

Board of Municipal Utilities
Meeting Minutes
January 21, 2025
201 Miller Road
Avon Lake, Ohio

Call to Order – Roll Call

The meeting was called to order at 6:30 PM. The meeting was held in-person using web-based video conferencing technology.

Present: Mr. Dzwonczyk, Mr. Mondello, Mr. Rickey, Mr. Rush and Mrs. Schnabel.

Also present: CUE Munro, Facility and Asset Manager Kimevski, Business & Financial Coordinator Logan, Attorney Anthony Coyne of Mansour-Gavin, Officer Riggs from the Avon Lake Police Department and Avon Lake resident Gregory Mosher.

Approve Minutes

Mr. Dzwonczyk presented the Minutes of the January 7, 2025 regular meeting. Mr. Rickey requested that language memorializing William Zimmerman's comments at that meeting be included. Mr. Dzwonczyk responded that his request was noted but that the Board does not include profanity in their minutes. Mr. Rickey stated that he has watched the recording three times and requested that the Board confirm that his statement about Mr. Zimmerman's comments were accurate. Mrs. Schnabel stated that she concurs that it is accurate. Mr. Dzwonczyk asked the other Board members for their thoughts and Mr. Rush stated that the statement suggested by Mr. Rickey could include asterisks or substitute the word "expletive" for the profanity. Mr. Mondello concurred that a substitute word could be included in the minutes in place of the profanity. Mr. Rickey stated that public speakers should be informed that profanity should not be used. Mr. Dzwonczyk asked Attorney Coyne to offer his opinion on the statement made by Mr. Zimmerman that he does not have limits as to what he can say during his allotted time. Attorney Coyne stated that as Chairman Mr. Dzwonczyk could instruct Mr. Zimmerman to only address him as the chair and if the Chairman feels the comments are out of order, he could request him to choose different words. Attorney Coyne also added that public speakers do have some coverage under the First Amendment but if the language is deemed threatening in nature, limits could be imposed. Attorney Coyne also stated that some boards are limiting public speakers to only comments on agenda items to help their meetings. Mr. Rush stated that the request to public speakers to address the Chairman should begin immediately. Mr. Rush also added that it would be appropriate to approve the minutes, with the requested addition by Mr. Rickey, at this meeting. Mr. Dzwonczyk instructed Mr. Munro to amend the minutes as has been discussed and that with that amendment, he ordered that the minutes stand and be distributed as amended.

Public Speakers

Gregory Mosher of 125 Ashwood Dr. informed the Chair that he is a husband, father and citizen of Avon Lake and has served his country in the Air National Guard Reserves and also the community as a former employee of ALRW. Mr. Mosher discussed his various roles within the organization and stated his concerns with ALRW management to the Board.

Correspondence

None.

Expenditures

Following review of expenses for funds and amounts as follows, Mr. Rickey moved, Mrs. Schnabel seconded, to approve the expenditures of January 3 through January 16, 2025:

Water Fund 701	\$	322,218.81
Wastewater Fund 721	\$	212,548.38
Collections Fund 722	\$	3,757.25
Distribution Fund 723	\$	7,024.49
ETL1 Fund 703	\$	370,253.11
ETL2 Fund 762	\$	902,812.90
LORCO Fund 749	\$	28,455.76
Water Construction Fund 704	\$	177,900.33

Ayes (per voice vote): Dzwonczyk, Mondello, Rickey, Rush, and Schnabel

Nays: None

Motion carried.

Board Committee Assignments

Mr. Munro informed the Board that with the appointment of Mr. Mondello to the Board to fill the remainder of Mr. Abram's term, it was now appropriate to adjust the assignments of previously approved committee assignments from the December 5, 2023 organizational meeting. Mr. Munro stated that Mr. Rickey had agreed to accept the LORCO appointment and that Mr. Mondello would be appointed to the Building & Utilities Committee designation. Mr. Dzwonczyk inquired if there were any other changes and Mr. Munro stated that there are adjustments to the alternates as well.

