

**RECORD OF PROCEEDINGS
SPECIAL COUNCIL MEETING
MONDAY, MARCH 11, 2019 – 6:00 P.M.
MAYOR WILLIAM G. KOONS PRESIDING**

MEMBERS PRESENT: Canton, Carroll, Galicki, Nairn, Schloss

MEMBERS ABSENT: Porter

OFFICIALS PRESENT: Fiscal Officer Romanowski, Solicitor Matheney, Chief Rizzo

VISITORS: Ann Dunning, Burlington Oval, Chardon; Kris Wilson, Sunridge Ln.; David Hocesvar, Lincoln Dr., Chester; Drew Esposito, Dublin; Joan Demirjian, CVT; H. Kassigkeit, Daisy Ln.; Heidi Baumbart, Paw Paw Lake

Mayor called the Special Council meeting to order and the Fiscal Officer read the roll.

Ann Dunning stated she currently resides in Chardon, OH, but formerly lived in South Russell for 22 years. She has been an architect for 53 years. She served on the Chagrin Falls Architectural Board of Review (ABR) for 15 years, and the South Russell ABR for 7 years. She has had experience with every Zoning Department in Geauga County with her architectural business. She believes that South Russell deserves a good Building Department, and the Village may not fully appreciate what it has. Dunning advised that the Building Department has done a fair and reasonable job reviewing the building in the community. Residents' needs and concerns are considered by the Building Department. With only a Zoning Department, she said it would be all numbers. With the Geauga County Building Department, building code is used and as long as the builder has the structural aspects correct and it meets Ohio Building Code, there is no problem. She stated she has not encountered any difficulties in her work with the county. Where she has met with resistance has been with the municipalities' ABRs, which can become too involved in the design process. The benefit is the quality and uniformity of the buildings, and she added that good zoning and architectural control result in an attractive community. Dunning stated that housing in Ohio is in bad shape because personnel are lacking to enforce standards and provide protection. She stated that building departments are essential in doing this. She attributed the success of the South Russell Village Building Department to the professionalism of Dave Hocesvar. The Building Department was meant for the good of the residents. Its ability to analyze projects has resulted in better projects, which leads to a community maintaining the valuation of houses and buildings.

Schloss advised that he is new to Council and has recently become the Chair of the Building Committee. He has devoted time learning the operation of the Building Department to ascertain whether the county could satisfy the needs of the Village in lieu of keeping the Building Department open. Schloss stated that a Zoning Department was necessary. He added, however, that he did not know that the Village needed a full-time Zoning Department or Building Department. He believed it did need a part-time department and added that Hocesvar was willing to serve in this capacity.

Carroll asked Dunning whether it was necessary for a Building Inspector or Zoning Inspector to identify issues on residents' properties. Dunning replied that a Building Inspector would look at footers, electrical, and fire safety. The county does this type of inspection. Although the county does a good job, they are more of a 'broad brush' compared to South Russell. Carroll clarified that he was asking whether property maintenance was a zoning issue or Building Inspector issue. Dunning stated it was a Building Inspector issue because the Building Inspector would address the inside of the house, where it is easy for contractors to do unauthorized work. Carroll asked Dunning if she was aware that South Russell had the only other certified Building Department in the county. She replied that she was aware. Carroll said that South Russell was built-out, but communities around South Russell are growing substantially. He added that these communities have good housing and building stock, which would indicate that the county has done a good job with inspections. Dunning argued that South Russell was not built-out based on what she has seen happening in Chagrin Falls with remodeling of older homes which require expertise in ensuring safety. Carroll asked Dunning which board she felt was strongest between ABR, Zoning Board of Appeals (ZBA), and Planning Commission (PC). Dunning stated they should all work together. She said that ZBA and PC address zoning, and that South Russell is heavy on zoning and light on the architectural building construction side. Carroll added that this was a consideration if the Village were to eliminate the Building Department. It would be important to ensure it did not lose zoning and ABR.

Nairn asked Dunning whether zoning or the Building Department would be responsible for addressing a piece of privately-owned property that was in a state of significant neglect. Dunning replied it should be both departments working in tandem. She did not think zoning would have as much to do with it because it concerned structural issues. Nairn questioned the issue in terms of zoning laws, particularly with regard to a vehicle parked in a driveway indefinitely. Dunning replied this would concern the Zoning Inspector.

