

Board of Municipal Utilities
Meeting Minutes
November 1, 2022
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 over Facebook.

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

Also present: CUE Munro, CUO Yuronich, and Attorney Coyne of Mansour Gavin.

Approve Minutes

Mr. Dzwonczyk presented the Minutes of the October 18, 2022 regular meeting and work session. With no additional changes, additions or corrections noted, he ordered that the minutes stand and be distributed as presented.

Public Speakers

None.

Correspondence

Mr. Munro presented a letter from the Lorain County Treasurer Daniel Talarek dated October 19, 2022. This letter was in regard to the request by Mr. Munro to waive penalties on the unpaid tax bill for the 40-acre parcel that the Water Reclamation Facility is on. This request was granted based on the history of on-time payments. Mr. Munro said that he submitted a new application to the Ohio Department of Taxation in February requesting that the parcel should be deemed tax exempt and is awaiting approval of that application. In the interim, the tax bill is due and owing and once tax-exempt status is granted then any funds paid to Lorain County will be refunded.

Expenditures

Following review of expenses dated November 1, 2022, for funds and amounts as follows, Mr. Abram moved, Mr. Rickey seconded, to approve the expenditures of October 14 through October 26, 2022:

Water Fund 701	\$	274,214.13
Wastewater Fund 721	\$	205,445.94
MOR ETL1 Fund 703	\$	24,027.11
MOR ETL2 Fund 762	\$	6,277.25
LORCO Fund 749	\$	5,051.04
Water Construction Fund 704	\$	34,250.29
Wastewater Construction Fund 724	\$	34,250.27
West Ridge Interconnect Fund 702	\$	108.95

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

Nays: None

Motion carried.

Collective Bargaining Agreement

Mr. Munro informed the Board that he and Mr. Yuronich concluded negotiations with the union on a new collective bargaining agreement. Mr. Munro said that the new agreement is fair and equitable for staff while also maintaining fiscal responsibility for the organization. Wages will be increased each January 1st of the agreement by four percent (4%), two percent (2%), and two percent (2%). Mr. Munro also said that the 4% increase on January 1, 2023 included a concession by the union whereas employees gave up the \$750 per employee uniform allowance. Mr. Munro said that there was a change to language regarding employees and job descriptions covered by the agreement and the application of civil service rules and regulations. He said that employees and job descriptions covered by the collective bargaining agreement are not subject to the Avon Lake Civil Service Commission rules and regulations. Mr. Munro said that he had worked extensively with Law Director Ebert to ensure that the language in the agreement complied with the law and felt that it did comply.

Mr. Rickey asked if the longevity pay in this agreement is the same as the City of Avon Lake. Mr. Munro said that he is not sure what the current longevity pay scale is for the City of Avon Lake employees but he believes it is comparable. Mr. Rickey also asked if there was any "me too" clause in the contract. Mr. Munro said that there was no clause like that in this contract and that staff covered by this agreement are a completely separate bargaining unit from other City of Avon Lake unions. This collective bargaining agreement is specifically for employees of Avon Lake Regional Water.

Mr. Rickey asked if City Council and the Mayor need to approve this contract. Mr. Munro said that the city charter is very clear and the Board of Municipal Utilities can enter into contracts as they deem necessary. Mr. Munro also said that he will work directly with Law Director Ebert to ensure full legal compliance.

Mr. Rickey asked how an employee is moved up in the seven-step wage scale. Mr. Munro explained that the first three steps of the wage scale are given automatically on the anniversary date of hire. Steps four through seven are only granted on the recommendation of the employee's immediate supervisor. Mr. Munro said that an employee evaluation is given annually for each employee regardless of which wage step the employee is at.

Mr. Dzwonczyk said that he provided a copy of the agreement, with his comments, to Mr. Munro and strongly urged other members to do the same.

With no further discussion, Mr. Rush moved, and Mr. Abram seconded, to authorize the CUE and the Chairman of the Avon Lake Board of Municipal Utilities to execute the collective bargaining agreement between the City of Avon Lake Board of Municipal Utilities and United Steelworkers USW Local 1-865 effective from January 1, 2023 thru December 31, 2025.

