that we're still trying to figure out how much training we might be able to get through the Ohio Fire Academy or other organizations, but with the COVID restrictions we're just kind of playing that by ear and hoping we can get some of that scheduled late on in the year. Other than that, everything is going good and I appreciate a lot of the administration's help showing me some of the stuff I needed to do for paperwork & stuff for the Auditor's Office & all that. So, I appreciate Doris & Pam helping me out

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there. And Cindy & the Mayor for helping me out & giving me some guidance. I appreciate all of their help in making this transition pretty smooth.

Althaus: Any questions for the Chief? Well Bruce, welcome. You're always invited to participate in Council and hopefully at some we'll get back to our in-person meetings, but it might be such a thing that from time to time you might call in too. Anytime that we can get to know your operation & how you want to do things better, please call on us & we'll do everything we can to work with you. Okay, in your packet you also saw Chief Musser had the PD's entire 2020 report. I probably should've asked if he wanted to comment on that, but please look that over & if you have questions, we can check with the Chief in 2 weeks. That's a very detailed report as well.

COMMITTEE REPORTS:

Finance, Beazley: Finance has not met, however I would like to schedule prior to our next Council mtg. on 2/8 at 6PM in chambers, principally to talk about the RCAP study & our initial reactions & recommendations on rate increases.

MOP, Wren: Nothing.

Nuisance, Safety, Davis: Nothing, other than just send me an email...I was going to send out emails to both committees to see what days worked best for them for monthly meetings and then of course if we want to go live or virtual. And there's nothing on Cemetery while I've got you.

Althaus: Thank you, Antwill. David, quick question...depending on the situation are you going to meet in person in 2 weeks?

Beazley: That's the plan Mr. President. I know that Pegg & John are the two that will need to say I can or cannot so we may prevail upon you to start our ability to get together at 6PM.

Althaus: I think we have things working a little better now, I think the internet speed made a huge difference, so we'll tentatively plan on that. Either way it will be 6PM one way or another so work with David & then I can be in touch with him on what we need to do. Regional Planning, David? If nothing just shake your head. Ok. BKP...you saw I emailed the Dec. minutes, of course we just had the Jan. meeting a week ago yesterday & we don't have those minutes yet. Please take some time to look through those minutes. There was a special meeting & I can answer any questions you might have with regards to those minutes. Brian, is there anything beyond what RCAP talked about with your department that you'd like to discuss at this time?

Auditor Brian Hattery: There is nothing I can think of, thank you.

OLD BUSINESS:

ORDINANCE NO. 20-043, 3RD READING, TITLE ONLY; AN ORDINANCE CONFIRMING THE LEASE OF SPACE FOR ANTENNA(S) AND RELATED EQUIPMENT FOR INTERNET AND/OR COMMUNICATIONS ON THE EXISTING WATER TOWER AT 610 W. KOHLER STREET OWNED BY AND SITUATED IN THE CITY OF KENTON, OHIO AND DECLARING AN EMERGENCY.

Althaus: Are there any questions to make certain nothing new has come up with regards to this ordinance? I'd entertain a motion...

Motion by Mrs. Davis & second by Mr. Lawrence to approve Ordinance No. 20-043.

Althaus: Is there any discussion? (Roll call vote, 7 ayes; motion carried) Is there any further old business to be presented at this time?

NEW BUSINESS:

ORDINANCE NO. 21-001, 1ST READING, TITLE ONLY; AN ORDINANCE ADOPTING KENTON CODIFIED ORDINANCE CHAPTER 1284 RELATING TO A WELLHEAD PROTECTION PLAN FOR THE CITY OF KENTON, OHIO AND DECLARING AN EMERGENCY.

Althaus: So, this is somewhat complex and John & I had wanted to get together last week and I was not able to do that, so I'll turn this over to John if he wants to talk about it for a little while. John you can talk about it from right there or come up to the podium.

