

Board of Municipal Utilities  
**Meeting Minutes**  
**September 17, 2024**  
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 and streamed live to Facebook and YouTube.

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

Excused: Mr. Rush

Also present: CUE Munro, CUO Yuronich, Attorney Bruce Rinker of Mansour-Gavin, Avon Lake Councilman Rob Shamir and William Zimmerman

***Approve Minutes***

Mr. Dzwonczyk presented the Minutes of the September 3, 2024 regular meeting. With no additional changes, additions or corrections noted, he ordered that the minutes stand and be distributed as presented.

***Public Speakers***

None

***Correspondence***

None

***Expenditures***

Following review of expenses for funds and amounts as follows, Mr. Abram moved, Mr. Rickey seconded, to approve the expenditures of August 30, 2024 through September 12, 2024:

Water Fund 701	\$	224,049.08
Wastewater Fund 721	\$	126,572.69
ETL1 Fund 703	\$	191,397.31
ETL2 Fund 762	\$	525,524.42
LORCO Fund 749	\$	4,963.18
Water Construction Fund 704	\$	467,252.48
Wastewater Construction Fund 724	\$	11,224.50

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

Nays: None

Motion carried.

***Long-Term Control Plan***

Mr. Munro informed the Board that ALRW and the OEPA had agreed to a long-term plan to control the combined sewer and sanitary sewer overflows that would occur during wet weather

events. Mr. Munro stated that ALRW has made a lot of progress related to controlling these flows both by completing the separation of all combined sewers and requiring homeowners to disconnect downspouts and sump pumps from the sanitary and route those to the storm sewer. Mr. Munro stated that now that ALRW had made these improvements they requested time to evaluate the effects that removing the excess water would have on the sewer system overall. Mr. Munro shared that the OEPA was pushing for ALRW to install underground storage to hold the excess sewage until flows decreased and it could be routed through the Water Reclamation Facility. Mr. Munro informed the Board that he and staff feel that underground storage does not address the cause of the problem. Mr. Munro added that ALRW has voluntarily made much more progress than many other utilities have that are also facing similar issues. Mr. Munro also stated that the flow diversion program has also shown success. The flow diversion structure allows routing of treated and disinfected effluent to flow through the 108-inch storm sewer which also helps alleviate high flows during wet weather. Mr. Munro stated that ALRW staff feels there are options to be implemented that deal with the root cause of the problem rather than just being a “band-aid” and would prefer to spend money in the most beneficial manner. Mr. Dzwonczyk added that the City of Cleveland is currently spending billions of dollars to reduce the amount of sewage that is released into Lake Erie. Mr. Munro agreed and reiterated that the goal should be focused on reducing the inflow and infiltration into the sanitary sewer system. Mr. Munro stated that the OEPA had met with ALRW staff on September 4, 2024 and that their report on ALRW was a very positive one. Mr. Munro stated that there were no orders included in the OEPA report, only recommendations which included underground storage. Mr. Munro also stated that the OEPA is allowing time to further study the operation of the system as well as investigating known trouble areas with the camera truck. Mr. Munro stated that another recommendation was to completely remove several of the combined sewer overflows which have not been used in several years. Mr. Dzwonczyk inquired if the trouble areas that include the sanitary sewer overflows were incorporated with the storm water collection and are under the purview of the City of Avon Lake. Mr. Munro responded that because of the sewer separation the former combined sewer overflows were reclassified as sanitary sewer overflows and are ALRW’s responsibility. Mr. Munro added that there is significant inflow and infiltration and that could be in the form of cross connections, broken mains or that people may have reconnected things such as downspouts after they were inspected. Mr. Dzwonczyk stated that ALRW had provided a number of US Route 2 crossings for future stormwater outfalls that would alleviate surface and underground flooding during heavy rainfall events. Mr. Dzwonczyk called upon Mr. Shamir and council to take advantage of these provisions as budgets permitted. Mr. Dzwonczyk said he wants to ensure ALRW is communicating with the City of Avon Lake to coordinate efforts as much as possible. Mr. Munro stated that whenever possible, ALRW will plan work in areas that are due to be repaved so that ALRW is not performing major projects in areas that have just had roadways being repaved. Mr. Abram inquired if the bold print in the OEPA report was their doing or if Mr. Munro had highlighted those lines. Mr. Munro stated that the letter was drafted that way by the OEPA and that it was their way of drawing attention to the important areas. Mr. Rickey asked how often the OEPA inspects our facilities. Mr. Munro stated that it is typically about once per year and the visits are planned.

