

Board of Municipal Utilities  
**Work Session Minutes**  
**April 2, 2019**  
201 Miller Road  
Avon Lake, Ohio

***Call to Order – Roll Call***

The meeting was called to order at 6:01 PM.

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

Also present: CUE Danielson, CUO Munro, Technical Support Specialist Collins, Councilwoman Fenderbosch (arrived partway through the meeting), Mayor Zilka, Councilmember Zuber, Ms. McDevitt-Frantz (McMahon DeGulis), and Community Outreach Specialist Arnold (arrived partway through the meeting).

***Developer Agreement***

The Chairman asked Ms. McDevitt-Frantz to present to the Board the Agreement that has been worked on by staff and outside counsel. Ms. McDevitt-Frantz presented to the Board the Developer Agreement that was drafted in order to provide clarity between developers and the staff of Avon Lake Regional Water to inform each party during the development process, the fees to be administered, and the regulations to be complied with.

The Chairman asked about the usage of the term “Impact Fee” and the consistency of its usage from past regulations to the new agreement. He suggested using the term LORCO uses: “Capital Recovery Fee,” wondering if it would provide additional clarification, compared to “Impact Fee,” as currently suggested. Ms. McDevitt-Frantz explained that the name, Impact Fee, is meant to parallel what is used by the Board for the Water fees. The fee itself is considered the same (Capital Recovery v. Impact), as long as its application is both fair and reasonable. She explained that she does not see the name change affecting the result of the agreement. The Chairman commented about the current procedures which require contractors to visit City Hall and Avon Lake Regional Water in order to receive the proper permits. Mrs. Fenderbosch stated that the permits needed are usually taken care of by the Engineering Services Manager, Mr. Gaydar. The Chairman stated he would like to see a more streamlined approach that would make it easier for all parties involved. Mr. Rush stated that he would also like the permit procedure to be a “one-stop shop” for future developers.

Mr. Abram asked about the current fees. He stated he would like to see the full scope of the regulations and fees involved for the Developer Agreement. Mr. Rush stated that he was also interested in the fees involved. The CUE informed the Board that the fee language for the agreement has not been finalized, but, once it is, it will be presented to the Board for their input. Mrs. Fenderbosch asked if the Developer Agreement would be handling all of the customers that Avon Lake Regional Water works with. The Chairman responded that only those customers in Avon Lake would be subject to the new Developer Agreement.

Mrs. Schnabel asked how soon the Agreement would be implemented and how. The Chairman also expressed his concern with how the Agreement would be implemented. He would like to make sure that all future developers would be subject to the new Agreement. Mrs. Schnabel also asked about the implementation of the Master Meters, and if their use would affect the new Developer Agreement. The CUE informed the Board that the new Agreement would cover Master Meter communities (i.e., communities with private streets and only one water meter for the entire community). Ms. McDevitt-Franz told the Board that she will adjust the language of the Agreement to reflect Board comments. She said that once the fee language is finalized, they will complete the draft of the agreement and make any recommendations to the Board for changes to the Regulations.

### ***Technical Support Specialist***

The CUE requested Board input as to whether members would support the creation of the permanent, fulltime position of Technical Support Specialist. The position is the conclusion of years of discussion about creating a position that would prepare financial dashboards and other items to assist the Board and staff in decision making. The CUE informed the Board that he has worked with the Civil Service Commission, and recently, the Commission determined that the position is "Classified." The CUE explained that that means the Commission will advertise for the position, conduct a test, and then provide Avon Lake Regional Water with the application of the top five test scorers. The candidates from that pool will then be interviewed.

Mr. Abram stated that he doesn't believe that the position is necessary because it would be taking over responsibilities from several other positions. He believes that the salary plus benefits, especially after the recent increases in water and wastewater rates, adds too much to the budget. He indicated that he could support a part-time position, but not a full-time position. Mr. Rush asked about the classification, and if the position will require union membership. He stated that he would like to see it either made into a supervisory or a secretarial position so that it would not be Classified, indicating that departments are allowed to have an Unclassified secretarial position.

The CUE informed the Board that the Civil Service Commission stated that they would not consider the position for anything lower than what they already determined, unless the job description was re-written. Mrs. Schnabel asked if a part-time position was being considered, indicated she would like to better understand the position in context to the future organization chart, and stated that she understood the benefit of the position.

The Chairman stated that the expenditure sheets that they receive at every meeting are not current, and he would like to be able to review more robust financial information (e.g., dashboards) to help him with the role of governance. The additional focus by the Technical Support Specialist will aid the Board in its ability to oversee and plan financial matters.

The Chairman said that he agreed with Mr. Abram in not wanting to add to the head count of existing employees. He also said that while he does not support the addition of new full-time employees, he does recognize that this position would both be a replacement of the temporary position and should not add to head count due to recent retirements and restructuring. The Chairman expressed his support of additional

integration between the Technical Support Specialist position at Avon Lake Regional Water and the Finance Director at the City.

Mr. Rush stated that he would be in support of a different structural approach to the position because he does not see the necessity of a Classified categorization. Mr. Abram articulated that he believes the duties of financial support could be handled by a party outside of Avon Lake Regional Water. Mrs. Schnabel asked if the position would be focused more toward engineering or more of an analyst in nature. The CUE responded that the position is separate from the Engineer position that the Board approved a few years ago and that this position would support both financial and engineering functions within the organization.

***Adjourn***

With no other business before the Board, Mr. Dzwonczyk adjourned the work session at 6:46 PM.

Approved \_\_\_\_\_ 2019

John Dzwonczyk, Chairman

Todd Danielson, Clerk