

Board of Municipal Utilities
Regular Meeting Minutes
February 6, 2018
201 Miller Road
Avon Lake, Ohio

Call to Order – Roll Call

The meeting was called to order immediately following the evening’s work session at 7:16 PM.

Present: Mr. Abram, Dzwonczyk, Mr. Rush, and Mrs. Schnabel.

Excused: Mr. Phillips.

Also present: CUE Danielson, Wastewater Manager Baytos, Community Outreach Specialist Arnold, and Customer Service Clerk Farch.

Approve Minutes

Chairman Dzwonczyk presented the minutes of the January 16, 2018, work session and regular meeting and with no changes, additions or corrections noted, ordered that the minutes stand and be distributed as presented.

Public Speakers

None.

Correspondence

CUE Danielson reported that an email was received from a resident in the 45 Project area complimenting Underground Utilities’ handling of the project thus far. All were appreciative of the positive input.

Expenditures

Following review of expenses dated February 6, 2018, for funds and amounts as follows, Mr. Abram moved, Mr. Rush seconded, that all be approved and paid per budget:

Water Fund 701	\$	261,224.28
Wastewater Fund 721	\$	180,086.23
MOR Fund 703	\$	30,681.83
MOR Fund 762	\$	45,379.49
LORCO Fund 749	\$	4,715.94
Lateral Loan Fund 765	\$	18,750.00
Waterworks Construction Fund 704	\$	437,636.31
Wastewater Construction Fund 724	\$	401,032.27

Chairman Dzwonczyk requested the CUE to review vehicle damage item with our insurance company.

Ayes: Abram, Dzwonczyk, Rush, Schnabel
Nays: None
Motion carried.

Job Descriptions

Seven job descriptions (five revisions and two new) already negotiated with the union for wages and reviewed by the Human Resource Committee were presented for the Board's approval. Following some discussion, Mr. Rush moved, Mrs. Schnabel seconded, to adopt the job descriptions as presented for Line Maintenance Man, Line Maintenance Operator, Line Maintenance Leader, Laboratory Analyst, Chief Laboratory Analyst, and Pretreatment Technician; and with no objection, the Customer Service Representative with the first sentence under General Responsibilities changed to "Under direct supervision of the Chief of Utility Operations, with related supervision from the Chief Utilities Executive..." and, correspondingly, with the Immediate Supervisor changed to "Chief of Utility Operations".

Ayes: Abram, Dzwonczyk, Rush, Schnabel
Nays: None
Motion carried.

Non-Bargaining Wage Ranges

CUE Danielson advised by copy of the meeting's write-up that non-bargaining wage ranges have not been reviewed by Council in nearly five years and therein also supported his recommended updates. Following some review of the CUE's presentation, the Board concurred that the item be removed.

Updates to Lateral Programs

Copies of draft revisions to the Foundation Drain Sump Disconnect Program (for those whom opt to discharge onto their property), the Sewer Lateral Program (providing the \$1,000 bill credit for ending up with two laterals), and the Lateral Loan Program were presented for the Board's consideration. CUE Danielson noted the recommended revisions primarily extend the recently revised deadlines and encompass the entire City including addresses not previously recognized. Mrs. Schnabel then moved, Mr. Rush seconded, to update the Foundation Drain Sump Disconnect Program, the Sewer Lateral Program, and the Lateral Loan Program as follows:

Avon Lake Regional Water's Foundation Drain Sump Disconnection Program

Program Time Frame:	April 1, 2012 – December 31, 2022
Program Area:	Avon Lake
Program Incentive:	\$300 sewer credit OR Zoeller Z105 Drain Pump with Basin and \$100 sewer credit

Background

During combined sewer separations, Avon Lake Regional Water had historically not required foundation drains with gravity connections to the sanitary sewer to be

disconnected. Rather, they were required to be disconnected when a resident performs foundation drain, foundation, or lateral work. However, in 2012, regulations changed requiring removal of all clean water sources from sanitary laterals.

Avon Lake Regional Water embraced many incentive programs to help customers remove clean water sources from sanitary laterals. This specific incentive program is for customers who have a combined sump that accepts both sanitary wastes and foundation drain water and opt to pump the clean water onto their property, rather than separating laterals.