Schwemer: Could everybody here me from here? (not very well)

Althaus: Ok he's going to come up here & I'll turn my monitor towards him.

Schwemer: Part of the issues we've had & part of the violations we've had with the EPA over the years has been a mandate that we have a wellhead protection plan. The nuts & bolts of what is a wellhead protection plan is basically a process that we set up to help protect our wells & our wellheads from contaminates from residences, agriculture, & businesses to make sure our water source does not get contaminated. If we get contamination there a lot of times there is very little our WTP can do if they're getting bad & contaminated water, so the purpose of this protection plan is to establish that around each

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of our active wells. Most cities have these in place in some form or another including villages that have public water systems. This is fairly critical timing because for us to be able to apply for the downtown funding, the EPA is looking for us to adopt a wellhead protection plan. So timing on this is fairly critical, but we're not expecting action tonight on this...the EPA is really wanting an answer from us by the end of February so time is not on our side here. So we put together a plan & I've drafted this as really a new implementation or new chapter of our codified's, which goes after the cellphone tower chapter, it will be chapter 1284 and it's really kind of an overlay zoning ordinance which would impact everyone within really almost what I would say the water shed, they refer to it as a wellhead protection buffer zone of each of the wells. There are going to be requirements that those folks, those businesses have kind of a plan in place to control any contaminates on their property & there will be some reporting to the City, okay? Now, we may have to tweak this in the future, I'm not going to say this is going to be perfect for us, but it's really a first crack to make sure we get this approved & we can move forward with financing through the EPA. If you look to see what are we really trying to do here it's to protect everyone's drinking water. So it does make sense, it's something we should have but at the same time we may need to tailor this in the future. It's a question for Council whether they want to put this into committee but we're going to be moving this along & we need to get this passed. As Cindy indicated the EPA is waiting on this legislation. So really that's all I have right now. Questions from anyone?

Davis: Cindy, is this what you wanted to bring to Nuisance?

Murray: No.

Althaus: So John, when you look at the zones it's a fairly big area.

Schwemer: It is a fairly big area & we do have maps that are not a part of that, that would be available. They were created years ago by a company...

Murray: Right, so I contacted that company. The information wasn't in GIS form, but I have now got it to me in GIS form, so I need to get it over to Nathan & have him plat it to see exactly who all falls in these areas. We currently have 7 wells and they're all in the south side of town, so it'll be those people that are affected.

Lawrence: Who would monitor this implementation after it was in?

Murray: It will be Dale Albert & myself.

Althaus: Council what do you feel you need to get to a point to consider this one way or another?

Beazley: Mr. President, this obviously is something that is urgent & is some boiler plate material we're working with here...as John indicated we can tweak this according to our specific needs as we discover them, but I don't see any reason to try & put this into committee or doing anything of that nature. We can review it ourselves & be ready to take action on it at the next meeting in my opinion because it is that kind of urgency.

Davis: I agree with Dave.

Wren: I agree with Dave.

Lawrence: There is a lot of reading, but I think so too.

Risner: I agree too.

Althaus: Okay. The first thing I thought was what Ray mentioned already. I don't know how many different...the agricultural side to me is the one that really jumps out I believe...how many different farmers, landlords, tenants we'll be dealing with. Probably not as many as I think.

Schwemer: Probably not as many because of the nature...I mean it's going to be a handful because of the way the land masses and the large tracts of land. So, it's not going to be a large volume of number it's just going to be the acreage.

Lawrence: Is there a range for that water shed out past...

Murray: So like here is the map. I'll scan it & email it to all of you. It's hard to tell what all you're looking at...

Schwemer: I spoke with Cindy & she had really done the work on this already because we wanted to be able to show folks what the overlay is. Obviously, the easiest way to do that is to get that in some format & get it across the street & they can add it as a layer to the Hardin County GIS. So any resident, agricultural user, or business can see if they're in the affected protection area...I'm not going to say water shed, it's protection area.