Galicki stated that in an era where the trend is regionalization of services, the South Russell Building Department is a duplication of effort and redundancy that no other municipality within Geauga County has. He asked Dunning how she would justify this redundancy to the electorate. Dunning said a part-time Building Inspector and a part-time Zoning Inspector would be a better solution rather than closing the Building Department entirely. Galicki asked if Dunning knew of other municipalities with a part-time construct. Dunning stated Munson, Chester, Chesterland, and Auburn, which are primarily townships, have part-time zoning. She added that zoning was not necessarily a full-time need. Galicki clarified that the justification would be that the Village could keep the Building Department in a part-time capacity. Dunning offered that perhaps the part-time Building Inspector and part-time Zoning Inspector might not be the same person. Dunning stated since 2013, the Building Code had been rewritten and there were many more structural requirements. She felt this was important in keeping the value of the homes. Galicki asked Dunning what value was added to South Russell in the construction of houses and commercial sites that was lacking in the surrounding communities. Dunning said that the South Russell Village Building Department was more restrictive, and there were no drive-by inspections. The inspections and plan reviews conducted by the Building Department were important. She added that with the certified Building Department, it was easy to get a commercial building permit because it was unnecessary to go to Akron or Columbus. Chagrin Falls, which is in Cuyahoga County, is not certified for commercial, only residential, which means the State must come in to do the commercial. Geauga County is registered, so they can do the commercial projects.

Kris Wilson, the Administrative Assistant for the Building Department, offered that she was attending as an observer, but also to provide Council with information on the day-to-day operations of the Building Department if needed. Wilson provided a report containing Building Department statistics to Council at the request of the Mayor.

Dave Hocevar, Inspection Solutions, said he was not trying to defend his position with South Russell Village, and thought a lot of the Village. He said it was a great Village in which to live and work and added there were some great employees. He addressed the issue of redundancy with the Building Department services available in Geauga County and explained that this was so because South Russell was special and unique. ABR, PC, and ZBA made it unique, and he surmised that the Building Department in Geauga County would not give the same level of service. He added that the residents would not get the care given by the Building Inspector. Hocevar added that the Village owes it to the residents to have someone oversee the construction on their dwellings or buildings. He had been involved with the Village for 28-29 years and conveyed that this was important. Hocevar emphasized that he was not trying to defend his job, but that it would be a mistake to throw away something the Village might never be able to get back. He did not care if it was full-time or part-time. He wanted to have someone providing oversight. Hocevar added that he had been on six inspections recently and found many mistakes in building, electrical, and plumbing. He asked Council to give the matter a lot of thought.

Schloss verified that Hocevar was working part-time in other municipalities as well as the Village. He asked if Hocevar would be able to devote himself part-time if the Village came to this decision. Hocevar said it would depend. The job entailed extensive knowledge of building and zoning. He commended ABR, ZBA, and PC for their work which was evident in neighborhoods like Champion and Ashleigh. He added that there was so much control in the Village, he would hate to see it lost. Schloss asked Hocevar how much time should be allocated to the part-time position. Hocevar said he did not know because the work was sporadic. He said it would take some time to determine this because the previous Building Inspector carried the zoning, building, and inspections.

Naim thanked Hocevar and stated that a Building Inspector was an important piece when residents were engaged in major projects in their homes, and things go wrong. She felt that completely eliminating the Building Department would not be the way to go.

Canton reiterated the sentiment that 'you don't know what you have until you lose it.' He did not know how many new homes would be built in the near future but believed there would be a great deal of remodeling conducted. He recognized that in his Manorbrook Dr. development, the homes were being remodeled by new residents. He had remodeled his home as well. Canton added that during this process, it was noted that the initial wiring had not been done correctly.

Dunning stated that it took a long time to learn her trade, and that people involved in the construction trade now have no idea how to build anything. Without interfacing with someone with experience, the Village would lose.

Carroll thanked Hocevar for his service to the Village and commended him for the quality of his work. Carroll addressed Hocevar's statement about recognizing the need to maintain some level of building inspection services in the Village. Carroll wondered if it would be possible to find someone to fill the position on a part-time basis. Hocevar said it was possible but would be a challenge. He surmised that the reason he had been busy was because there were not many

individuals doing this type of work. He offered that he might know a couple of individuals who would be interested. Carroll queried Gates Mills and Hunting Valley and found that the two communities had a combined position of Building Inspector, Street Commissioner, and Zoning Inspector. He added that this was not to say Council would be considering this model at this point. He asked Hocevar if this model could work in the Village, or if it would be too much work for one person. Hocevar said it would be a challenge unless there was no building occurring. He said there is currently a lot of building happening. Hocevar pointed out that Hunting Valley was unique in that it had its own building code. Carroll was surprised to find that Gates Mills had eight service employees, and Hunting Valley had five, one of whom was a supervisor.