Program Rules

1. This credit is offered in order to reduce the immediate stormwater inflow experienced in the sanitary sewer after strong rain events. Participants' homes must be within Avon Lake.
2. Residents must allow Avon Lake Regional Water representatives to inspect to determine if clean water is entering the sanitary sewer and, if that is the case, after completion of the work to assure the clean water has been permanently removed from the sanitary sewer.
3. Once it is determined that clean water must be removed, the responsible party must sign an acknowledgement that he/she will complete the repairs within a 90 day timeframe and obtain a Building Permit from the City of Avon Lake (applicable Avon Lake Regional Water fees have been waived for permits related to this program).
4. If the resident chooses the Zoeller pump and sewer credit, the pump will be available for pickup at Avon Lake Regional Water's administrative office generally immediately after all Avon Lake Regional Water and Building permits have been received.
5. If the responsible party is unresponsive to Avon Lake Regional Water's first and second attempt to schedule the pre-inspection and/or does not respond prior to Avon Lake Regional Water issuing a fine for non-compliance, the resident will be disqualified from being eligible to receive the incentive.
6. If the responsible party elects to discharge clean water outside his/her residence, rather than into the storm sewer, the resident must not discharge the water in a manner that causes an undue burden on neighboring properties.
7. Avon Lake Regional Water's incentives and assistance with the foundation drain disconnection program in no way implies an acceptance of liability for the work that is undertaken or the consequences therefrom.
8. The responsible party accepts and/or retains ownership, operation, maintenance, and replacement responsibility for anything that may be installed under this program.
9. The incentive is eligible for residents in the project area who complete the work between April 1, 2012 and December 31, 2022 and submit the re-inspection request by January 31, 2023.
10. Upon Avon Lake Regional Water's acceptance of the work and with verification of a finalized Building Permit, Avon Lake Regional Water will place the \$100 or \$300 sewer credit on the resident's account for removing the foundation drain water from the sanitary lateral. If the customer later opts into the program that provides a \$1,000 bill credit, any credit received through this program will be subtracted from the \$1,000 bill credit.
11. Avon Lake Regional Water shall have sole authority to determine eligibility for program participation, prioritization of requests and compliance with all requirements of the program and Avon Lake Regional Water regulations.

Avon Lake Regional Water's Sewer Lateral Program

Program Time Frame: January 1, 2013 – December 31, 2022

Program Area: Avon Lake
Program Incentive: \$1,000 sewer bill credit

Background

During combined sewer separations, Avon Lake Regional Water had historically (prior to 2013) not required foundation drains with gravity connections to the sanitary sewer to be disconnected. Rather, they were required to be disconnected when a resident performed foundation drain, foundation, or lateral work. Following the change in regulations that began requiring removal of all clean water sources from sanitary laterals, Avon Lake Regional Water began offering an incentive program that would provide \$1,000 in wastewater bill credits for customers whom separated “clean” and “dirty” water sources and ended up with sanitary wastes discharging through a sanitary lateral to the sanitary sewer and storm/“clean water” wastes discharging through a storm lateral to a storm sewer or another storm channel.

When this program was first initiated, Avon Lake Regional Water focused on the currently and formerly combined sewer areas in order to help aid in compliance with the City’s Long-Term Control Plan. However, this program is now being expanded to include anywhere in Avon Lake where a customer has a lateral that receives clean water sources. Now, in order to qualify for the wastewater bill credit, the customer must prevent clean water sources from entering the sanitary lateral and end up with two or more laterals that discharge sanitary wastes to the sanitary sewer and storm/“clean water” wastes to the storm sewer or another storm channel.

Program Rules

1. This credit applies to homeowners who reduce the immediate stormwater inflow experienced in the sanitary sewer after strong rain events. Participants’ homes must be within Avon Lake.
2. Residents must allow Avon Lake Regional Water representatives to inspect to determine if clean water is entering the sanitary sewer and, if that is the case, after completion of the work to assure the clean water has been permanently removed from the sanitary sewer.
3. Once it is determined that clean water must be removed, the responsible party must sign an acknowledgement that he/she will complete the repairs within the required timeframe and obtain a Building Permit from the City of Avon Lake (if the work being performed is not exclusively construction of a gravity lateral).
4. To qualify for the bill credit, the responsible party must discharge clean water into the storm sewer or another storm channel.
5. Avon Lake Regional Water’s inspection and bill credit in no way implies an acceptance of liability for the work that is undertaken or the consequences therefrom.
6. The responsible party accepts and/or retains ownership, operation, maintenance, and replacement responsibility for anything that may be installed under this program.
7. The rate rebate is eligible for residents in the project area who complete the work between January 1, 2013 and December 31, 2022.
8. Upon Avon Lake Regional Water’s acceptance of the work and any requisite approvals from the Building Department, Avon Lake Regional Water will provide a \$1,000 wastewater bill credit to the party paying the wastewater bill. This is payable quarterly over a ten-year period. The rate rebate may not be accelerated and is not transferrable. If there is a special arrangement where there are different parties responsible for payment of the work required and for payment of the wastewater services, and the party paying for the work uses a lateral loan offered by Avon Lake Regional Water, the credit may be applied to the loan principal/interest bill.