Mr. Schnabel moved, Mr. Rickey seconded, to appoint members of the Board of Municipal Utilities to the following committees:

<i>Committee Designation</i>	<i>Current Board Appointee</i>	<i>Alternate Board Appointee</i>
<i>Wholesale Customers</i>	<i>Mr. Dzwonczyk</i>	<i>Mr. Rush</i>
<i>Board Compensation</i>	<i>Mr. Dzwonczyk</i>	<i>Mr. Rush</i>
<i>LORCO</i>	<i>Mr. Rickey</i>	<i>Mr. Mondello</i>
<i>Communications</i>	<i>Mrs. Schnabel</i>	<i>Mr. Mondello</i>
<i>Finance Committee</i>	<i>Mr. Rush</i>	<i>Mr. Dzwonczyk</i>
<i>Human Resources</i>	<i>Mr. Rush</i>	<i>Mr. Rickey</i>
<i>Building & Utilities Committee</i>	<i>Mr. Mondello</i>	<i>Mr. Rush</i>

Ayes (per voice vote): Dzwonczyk, Mondello, Rickey, Rush, and Schnabel

Nays: None

Motion carried.

2025 Cleveland Construction Cost Index

Mr. Munro informed the Board that ALRW annually adjusts its fees, such as the Trunk Sanitary Sewer Fee, Sanitary Sewer Front Foot Charge Fee and the Water Impact Fee, based on the Cleveland Construction Cost Index (CCI) to account for inflation. Mr. Munro stated that there was a 1.00% decrease from 2024 to 2025. Mr. Munro stated that this was memorialized in the memorandum that was distributed to Board members. Mr. Munro also added that ALRW provides updates to the Central Avon Lake Drainage Project (CALDP) tap-in fee to the City of Avon Lake Public Works and Engineering Departments as a professional courtesy. Mr. Munro stated that no Board action is necessary due to this annual update memorialized in ALRW regulations as well as City of Avon Lake Ordinance.

2024 Year End Financials

Mr. Logan informed the Board that he provided them with a summary of the budget accounts for the 2024 fiscal year. Mr. Logan stated overall that the ALRW budget had performed very well with revenues exceeding and expenses being well below what was approved in the 2024 budget. Mr. Rickey stated that he was expecting the organization to more accurately budget for the expenses as a 30% difference was unexpected and that in order to make informed decisions about rate increases, ALRW needs to have a good handle on their expected expenses. Mr. Logan stated that a majority of this difference was related to the amount that was budgeted for the WFP Improvement Project and that there was approximately \$8 million dollars that had not been billed yet. Mr. Logan also added that another \$1.5 million worth of expenses were pushed into the 2025 budget due to the earlier than expected final check run which occurred on December 11, 2024. Mr. Munro stated that he wished to clarify that ALRW was under budget as opposed to being over-budget just so there was no confusion. Mr. Dzwonczyk requested that on future budget summaries, page numbers be included for easier reference.

Letter of Intent

Mr. Munro informed the Board that he is continuing to work with representatives from Lorain County and LORCO to develop the regional sewer district. Mr. Munro stated that the project continues to move forward with the goal of regionalizing sewer treatment in Lorain County to take advantage of the economy of scale to provide this service at the lowest possible cost to all residents. Mr. Munro stated that the next step to create this organization under Ohio Revised Code (ORC) §6119 is to have public meetings and a Letter of Intent to enter into an agreement with this new entity. Mr. Munro added that he expects to present a Letter of Intent to the Board for their consideration in the near future.

Project Updates

Power Plant Update: Mr. Kimevski informed the Board that ALERG returned to the site to continue cleanup activities from the implosion that took place in December of 2024. Mr. Kimevski also stated that the preliminary results of air quality monitoring performed by Verdantas indicated all air quality samples were below permissible limits.

ETL Design Services: Mr. Kimevski informed the Board that staff has reviewed the updated drawings and has provided comments to Bramhall Engineering. Mr. Kimevski also stated that Bramhall is working with Attorney Connie Carr on updating the legal descriptions so that easement acquisition can continue.

WFP Improvements: Mr. Kimevski informed the Board that concrete work continues on the new chemical building structure in preparation for the precast roof and also that the previous air-gap structure has been demolished. Mr. Kimevski also added that below grade excavation for the four new filters began the week of January 13, 2025.

SCADA Communication Upgrades: No Update

Techwin Project: Mr. Kimevski informed the Board that the Techwin container was delivered to the project site on December 23, 2024. Mr. Kimevski stated that staff has installed water and sewer service to the site and that First Energy has provided the electrical connection. Mr. Kimevski stated that staff will be procuring the necessary electrical components and that startup of the system will be expected in March of 2025. Mr. Rickey inquired whether necessary permits and inspections were being procured with the City and Mr. Munro stated that those have been taken care of. Mr. Dzwonczyk inquired if Mr. Kimevski was overseeing the electrical work and Mr. Munro stated that Mr. Kimevski was working with the electrical engineer to ensure that the work will meet code standards.