Drew Esposito, Clemans Nelson and Associates, Dublin, OH, stated he was not a community member but was asked by Council to quote an analysis for a feasibility and effectiveness study of the Building Department with regard to the efficiency with which it was run. He added that he has represented Bainbridge Township, Russell Township, Chester Township, Geauga County Commissioners, Geauga County Engineer, Auditor, Metro Housing Authority, as well as entities in Portage and Lake Counties. Building Inspector, he added, was one of the most challenging positions to fill currently in county government because of the dual certification requirements of building and electric. His organization conducts interviews, observes workloads, checks permit pullings, investigates, and provides an objective third party view. Esposito would only be providing data and not taking a position on the issue.

Galicki stated that as background, Council had been discussing questions about a full-time or part-time Building Department, or possibly maintaining zoning, and there had been strong opinions. Galicki added that Esposito was asked to attend the meeting to answer questions previously raised by Council relating to the services offered by Clemans Nelson.

Canton asked Esposito whether part of the study included going back into the department's history. Esposito advised that this was part of the study to determine volume with regard to building permits, applications, and rental applications, to get a snapshot. He acknowledged that Building or Zoning Departments are cyclical in nature. His interest would be to provide an outcome that the facts support. Thus, historical statistical trends are considered, and interviews are conducted instead of just looking at a 3-month snapshot. He would also look through emails and telephone logs if available for volume between the department and ABR, PC, and ZBA to determine the level of support being provided to these entities. The observations are generally scheduled by month but not specific date to preclude anyone from weighing the deck and to keep it neutral.

Carroll asked how long the process would last, and whether there would be actual recommendations made. Esposito stated recommendations would be given, and referred to examples of studies conducted by Clemans Nelson which were previously provided to Council. If the required documentation were compiled in advance, he estimated that once interviews were complete, Council could expect a report within four weeks.

Hank Kassigkeit has lived on Daisy Ln. for one and a half months and is currently renovating. He has lived in Geauga County for 35 years. He was a general contractor for 40 years in multiple states, and currently owns a structural manufacturing company in Cleveland. Through the business, he has become familiar with building departments. In terms of general contractors, he stated that the most important consideration is consistency of the quality of work with the Building Department. The Building Department requires licensing, training, bonding, and insurance. As a result, the quality of work is much higher. In his professional experience, the building departments

in the communities where he has worked have the responsibility to ensure all residents comply with the building codes. Building departments are very active in all the communities where his company conducts business. They ensure that the properties maintain their integrity, which leads to the community remaining strong. They gather additional revenue, and he acknowledged that revenues are also the driving force behind the disappearance of building and zoning departments in communities. Because they do not generate enough revenue to be self-supporting, this leads to the splitting of responsibilities. What makes a building department strong is a strong inspection force, which protects residents from substandard contractors and ensures residents have work that will last. He evaluates building departments on whether all contractors are charged or only selective contractors.

Schloss confirmed that Kassigkeit has worked in different areas in Geauga County, and has worked with its Building Department. Schloss explained that the South Russell Village Building Department had not generated much revenue in the past 10 years and has been running a deficit because the Village is built-out. Schloss asked if the Village should consider a part-time model or utilize the county services. Kassigkeit opined that most residents were not qualified to inspect the work they had done. He added that the home he is currently renovating on Daisy Lane was an absolute disaster. The wiring and panel were illegal. He stated that a building department could provide transparent communication with residents about current code changes in a monthly newsletter. He added that Hovevar had the expertise to see items that required correction. Kassigkeit stressed that it was important for residents to understand that the Village wanted to make sure they were safe and treated well by their contractors. He added that the Building Department could be a part-time service but needed a competent individual. Schloss asked Kassigkeit to clarify whether he was saying that Geauga County Building Department did not have qualified inspectors. Kassigkeit said he did not say they were not qualified, but that they do not have enough to cover the large county.

Carroll asked whether point of sale could be a function of the Building Department and whether this would be of value. Kassigkeit suggested that presale inspections would be beneficial, but that the home inspectors of today are unqualified. Overall, it would help maintain property values.