9. Avon Lake Regional Water shall have sole authority to determine eligibility for program participation, prioritization of requests and compliance with all requirements of the program and Avon Lake Regional Water regulations.

Avon Lake Regional Water Lateral Loan Program

Program Time Frame:	March 16, 2016 – December 31, 2022
Program Area:	Homes in Avon Lake needing to remove clean water sources from sanitary laterals
Program Incentive:	Low-interest loan payable over 10 years

Background

To comply with federal mandates (failure to do so will result in large fines), Avon Lake's combined sewers are being separated. This entails separation within the public right of way (the responsibility of Avon Lake Regional Water) and separation on private property (the responsibility of the homeowner or another private party).

Approximately 3,000 homes in Avon Lake have been identified that might need separate laterals. In 2013, Avon Lake Regional Water began notifying residents about this requirement. As of February 2018, more than 2,600 of those homes have been inspected. Of the homes inspected, approximately one-third are found to be in compliance. The remainder needs work completed in order to achieve compliance. Many people have already completed the work, and their homes are now in compliance. However, a large percentage has not. In addition to these 3,000 homes, there are other homes in Avon Lake that may similarly need to have clean water sources removed from the sanitary laterals.

There are a variety of reasons why people have not completed the separation required on their properties. Some have stated that they do not have the money available to do it. In order to help these individuals achieve compliance, Avon Lake Regional Water established a loan program in 2016 to provide the money these homeowners need to do the work and allow the money to be repaid with the water and wastewater bill over a 10-year period.

The program rules and requirements are presented below.

Program Rules

1. Any Avon Lake home that is discharging clean water from foundation drains, yard drains, downspouts, etc. into the same lateral that also carries sanitary wastes from the building into a combined or sanitary sewer may be considered for the loan.
2. The homeowner or responsible party must allow Avon Lake Regional Water representatives to inspect to determine if clean water is entering the sanitary sewer and, if that is the case, after completion of the work to assure the clean water has been permanently removed from the sanitary sewer.
3. Once it is determined that clean water must be removed, the responsible party must obtain the required Avon Lake Regional Water permit and, possibly, City Building Permit (applicable fees have been waived for permits related to this program).
4. Up to \$4,000 may be borrowed from Avon Lake Regional Water for the customer's lateral separation project and will be paid back over a 10-year period as part of the water and wastewater bill. (Currently, bills are issued on a quarterly basis. In time, however, Avon Lake Regional Water may implement monthly billing. If this is the

case, bills will be adjusted as appropriate to continue with the 10-year repayment schedule paid monthly, instead of quarterly.)

5. Because repayment is part of the water and wastewater bill, by taking part in this loan program, customers agree and acknowledge that their water will be turned off for non-payment and that non-payment could lead to Avon Lake Regional Water turning over for collection by the county auditor any outstanding amounts due.
6. Avon Lake Regional Water will charge a simple interest rate of 2% on the outstanding loan balance.
7. As an incentive and in concert with the Lateral Separation Program, Avon Lake Regional Water is offering a parallel program that provides a \$1,000 wastewater bill rebate for those ending up with two laterals (see program for details).
8. Loan principal will be retired equally each year over the life of the loan. (As an example, if a customer borrows \$3,000 for the project, \$300 of principal will be repaid each year. With quarterly billing and a 2% simple interest rate, the first year's interest is \$60. Therefore, \$360 will be divided among four quarterly bills so that the customer pays \$90 per quarter for year one. For year two, \$2,700 will be outstanding. The interest on \$2,700 is \$54. Therefore, \$354 is due in year two, or \$88.50 per quarter. Payments will continue until all principal has been repaid.
9. Avon Lake Regional Water's incentives and assistance in no way implies an acceptance of liability for the work that is undertaken or the consequences therefrom.
10. The responsible party accepts and/or retains ownership, operation, maintenance, and replacement responsibility for anything that may be installed under this program.
11. The incentive is eligible for residents in the project area who complete the work between March 16, 2016 and December 31, 2022.
12. Avon Lake Regional Water shall have sole authority to determine eligibility for program participation, prioritization of requests and compliance with all requirements of the program and Avon Lake Regional Water regulations.

Ayes: Abram, Dzwonczyk, Rush, Schnabel

Nays: None

Motion carried.