Murray: Again, it's not like we're going to restrict use. We just want to see their plans in case there was a spill how are they going to protect our water from that reaching our water.

Lawrence: Would the affected landowners then personally be required to implement a plan or procedure as preventative in case something should happen?

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Murray: Yes. For those in industry you know you have spill protection plans so that's basically what we'd be requiring.

Schwemer: One key component I want to make sure everyone understands is you first read this & it looks like we're prohibiting people from operating existing businesses. That is not what this does. They are considered a nonconforming use very similar to we have a lot of nonconforming uses in our zoning code, so they're allowed to continue to operate but they're just subject to restrictions. I guess if there are major questions or concerns about the language, everyone obviously feel free to email me or call me if anyone needs to set up a meeting I'm willing to do that including the press if there are any questions.

Beazley: Mr. President, I'd note we're currently not experiencing any known problems with the current existing wells we have or our water system would already be addressing a lot of these issues if there were contamination problems. So, this is putting something into place to preclude anything significant from impacting us in the future realistically.

Schwemer: Correct because the problem is once we have an area that is contaminated it is nearly impossible to decontaminate that area in the short period of time. You're shutting down that well and finding another resource to pull the volume of water that we're getting. So you can see if we would have an issue, and keep in mind if we had the right spill it could affect several or a couple of our wells together, that could seriously put us in jeopardy of being able to provide water to our residents & businesses. So, it's not something we can take lightly.

Althaus: Are there any objections to moving this on to a 2nd reading in 2 weeks? Okay, that's what we'll do. In the meantime, I think Cindy will probably have some information that maybe shows it graphically a little bit better. Thanks for getting that so quickly. Are there any other questions at this time? Is there any further new business to be presented this evening?

COMMENTS:

Murray: I just want to reiterate Chief Musser's comment about Sgt. McNamara and wish him well in his retirement. 21 years of service is awesome so congratulations.

Althaus: Agreed. Thank you & thank the Chief...I really appreciate having the pinning ceremony & being able to recognize him. It's just unfortunate it had to be in these circumstances where we couldn't really do it up right.

PIO/Rec Director, Taylor Klinger: We actually are working on implementing Rec Desk, the program the Parks Dept. is going to be using this year. It will take me about another 3-4 weeks to do the backend stuff, but I should have it up & running I'm hoping by mid to end February so that we can start online payments for our booking system for the Quarry. But everything is going well. Also, we're going to be taking some new photos for the people who are joining the team. Bruce and all the fire and all the police will be getting their photos taken for free from Jenny Good, so we look forward to that. I will reach out to you guys individually when that comes along.

Althaus: Thank you, Taylor. I'm really glad we're getting the photographs taken...I think the ones out in the hallway are quite old. Hopefully that software is going to work out well for that dept.

Schwemer: With social media & everything, I just want to make sure everyone understands in connection with the legislation that we just talked about on the wellhead protection, **we do not have a water contamination issue in the City of Kenton.** Our water is tested in accordance with the EPA guidelines & we do not have any issues, so the residents do not need to be worried about whether its safe to drink the water now. The problem is, if we don't have something in place, something could start leaching & we could have issues that we'll detect right away but at that point in time...we can stop it before anyone would get any contaminated water, but the fact of the matter is we will then be shutting down part of our system. So, I just want to assure residents we do the EPA required testing on our water and it always comes back in compliance, so people do not need to worry about are they able to drink the water or do they need to cook with bottled water. That is not necessary, okay? I just want to assure every one that is the case.

Murray: I just want to answer Antwill's question about the Nuisance Committee. What we'd like the Nuisance Committee to do is we have 3 different ordinances that are kind of out of whack with how we need to serve notices, the fines and all of that & we just want to kind of sync them all together to make the administrative part behind all of that the same. So that's what we'd like the Nuisance Committee to do and to help implement the best way to attack the nuisances in the City.

