

Board of Municipal Utilities
Regular Meeting Minutes
September 19, 2017
201 Miller Road
Avon Lake, Ohio

Call to Order – Roll Call

The meeting was called to order at 6:30 PM.

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

Absent: Mr. Phillips.

Also present: Chief Utilities Executive Danielson, Community Outreach Specialist Arnold, Customer Service Clerk Farch, Mayor Zilka, Councilmember Fenderbosch, and Finance Director Presley.

Mayor Zilka left the meeting at 6:40 PM.

Approve Minutes

Chairman Dzwonczyk presented the minutes of the September 5, 2017, regular meeting and with no changes, additions or corrections noted, ordered that the minutes stand and be distributed as presented.

Public Speakers

None.

Correspondence

None.

Expenditures

Following review of expenses dated September 19, 2017, for funds and amounts as follows, Mr. Rush moved, Mr. Rickey seconded, that all be approved and paid per budget:

| | | |
|-----------------------|----|------------|
| Water Fund 701 | \$ | 213,747.35 |
| Wastewater Fund 721 | \$ | 79,948.97 |
| MOR Fund 703 ETL1 | \$ | 177,532.06 |
| MOR Fund 762 ETL2 | \$ | 370,703.82 |
| LORCO Fund 749 | \$ | 21,310.96 |
| Lateral Loan Fund 765 | \$ | 12,160.00 |

Ayes: Dzwonczyk, Rickey, Rush, Schnabel

Nays: None

Motion carried.

Revision to Sewer Lateral Program

Recommended revisions to the Sewer Lateral Program were presented for clarification. The Program and proposed improvements to the billing of its associated loans and credits were then discussed at length. The Board asked that more specifics regarding the landlord/tenant billing options be presented at a future meeting, and suggested that those changes be outlined and included in the Lateral Loan Agreement rather than in this document. Mr. Rush moved, Mr. Rickey seconded, that the Sewer Lateral Program be updated and revised as presented and as follows:

Avon Lake Regional Water's Sewer Lateral Program

Program Time Frame: January 1, 2013 – June 30, 2019
Program Area: Currently and Formerly Combined Sewer Areas of Avon Lake
Program Incentive: \$1,000 wastewater bill 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 needed to be disconnected when a resident performed foundation drain, foundation, or lateral work. Through an investigation on Sunset Road during 2012, Avon Lake Regional Water learned that gravity foundation drains may provide significant quantities of water to the sanitary sewer during rain events. In order to hasten their disconnection from the sanitary sewer, in 2013, Avon Lake Regional Water modified its regulations to require their disconnection by the latter of February 1, 2018, or one year after the combined sewer separation on a homeowner's street has been substantially completed (with all work having to be complete by June 30, 2019).

Like many other cities, Avon Lake has certain areas where there used to be combined sewers. A combined sewer transports sanitary sewage to the water pollution control center (WPCC) for treatment during dry periods. During wet periods, a mixture of stormwater and sanitary sewage travels through that same pipe; and the mixture passes through a regulator and discharges directly into a receiving water body (e.g., Lake Erie). Homes in formerly combined sewer areas often have foundation drains that discharge storm and groundwater to the sanitary sewer.

In response to basement flooding resulting from 2011 being the wettest year on record, Avon Lake Regional Water constructed flow diversion structures that relieve sewer surcharge conditions on Lake Road and help prevent basement backups. These diversion structures are temporary, while stormwater is removed from the sanitary sewer.

In order to comply with the requirement to prevent sewer overflows by December 31, 2019, Avon Lake Regional Water requires that foundation drains and other clean water sources are prevented from entering the sanitary sewer by the dates stated above.

Program Rules

1. This project applies to the currently and formerly combined sewer areas of Avon Lake in order to reduce the immediate stormwater inflow experienced in the sanitary sewer after strong rain events. Participants' homes must be within that project area.

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 and must not receive financial (e.g., grant) assistance from other parties.
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 credit is eligible for residents in the project area who willingly and on their own accord complete the work between January 1, 2013, and the latter of February 1, 2018, or one year after the combined sewer construction on a homeowner's street has been completed (with all work having to be complete by June 30, 2019).
8. Upon Avon Lake Regional Water's acceptance of the work, Avon Lake Regional Water will provide a \$1,000 wastewater bill credit to the responsible party payable over a ten-year period. The credit may not be accelerated and is not transferrable.
9. Avon Lake Regional Water shall have sole authority to determine eligibility for program participation, prioritization of requests, exceptions, and compliance with all requirements of the program and Avon Lake Regional Water regulations.

Ayes: Dzwonczyk, Rickey, Rush, Schnabel

Nays: None

Motion carried.

Reports/Updates

Water Plant Operator

Staff advised that in conjunction with approval of the new Plant Operator job description and following interviews with the top five Civil Service eligible candidates, Robert Lulfs has been selected to fill the vacant Water Filtration Plant Operator position. Mr. Lulfs is scheduled to begin his employment on September 25, 2017 at Step 1C of the position's wage scale.

45s Area Community Information Night

The community information night hosted by Avon Lake Regional Water for residents of the 45s regarding the upcoming combined sewer separation project was attended by approximately 60 residents, a few City Council members, Board Chair Dzwonczyk and Board Members Schnabel and Rickey. CUE Danielson and Public Works Director Reitz presented information and answered residents' questions along with supporting staff members.