Proposed Wastewater Rates

Per the CUE's meeting write-up and this evening's and previous Board discussions, Mrs. Schnabel moved, Mr. Rush seconded, to set wastewater rates for bills issued after July 1, 2018 as follows:

	<i>Current</i>	<i>7/1/2018</i>
<i>Administrative Fee Per Bill</i>	<i>\$8.25</i>	<i>\$8.25</i>
<i>Rate Per 1,000 gal</i>	<i>\$4.80</i>	<i>\$5.52</i>

Ayes: Dzwonczyk, Rush, Schnabel

Nays: Abram

Motion carried.

Reports/Updates

The following reports and updates were made by copy of the meeting's write-up and discussed as noted:

Step Increases

Janitor Jason Kempton and Line Maintenance Man Don Hall are both completing their first year in their respective positions. Based on their supervisors' recommendations, Jason Kempton will be advanced to Step 2 of the Janitor position effective February 27, 2018 and Don Hall will be advanced to Step 3 of the Line Maintenance Man position effective February 7, 2018.

Laborer

With the impending retirement of one of the Distribution and Collection crew later this year, staff is moving forward hiring a new Laborer so that he may receive training and begin positively contributing prior to the retirement. Pending successful completion of his pre-employment physical, drug testing, and background check, Rudy J. Ackerman will begin his employment as a Laborer at Step 1C beginning February 12, 2018.

Lake Road Closure

The 60-day closure of Lake Road began February 5, 2018 and updates regarding such are being made via the 45 Area Construction email update, website, and Facebook.

Communications

- *The Chronicle, The Morning Journal, and The Press* have all published pieces on the changes to the lateral separation deadlines and the Lake Road closure since the Board's last meeting.
- Copies of a draft of the new customer newsletter, *The Residential Flow*, were presented for the Board's information and will be sent all new Avon Lake residents with our notification of their occupancies.
- Letters are being mailed all Avon Lake homeowners/landlords with properties impacted by the changes to the lateral separation deadlines. Letters will go out to those whom have not had an initial inspection and those that had an inspection, but work is not completed or final inspection not yet requested.
- Final edits are being made to the website redesign.

Project Updates

- *Wastewater Plant*: SCADA components are starting to become active and online, the new sensor systems are installed, and operation of the new headworks is scheduled for February 27.
- *Elyria Interconnection*: A meeting is scheduled next week to finalize the bid packet and recommendation for the project's award is expected at a March Board meeting.

Lateral Updates

Sewer lateral separation and loan program numbers were updated by this meeting's write-up.

CUE Report and Action Items

- *Sub-metering*: Staff is investigating sub-metering and will present more information at a work session in March.
- *Cleveland Water Alliance*: As per the Board's request, the CUE will make a presentation by the Cleveland Water Alliance a regular occurrence.
- *Estimated monthly billing with quarterly reconciliation*: As staff begins considering eventual alternatives such as monthly billing, a number of options will be considered in order to help have the ability to set up monthly payments through their own bank account or sending in a check every month.

- *Sewer Lateral Path Forward*: Councilperson Fenderbosch is working to update the Resolution of Necessity with the revised dates.
- The CUE verbally reported on his recent meeting in Columbus with the Acting Chief of Drinking and Ground Waters and their discussions regarding asset management rules, lead, operator certifications, depressurizations, and other current and hot topics.

Executive Session

Mr. Rush moved, Mrs. Schnabel seconded, to meet in Executive Session at 8:29 PM as allowed by ORC 121.22 to discuss personnel and legal matters and to include the CUE, the Wastewater Manager, and the Community Outreach Specialist.

Ayes: Abram, Dzwonczyk, Rush, Schnabel per roll-call vote
Nays: None
Motion carried.

The Board reconvened at 10:03 PM.

Mr. Rush moved to direct Todd Danielson to forward the revised memo dated February 6, 2018, to Mr. Zilka, Mr. O'Donnell and Mr. Lieberman with the consent of the Avon Lake Board of Municipal Utilities. Mr. Abram seconded.

Ayes: Abram, Dzwonczyk, Rush, Schnabel
Nays: None
Motion carried.

Mr. Rush moved to increase the pay rate of the CUE from \$76.15 per hour to \$79.81 per hour effective March 1, 2018. Mr. Abram seconded. The Board recognized this the first increase for the CUE since 2016.

Ayes: Abram, Dzwonczyk, Rush, Schnabel
Nays: None
Motion carried.

Adjourn

As there was no further business, Mr. Abram moved, Mr. Rush seconded, that the meeting adjourn at 10:07 PM.

Ayes: Abram, Dzwonczyk, Rush, Schnabel
Nays: None
Motion carried.

Approved February 20, 2018

John Dzwonczyk, Chairman

Todd A. Danielson, Clerk