### ***Project Updates***

***Power Plant Update:*** Mr. Yuronich stated that ALERG continues to clean up the various piles of scrap and debris so that they can begin preparations for the next implosion. Mr. Yuronich informed the Board that the Plant Manager for ALERG as well as when the power plant was in operation, Dan Rogatto, was going to be officially retiring on September 17, 2024. Mr. Yuronich stated that he and ALRW staff wish Mr. Rogatto the best and thanked him for his professionalism and helpfulness in all of the interactions staff has had with him. Mr. Dzwonczyk stated that the Board would also like to thank him and wish him well. Mr. Yuronich added that Wayne Woodruff would be taking over as plant manager.

*ETL Design Services:* Mr. Yuronich informed the Board that staff is expecting to receive the base maps from Bramhall at the end of October or early November so that easement acquisition can proceed. Mr. Yuronich also stated that the CUE continues to work with Attorney Carr on updating the agreements with each of the bulk customers so that this project can progress. Mr. Dzwonczyk inquired if the updated basemaps were required because of the failed negotiations with the railroad. Mr. Munro responded that it was correct, the redesign was required when ALRW made the decision to cross the tracks at the public right-of-way at Moore Rd. when the two sides could not come to terms on an easement that was in-line with the original routing of the line feeding the pump station. Mr. Yuronich added that the updated agreements need to be completed before the project can move forward.

*WFP Improvements:* Mr. Yuronich stated that The Great Lakes Construction Company (GLC) had formed and poured the footers for the new chemical feed building. (Pictures of the construction site were shown in person and on the live-stream.) Mr. Yuronich stated that GLC has done some work to prepare for the new filters but is focused on the new chemical feed building area. Mr. Yuronich discussed a picture showing rebar that had been formed in preparation for floors of the structure along with parts of the walls for the chemical feed building. Mr. Dzwonczyk asked for clarification as to the footprint of the chemical feed area. Mr. Yuronich described the area and Mr. Munro pointed it out on the screen. Mr. Dzwonczyk asked if the new filters will match the current filters and Mr. Munro said that they would. Mr. Yuronich also stated that the procedure for the filtrate line tie-in is still being discussed. Mr. Yuronich stated that it was very important to staff to have multiple points that the tie-in can be aborted so that reserves of treated water can be replenished if they are running low.

*SCADA Communication Upgrade:* No update.

### ***CUE Report***

Mr. Munro provided a clarification to information provided at the last meeting. Mr. Munro stated that there are one-thousand-six-hundred and fifty-two addresses within the LORCO system but that only one-thousand-four-hundred and ninety-one are active, bill-paying accounts. Mr. Munro added that there are multiple reasons an address may not be active including homes that are still under construction and homes that were located further than two-hundred feet from the sewer main were exempt providing they have a working septic system.

Mr. Munro also provided an update to the Board that staff is implementing the searchable database for tracking records requests so that staff has an easier time ensuring those requests are fulfilled along with a record of what was distributed, when, how and to whom. Mr. Dzwonczyk stated that he feels it should be extended to all transmittals that go outside of ALRW. Mr. Munro agreed and added that this was stated this way just because that was what was initially discussed at the previous meeting.

### ***Miscellaneous & Member Reports***

Mr. Rickey informed the Board that he had attended the Building and Utilities Committee meeting on September 16, 2024 and that they were working on two ordinances that will change the rules for demolition within the City of Avon Lake. Mr. Rickey stated that he was unsure if this would affect the current demolition project or only future work. Mr. Rickey also stated that he stayed for the Economic Development meeting and was informed that there will be one more implosion that will bring down the rest of the structures at the power plant property.

