

Service Committee Minutes

Honorable Council
City of Newark, Ohio
December 5, 2023

The Service Committee met in Council Chambers on December 4, 2023, following the Finance Committee with these members in attendance:

Jeff Rath - Chair
Dustin Neely – Vice Chair
Spencer Barker
Beth Bline
Bradley Chute

We wish to report:

- 1. Resolution No. 23-101** A RESOLUTION AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY NOW OWNED BY THE CITY OF NEWARK, OHIO TO NEWARK DEVELOPMENT PARTNERS AS ITS AGENT FOR INDUSTRIAL, COMMERCIAL, DISTRIBUTION AND RESEARCH
David Rhodes, Service Director - These three parcels are to the left of Elliot Heating & Cooling on Mt. Vernon Road. That's part of the area that we changed to Downtown zoning, we've attracted an end user for these so we would like to transfer these to Newark Development Partners so they can work out an appropriate price with some stipulations on the end user such as landscaping, parking things of that nature.

Motion to send to full Council by Mr. Barker, second by Ms. Bline, Motion passed 5-0

Mr. Rath - I've asked Brandon Fox to join us this evening. We had so legislation that went through in our last meeting regarding selling water to Hanover and there are some questions being raised about that and still needing additional information. So, Brandon, you can try to address some of the concerns and then we'll follow up with questions, if that's okay.

Brandon Fox, Water Administrator - When I spoke at the last meeting there were some concerns about what this will do to the regular and if you remember we are looking at an agreement where we agree to provide up to 800,000 gallons a day to Licking County through the Licking Valley Water District. So, the 800,000 gallons will be many years off into the future. We are expecting it to be about 50,000 gallons a day on day one and then with future growth, so we do currently have that capacity at our water department. What I provide you with tonight is Arcadis is currently working on our water capacity study that we had already initiated about 3-4 months ago and this is some data from the USGS Stream Gages that are in the stream. This is from the one out east by the wastewater plant, but it shows the combined impact of the South Fork, Raccoon Creek and the North Fork and, a lot of data, but the information does show that since 1939, that first chart basically shows the ups and downs of any given year. If you look at the last page that's a better view I think, but it's the data since 2009. The low points on the right axis on the left hand side is 1 million gallons per day that's flowing down that river, so we never really get below about 50 million gallons and anywhere up to 22 hundred million gallons. I did

talk to the design folks at Arcadis a little bit more today about this and they don't have any concerns that there is going to be a negative impact through the Licking River, there were some concerns about recreation and things of that nature and I will say that once this water capacity study is done we'll have more information than what I provided here because we have to coordinate this with EPA, so any additional water we want to take out of the river we do have to get EPA approval so we can say that the river will continue to have a safe yield past our plan and so there can be continues use for recreation and wildlife. The other concern I heard was of potential pollution and other industrial concerns in the river. Number one I want to reiterate we do have an industrial pre-treatment program that Nancy Taylor runs at the wastewater plant. She is happy to investigate any issues we have with industrials that we have that are on our categorical standard list and get that o us and we will work to try to resolve any issues we have with any industries out there. Also, our Storm Water Coordinator, Lindsey Brighton she will handle any storm water issues that may be out there from a potential concern there might be in a river so, happy to answer any of those concerns. I don't know if that is a concern for the Licking Valley Water District, that's a separate issue, but it would be a concern if there are potential issues like that.

Mr. Rath - One question I do have for you. You mentioned the industrial pre-treatment program, can you explain a little about that process and how it works in a way you don't need an engineering degree to understand?

Mr. Fox - Every industry that does discharge into our sanitary sewer are required to have a pre-treatment program. From EPA we are a big enough City that we are required to have a pre-treatment program and we initiate and mandate limits that those industries can discharge into our sewers and we have folks at the wastewater plant that routinely some of those industries are every week, some every year, some not so often, but we are required to inspect those industries at least annually and those were just competed here in the last month or two, they sample their discharge and determine what they are discharging into our waste water stream and that's to ensure that we are not overloading our waste water plant and causing issues with our plant. We can enforce fines and penalties on those industries, most are compliant and good neighbors, we want them here and they understand the cooperation that we need. On the storm water side, they also do inspections for storm water issues, so an industry is supposed to have best practices to make sure mud and dirt are not running off into the river, she will make sure that's happening. That's part of our storm water management plans in place through the storm water utility.

Mr. Rath - You mentioned recreation and wildlife and about having some low areas in the river and not much surrounding flow, can you address that in any way shape or form?