Energy Savings

CUE Danielson served as keynote speaker at the 12th Annual Northern Energy Conference luncheon in Akron last week and spoke about Avon Lake Regional Water's approach to energy management. In preparing his presentation, the CUE determined that Avon Lake Regional Water is saving over \$300,000 per year by actively managing usage and aggressively purchasing block and index power. The CUE intends to work with the Community Outreach Specialist to inform customers of those savings, as well as the interest savings presented at the Board's last meeting, and their effect on Avon Lake Regional Water's rates.

Turn-On Fees

The Board discussed at some length staff's recommendation to increase the current overnight and weekend turn-on fee from \$75.00 to \$150.00 to more closely satisfy the actual expense of that service. The Board did not object to the dollar amount, but debated the shut-offs process and questioned how to better serve these customers and the circumstances resulting in their situation. It was determined that additional customer notifications and possible Avon Lake police involvement be investigated prior to the Board taking action on this issue.

Project Updates

WPCC Manager Baytos updated the following projects by copy of the write-up:

- ◆ *Water Tower:* Internal bowl painting is ongoing.
- ◆ *Water Plant:* Continuing completion of last items.
- ◆ *Corrosion Control:* The phosphate-based corrosion inhibitor was introduced last week and will be slowly increased for the initial 3-month transition period, as approved by Ohio EPA. Staff will continue to closely monitor the transition; however no reports of discolored water were received nor had any bulk customers reported any issues within the first two days of dosing.
- ◆ *Wastewater Plant:* The new aeration tank was made operational last Thursday and following its testing the next few days, the other aeration tank will then be turned over. Roof and beams are being poured for the screenings building. Most of the piping for return activated sludge (RAS) and waste activated sludge (WAS) has been installed, and the RAS/WAS pumps will be installed next week. New finals are also hoped to be online next week.

Lateral Updates

Sewer lateral separation and loan program numbers were updated by this meeting's write-up. Mr. Rickey prompted discussion of the program's deadlines and what fines or penalties will be imposed on non-compliant residents. Mr. Rickey said he continues to hear from contractors that each job is different and therefore requires supervision that makes scheduling multiple jobs at the same time difficult. Mr. Rickey and Mrs. Fenderbosch said that both contractors and residents have told them they have signed agreements, however the work is not scheduled until after their deadlines due to the number of separations being required within the limited timeframe. The Board acknowledged that a determination of the issue is necessary, however due to opposing views of "anything short of compliance isn't compliance" to "reluctant to fine with a signed contract in hand", it was decided that further discussion be had at a meeting with all Board members in attendance.

CUE Action Items

The following responses to questions previously asked by the Board were presented by copy of this meeting's write-Up:

- ◆ *Westlake follow-up meeting:* When Westlake met with the Board on August 15, 2017, the Mayor of Westlake indicated interest to set up a follow-up meeting. The CUE has extended to Westlake's City Engineer the offer for a meeting.
- ◆ *Cleveland meeting:* The CUE has invited representatives from Cleveland Water to meet with the Board to discuss the potential for an emergency water interconnection. A tentative date of November 21, 2017, has been targeted.
- ◆ *Interaction with the media/public outreach:* As has been done in previous years, the Community Outreach Specialist and the CUE work together to develop an editorial/outreach calendar. Now that our new Specialist has been with our organization for three months and better understands our operations, the CUE and the Outreach Specialist will finalize an editorial calendar and work to inform our customers regarding timely and relevant issues.
- ◆ *Trunk fees:* Chapter 1056 of the City's Codified Ordinances is entitled Sewer Rental Charges. Section 1056.02, Rules and Regulations; Conflicts states:
The Water Pollution Control Center and the public sewerage system of the City shall be operated and administered under rules and regulations established by the Board of Municipal Utilities. Such rules and regulations shall be for the collection of user charges, expenditures of revenues and other matters necessary for the safe, economical, efficient and proper operation of such facilities. The rules and regulations of the Board shall have the same force and effect as ordinances of the Municipality, except when in conflict with such ordinances, the City Charter or the Constitution or laws of the State.
In 2012, the Chief Utilities Executive and the Board of Municipal Utilities worked with the Sewer Committee, which led to Council approving Ordinance 159-2012 repealing all codification of Sewer (wastewater) Fees, including Trunk sanitary sewer charges from Chapter 1056.
- ◆ *Building permits:* The CUE and the Building Department Director will be meeting soon to discuss a number of items, including assuring that Avon Lake Regional Water is notified when building permits are issued within private developments.

Chairman/Committee/Member Reports

- ◆ Mr. Rush reported that he, the Chairman and CUE met and conducted phone interviews prior to this evening's meeting and selected Miles LeHane to proceed with the CUO search and qualification of candidates.
- ◆ Mrs. Schnabel reported that she and the CUE met with Tri-C via telephone again last week. Their efforts will initially focus on the office staff and training sessions are expected to begin in October.
- ◆ Mrs. Schnabel presented a letter and photo from the Eastview Elementary School staff and students thanking Avon Lake Regional Water and the Board for the handicap-accessible drinking fountain donated and installed as part of the school's all-inclusive playground.

Executive Session

Mr. Rush moved, Mr. Rickey seconded, to meet in Executive Session as allowed by ORC 121.22 (G)(4) to discuss collective bargaining and to include the Chief of Utilities Executive and the Finance Director in the discussion.

Ayes per roll call vote: Dzwonczyk, Phillips, Rickey, Rush, Schnabel
Nays: None
Motion carried.

The Board reconvened at 9:50 PM.

Adjourn

As there was no further business, Mr. Rush moved, Mrs. Schnabel seconded, that the meeting adjourn at 9:51 PM.

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

Approved October 3, 2017

John G. Dzwonczyk, Chairman

Todd A. Danielson, Clerk