CUE Report

Mr. Munro informed the Board that the 2025 Water Bundle Project was going out to bid Friday, January 24, 2025 and will include twelve streets that require waterline replacement work. Mr. Munro added that there are 423 indoor water meters that will be relocated outside. Mr. Munro stated that the timing is right due to many of those meters are due for replacement. Mr. Munro stated that Mr. Gaydar has reached out to Public Works Director Liskovec to inquire if there were any streets they wished to partner on and is awaiting an answer. Mr. Munro assured the Board that this will not delay the project as ALRW intends to bid the project for eight weeks to allow ample time for review by contractors and additional streets could be added by addendum. Mr. Dzwonczyk inquired about how ALRW will communicate with residents that will be affected by this work. Mr. Munro stated that staff will reach out to residents in several ways such as door hangers, social media, and letters. Mr. Munro added that residents have already been notified by staff when the OUPS locating took place during the design of the project and that face-to-face conversations have and will take place. Mr. Rickey inquired if staff expects to find any lead service lines during this project. Mr. Munro stated that he doesn't expect to find lead necessarily but that there are numerous unknown service lines that will have their material confirmed during this project which will help reduce that number. Mr. Rickey also inquired if the meters that will be relocated will be the newer style meter and Mr. Munro replied that they will be.

Mr. Munro informed the Board that the new billing software is scheduled to go into operation in by the end of March of 2025. Mr. Munro stated that the project had been delayed due to the project manager from Springbrook was already allocated to other projects and she was now available to focus on ALRW's conversion. Mr. Munro stated that this project manager will be onsite to provide training to customer service staff in the near future. Mr. Munro informed the Board that there may be a morning or afternoon where it may be necessary to close the office while training takes place but will have other staff available to take messages.

Mr. Munro expressed gratitude and thanks to staff for their success in maintaining high quality service during this extremely cold weather.

Miscellaneous & Member Reports

Mr. Rickey stated that he attended the Building and Utilities Committee meeting on January 15, 2025 and it was discussed that ALRW was still working on the storm water retention pond permitting required on the newly acquired property. Mr. Munro stated that Mr. Gaydar and Mr. Larson had been meeting with the City of Avon Lake and that progress is being made on fulfilling all of the permitting requirements.

Public Speakers

Mr. Mosher stated in 2023 Mr. Munro, Mr. Yuronich and Mr. Kimevski had handed over his employment issues to the City of Avon Lake Human Resources Director Mary Siwierka who began the process of his dismissal. Mr. Mosher stated that he had recordings of these meetings and claims to have seen things during his employment that were not fair, safe or reasonable. Mr. Mosher claimed that the City of Avon Lake and ALRW have left him unemployable in the field of water treatment throughout the region. Mr. Mosher stated that ALRW, the City of Cleveland, Elyria and Lorain have all expressed difficulty in hiring qualified operators but that he has been unable to gain employment with any of these entities. Mr. Mosher stated that he will return to future meetings to speak on the details.

Executive Session

The CUE requests an Executive Session to discuss pending or imminent court action. The CUE does not anticipate any formal action following the Executive Session.

Mr. Rush moved, Mr. Dzwonczyk seconded, to meet in executive session as allowed by ORC §121.22 (G)(3) to discuss pending or imminent court action, and to include the CUE, the Facilities and Asset Manager, Business & Financial Coordinator and Attorney Anthony Coyne of Mansour Gavin.

Ayes (per roll-call vote): Dzwonczyk, Mondello, Rickey, Rush, and Schnabel

Nays: None

Motion carried.

The Board entered Executive Session at 7:14 PM

The Board reconvened the public meeting at 8:19 PM

Adjourn

As there was no further business, Mr. Rush moved, and Mr. Dzwonczyk seconded, to adjourn. The meeting adjourned at 8:20 PM.

Ayes (per voice vote): Dzwonczyk, Mondello, Rickey, Rush, and Schnabel

Nays: None

Motion carried.

Approved February 4, 2025.

John Dzwonczyk, Chairman

Robert Munro, Clerk