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

Nays: None

Motion carried.

Project Updates

ETL Design Services: No update.

WFP Improvements: No update

2022 Water Line Bundle Project: Mr. Yuronich said that cleanup continues on Redwood and Vinewood. The contractor is putting the first two layers of asphalt down on the eastern half of Coveland on October 31, 2022. The waterline work on Walker Rd. is scheduled to begin on Thursday November 3, 2022. The topcoat of asphalt will be placed on Avon Point, Armour, and Coveland the week of November 7, 2022.

Additional Storage Building: Mr. Yuronich said that the concrete has been poured for the building footer and columns, and laying of the concrete block walls has started. The concrete slab work will begin the week of November 7, 2022, depending on the weather. The steel building materials are scheduled to be delivered to the site on December 5, 2022.

Mr. Dzwonczyk asked Mr. Yuronich to provide an update on the work at the power plant. Mr. Yuronich said that Charah will close Lake Rd. the week of November 7, 2022 for the demolition of the former coal conveyor that crosses over Lake Rd and the removal of asbestos continues inside the facility. Mr. Yuronich said that Mr. Kimevski continues to visit the site regularly to observe activities inside of the facility.

Mr. Dzwonczyk asked if staff is still satisfied with the efforts by Charah staff in regard to protecting Lake Erie and the environment. Mr. Yuronich affirmed that staff is satisfied with the care that Charah is taking to clean up the site properly.

Mr. Dzwonczyk asked if the remediation of the coal pile property would be completed before winter weather arrives. Mr. Yuronich said that he does not know what the timeframe for completion is for those activities. Mr. Dzwonczyk commented that it appears that Charah has made significant progress in cleaning up the site and removing material.

Mr. Munro informed the Board that Charah requested one of the three water service lines servicing the property be turned off. Staff is reaching out to the Avon Lake Fire Department prior to disconnecting any water service lines at the site to ensure there is adequate water supply for fire protection.

CUE Report

No report.

Miscellaneous & Member Reports

Mr. Abram presented information to the Board regarding the new tap fee structure that the LORCO Board recently passed. He explained that the tap fee for connecting to the LORCO sewer system is now \$5,000 and the owner is responsible for purchasing the E/One grinder pump. Previously the tap fee was \$8,000 and included the cost of the pump. If the pump is installed in the right-of-way, then LORCO will be responsible for the operation and maintenance of the pump. If the pump is installed outside the right-of-way, then the homeowner is responsible for the operation and maintenance of the pump.

Mr. Rickey asked what the current tap fee charge is. Mr. Munro said the current tap fee amount is \$8,000 and includes the grinder pump. He said the cost for a complete grinder pump assembly is approximately \$7,000 and only nets \$1,000 for LORCO. Whereas the new tap fee structure will net \$5,000 to LORCO.

Mr. Rush asked if someone could explain what the LORCO Phase 1 area is and also if this new tap fee structure would mean that Phase 1 customers would be paying more. Mr. Munro said that Phase 1 of the LORCO system is the area that Avon Lake Regional Water operates on behalf of LORCO. He said there are other areas of the LORCO system that Avon Lake Regional Water is not responsible for and this new tap fee structure only applies to Phase 1 customers. Mr. Munro also said that he does not know how the rates for Phase 1 customers compares to other LORCO customers in other phases.

Public Speakers

None.

Executive Session

Mr. Rush asked if there would be any Board action after the executive session. Mr. Munro said there would not be any need for Board action after adjourning from the executive session.

Mr. Rush moved, and Mr. Abram seconded, to meet in executive session as allowed by ORC §121.22 (G)(2) and (G)(3) to discuss the purchase and/or sale of property and pending legal matters and to include the CUE, the CUO, and a representative from Mansour Gavin.

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

Nays: None

Motion carried.

The Board reconvened at 7:37 PM.

Adjourn

As there was no further business, Mr. Abram moved to adjourn, and Mr. Rush seconded. The meeting adjourned at 7:37 PM.

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

Nays: None

Motion carried.

Approved November 15, 2022.

John Dzwonczyk, Chairman

Robert Munro, Clerk