Mr. Fox - I guess, based on the data, there aren't any anomalies that look odd from a low flow perspective. It's just kind of the nature of the normal lower rainfall, so I don't know if that's having an impact on that. I should've printed off the other form I had today, but as I started to look at this a little bit I put a trend line into this data. The average level from 2009 to today actually has gone up, so that could mean there's higher peaks when it does rain, but the actual average level of the river has gone up over the last 30 years, so take that into consideration I guess.

Ms. Bline - Thank you for coming, I've been researching further, you sent me some great data and this is part of it. I've been doing more research and I don't have a reason for why the South

Fork seems to be drying up in the summer. I heard from a resident who is a kayaker and he said we really hate to bypass Newark, but the water is just not passable, we have to carry our kayaks for such a long way that it's just not worth our time. I will get with Lindsey about this, but like you said there may be silt and rocks that just over the years have created a higher basin. I don't know if dredging is an issue, if that would upset the ecosystem, but it could be a possibility that it would create that balance.

Mr. Fox - Good options I guess. Anytime you do work in the river you have to coordinate with the Corps of Engineers, they manage all of that, any work we have to do on the river.

Mr. Rath - When we decide to go through with this and we're selling water to Hanover, if there are adverse effects we can stop that at any time, is that correct?

Mr. Fox - We can study it. If this goes through we will have a 40 year agreement with Licking County or Licking Valley that we are to supply them with water. There are terms in there that the contract could be cancelled if the Council decided to do that because of adverse impacts.

Mr. Rath - Okay, we would have the ability to do that.

Mr. Fox - Yes.

Mr. Rath - Hanover has no say, they simply put in a request and we decide yes or no.

Mr. Fox - It's not just Hanover, it's that entire service area to the east. They are agreeable to the contract and are waiting on the City of Newark to make a recommendation for or against it.

Mr. Rath - So, if any other community wanted to have us supply water to them that we are not currently supplying, that would have to be an agreement between them and us?

Mr. Fox - Correct. It would go the same way. This Council passed a resolution in 2021 to move forward with negotiations for this and we've been doing that and now those negotiations have landed us at this point. So, yes if there are other communities or customers that want to have a bulk rate like this, we would have those discussions independent of this.

Mr. Rath - Are there directional or distance limits to this, can we go north and south, east and west, can we only go 10 miles, can we go 100 miles?

Mr. Fox - You can pump water anywhere you want to pump water, the sewer is a little different, water is a little easier, you can pump it quite a ways. The limits are basically our capacity and that's what I think this capacity study is going to tell us. To be honest, we have had requests from other communities in the area as to what is our future planning, we've had request from the EPA because they want to know it, they've had requests from everybody in the County about who's going to supply water and sewer capacity. So, we've had those discussions as well, just trying to figure out how much water each entity has available and where it can go and when it can go there. This discussion is going to continue, from here to Columbus, this whole Intel thing is it's very possible that these discussion continue and all communities between here and Columbus are having the same discussions that you're seeing here.

Doug Marmie, 317 S. Heather Dr. - This all started because Hanover actually has a problem with their water. So, they're having issue with the quality of it, it isn't an issue with the amount of water and quite frankly they don't have the tax revenue to build their own facility, so that's one thing, we're trying to help a neighbor here and it's a small neighbor right now. If they grow to a certain size where we can't supply that capacity, they are more likely to have the funds to build their own, so that's the way that I see it. The other comments about the water levels and kayakers and things like that, I live along that river, it changes every single year. You are going to have low areas in certain areas just because pools develop when large rains come and it will

develop a hole and one area will just have a slow flow and then it will create other pools down there. So, it's not that the water is stopping, it just shifts every single year. Therefore, you will have low spots in that river no matter what on a yearly basis and it's not going to be the same spot necessarily. It'll shift and all of a sudden one spot that was low one year all of a sudden is deep because a big storm comes through and creates a little dredge in there on its own and the river dictates where it's going. We have some things in place so it doesn't do that right where it's going into our water supply, but the rest of the river, it's God's will as far as what direction it moves. By the gravel pits it shifts all the time because you've got those huge pools of water there right next to the river so it really creates havoc. So, a lot of that is not necessarily we have less water, it's just it flows differently every single year. So, you will have areas that looks like it's low, but that same amount of water is just moving slower because it may have formed a pool right ahead of it where it's only flowing lightly for a period of time, but there is still a large amount of water in there. So, that's just my 2 cents worth as far as that goes, but I do know by the fact that I live right along the river, I've been up and down that river a number of times and it does change every single year. I commend our water department and what they are doing and us being friendly neighbors and trying to help a neighbor out. It's not a large community at this point. If they ever do get to that point I feel like they would be economically beneficial for them to build their own facility.

Meeting stands adjourned

Jeff Rath -Chair