Althaus: There are many places where, I don't remember what they call it, a processing fee or something like that...our administrative fee is \$120 one place, \$150 in another place, \$100 in another

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place, etc. As you know, Cindy is very efficient so in that vein she wants to try to get that all the same & I think that makes an awful lot of sense.

McEntee: I'd just like to add my best wishes & congratulations to Sgt. McNamara in his retirement, and the pinning of the new Sgt. Newfer. Also hello, welcome, & best wishes for our new Fire Chief.

Beazley: I'd echo my thanks to those who are leaving & congratulations to those who are being promoted. I'd remind everyone that the Finance mtg. at 6PM on 2/8 is open to not only Finance members...the decision we'll be making on these water rates will affect all of our utility users so the more input we get the better off I think we'll be.

Davis: I have nothing additional to add other than congratulations that were said before.

Wren: Just reiterate best wishes & good luck to Sgt. McNamara in his retirement and a big congratulations to Skyler for his advancement to Sgt. That's all I have.

Risner: I'd like to convey my best wishes to both of these men and also ask our citizens to be careful because the weather is changing with ice & we're going to get snow, so everybody please be careful.

Mayor Lynn Webb: I'll make it real quick. I'm sincerely grateful to Sgt. McNamara...I know I gave him a few headaches in just the small time I was able to work with him, but he's just a great guy and what he's poured into our police force and into each of the patrolmen he's a great example. To Sgt. Newfer, I look for great things from him. He's a great policeman, great community minded policeman. I couldn't be more proud of our Fire Dept. & our Police Dept. & Public Works. We just have an excellent crew...that's been in place with great hires from the past and great leadership. That's instrumental so rest assured we have great leadership around here. Other than that, I'm just going to make it real quick tonight. Have a good night.

Althausser: Thank you, Lynn. So to conclude, just a couple of little reminders...the next meeting will be Feb. 8th at 7PM & we'll have Finance at 6PM prior to that and maybe a combination of some people zooming in & some people in chambers like we have this evening. Just to echo a couple of things that were said. I appreciate John Schwemer coming back up here...folks anytime whether you're a city or whether you're a business, anytime that you are working to improve something one of the routes you use are governmental loans & grants. Anytime that you're trying to improve the distribution of water supply, of the sewer system, anytime you're trying to work on your Asset Management Plan like we've done on the water & will be doing on the sewer, we learn more things when we do that & we learn more about the requirements the federal government & state government might have. This wellhead protection plan is simply that. Those are areas where we need to have a better plan in place for the EPA, it is not anything to do with situations that we have going on. We always have very good water test results and we just want to plan for the future & make certain we continue having a safe water supply. Secondly, with regards to water potential increase, the rate study, this is a continuation of the study that was done 8 years ago. It is something we need to revisit from time to time & not just put on the shelf and I'd only say this...every year most costs, most expenses in your household go up somewhat whether its utilities, being electric, being gas, being phone, remember your city pays for all those things as well. Labor costs, all of those items go up & we've not changed that water bill in 8 years so obviously we're behind. Now we want to do that in an appropriate & proactive manner, but also make it work for everyone. So that's why we do the rate study, that's why Finance will take a lot of time in looking at that rate study and we'll try to implement that in a way that works for everyone. Anyone out there that has questions, please don't hesitate to talk to your Councilmember. Every one of us our emails are right there on the website. I'm not hard to find and anyone can reach out to me anytime they want to and I'll try to answer any questions you might have. Councilmembers, I'll be getting that information out to you & anyone that wants to see the executive summary or any of the information that was presented tonight by RCAP you are absolutely entitled to see that. I only ask that if you want to see it that's fine, but let's sit down & talk about it when you have questions or if there are things you don't quite understand about it. We'll be glad & happy to answer them. With that we'll wind up tonight...I appreciate everybody being so patient, we had a lot of information to present and with that, if there are no objections, we are adjourned until Feb. 8th.

Joel Althausser, President of Council

Brenda Hanna, Clerk