### ***Public Speakers***

William Zimmerman stated that he was still waiting for the minutes from the Building and Utilities meeting from the month of August 2024. Mr. Zimmerman claimed that Mr. Rickey had slandered his name by telling Mrs. Schnabel that he had hit him. Mr. Zimmerman claimed that he takes all of these defamatory remarks very seriously. Mr. Zimmerman stated that he feels

slighted that elected officials are verbally attacking him and that Mr. Rickey should resign. Mr. Dzwonczyk asked if Mr. Rickey would like to respond now or save it for a future date. Mr. Rickey stated that he felt it best to save his response for a future meeting. Mrs. Schnabel requested to speak. Mrs. Schnabel stated that Mr. Zimmerman was not accurate in his description. Mr. Zimmerman began speaking over Mrs. Schnabel and Mr. Dzwonczyk informed him that he had been given a chance to speak and that it was now Mrs. Schnabel's turn. Mrs. Schnabel stated that when she had spoken to Mr. Zimmerman at the library, she had informed him that Mr. Rickey had told her that Mr. Zimmerman had placed his hand on Mr. Rickey's shoulder. Mrs. Schnabel reiterated that she had never told Mr. Zimmerman that Mr. Rickey accused him of hitting him and that she did not appreciate Mr. Zimmerman spreading misinformation about what had actually taken place. Mr. Zimmerman inquired if he could speak again. Mr. Dzwonczyk stated that he believes that this may not be a Board related issue and is a disagreement between two citizens. Mr. Dzwonczyk asked if there were any other public speakers and felt it best to move on to the next speaker and allow everyone a chance to calm down.

Councilman Shamir, Avon Lake-Ward 1, stated that he had multiple questions. Mr. Shamir stated that he wanted assurance that ALRW has an isolation policy in effect to protect its SCADA system at its treatment facility. Mr. Shamir stated that he would wait until the end of his questions for responses. Mr. Shamir inquired what, if any, geographic information system (GIS) information on the storm sewers throughout the City of Avon Lake that ALRW has within their GIS system and if the organization would be willing to share that information with the City. Mr. Shamir stated that he was looking for information on the coal fine volumetrics for the property that ALRW had recently purchased. Mr. Shamir inquired when he could expect to be provided with the risk assessment that was currently being finalized by HZW. Mr. Shamir stated his final question was related to the PCBs that were detected during sampling of the coal pile property and he wanted to know if those had been removed from the property or left in place for the time being.

Mr. Dzwonczyk stated that Mr. Munro would either follow up with Mr. Shamir momentarily if he was able or if he needed time to gather some of the requested information, he could arrange a meeting with Mr. Shamir in the near future. Mr. Dzwonczyk also stated that he felt that some sort of conflict resolution, or arbitrator may be necessary to resolve the disagreement between Mr. Zimmerman, Mr. Rickey and Mrs. Schnabel and that there was no benefit to further discussing the topic at this meeting.

Mr. Munro assured Mr. Shamir that when the SCADA system was upgraded three years ago, the system was completely segregated from the internet network. Mr. Munro stated that the GIS information is available and includes a stormwater layer to that data that ALRW would be willing to share that with the City of Avon Lake. Mr. Dzwonczyk stated that while ALRW is assuredly very accurate with the locations of its own assets, he stated that the stormwater data may not be as verified. Mr. Munro stated that ALRW uses sub-meter accuracy for its assets but due to various sources of the stormwater data, he could not ensure the same level of accuracy. Mr. Shamir stated that he understood this. Mr. Munro stated that when it comes to the coal fines, PCBs and HZW report, that would need to be a future meeting due to not having all of that information in front of him.

### ***Executive Session***

Mr. Abram moved, Mrs. Schnabel seconded, to meet in executive session as allowed by ORC §121.22 (G)(2) to discuss the purchase or sale of public property and to include the CUE, the CUO and a representative from Mansour-Gavin.

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

Nays: None  
Motion carried.

The Board entered Executive Session at 7:23 PM

The Board reconvened the public meeting at 8:11 PM

***Adjourn***

As there was no further business, Mr. Abram moved, Mr. Dzwonczyk seconded, to adjourn. The meeting adjourned at 8:12 PM.

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

Nays: None

Motion carried.

Approved October 1, 2024.

John Dzwonczyk, Chairman

Robert Munro, Clerk