Nairn reported that she had met with Geauga County Building Department personnel and was told that if an inspection was requested before 9:00 or 9:30 a.m., it could be conducted within 24 hours. Given this information, it appeared to Nairn that the department was being run well. She asked Kassigkeit how he thought that it was not adequately staffed. Kassigkeit stated that the people who actually obtain permits were fine, but the contractors who were problematic were the ones who did not file for permits.

Dunning suggested that it was beneficial to have someone regularly driving through the community to identify indications of remodeling or construction, such as additional trash or construction material. Based on these observations, an inquiry could be made by a building inspector with the resident to determine compliance. She added that this would require a personal inspection. Carroll asked if this could be performed by a zoning inspector. Dunning said it could be done by both building and zoning. Dunning further offered that the police could do this. Kassigkeit stated that the South Russell Village police officers pass by his residence multiple times a day, and suggested they log their observations of dumpsters or containers with construction debris and provide the information to the Housing Inspector. The Mayor stated the police officers are currently doing this.

Nairn asked Kassigkeit to clarify his statement that home inspectors were not qualified. Kassigkeit stated that there was no licensing required. Nairn further questioned whether this meant that area realtors were using unqualified home inspectors. Kassigkeit rephrased his statement to say they were not formally licensed. Dunning added that the home inspectors take a quick course that involves structural, mechanical, inspection of hot water heaters, plumbing, etc. but never a full inspection. Wilson added that prior to working for the Village, she was in real estate, and that it was the resident's responsibility to take a home inspection. The inspectors were not certified Building Inspectors, but rather an individual who took a course. Kassigkeit added that the buyers use the information to get home prices reduced.

Galicki asked Kassigkeit whether the problems with his electrical panel on the home he is renovating dated to the original construction in 1962 or whether it was from electrical work done since. Kassigkeit stated there had been substantial electrical work performed in the home since it was built and there was no ground in the entire house. Galicki stated that despite the fact that there was a Building Department in the Village at the time this work was done, it did not preclude this from happening. Kassigkeit said he did not know.

Heidi Baumgart, Paw Paw Lake, stated she was originally from Ashtabula County, and added that there were no zoning regulations and limited community services. This was the reason she relocated to South Russell, and added that she welcomed her tax bill. In the Paw Paw Lake community, there have been a number of homes renovated. She wanted to see the continued service and community oversight of the Building Department. She wanted to know how the money saved by closing or converting the Building Department to a part-time operation would be used instead. She did not think there was anything the money could be used for that would make her property values better. Schloss asked if Baumgart had contacted the Building Department. She advised that as a new resident, she had been contacted by the Building Department regarding the requirement to clean her septic tank. She also put in a new air conditioning unit that required a permit. Canton stated that it was the responsibility of Council to enhance the community and offer services.

Dunning stated that although many were concerned about climate change, she was concerned about what was happening with housing in the country. She stated that housing is in bad shape and there is not enough. The cost of doing the necessary remedial work in preparation for a large remodeling project is unbelievable. This would include foundations, electrical, heating, and plumbing. It is necessary to get the existing house up to speed before the new project could begin. Dunning also addressed the senior housing issue. She concluded that architectural oversight ensured that small details were addressed for residents and would make the outcome better.

Wilson stated that she did not take the possibility of closing the Building Department personally, and understood it was a financial decision. However, she invited Council to spend a day with her in the Building Department before spending money on the Clemans Nelson survey. She added that Schloss had spent time observing and that she and Hocevar had been very busy this year. She added that the department was currently at 50% of annual revenue in two and a half months. The building projects continue coming in and residents have been in contact with the Building Department for miscellaneous issues, such as gardening.

Hocevar echoed Wilson and advised Council to observe the department before spending funds to have the Clemans Nelson survey conducted. He felt Council owed this to the residents. He added that it was hard to justify on paper and that operations need to be observed.

Baumgart asked Council to keep the control and the uniformity.

Schloss posed the suggestion to the Chief about having the Police Officers monitor residences for extra trash or debris from remodeling. The Chief replied that the police could monitor this, but ultimately it would have to be enforced by the inspector. The Police Department was currently working with the Building Department on vehicle issues.

Canton asked what percentage of the Building Department work was currently devoted to remodeling. Wilson said she was swamped with remodeling projects, including Kassigkeit's, one on Dorset Dr., and two in Paw Paw Lake. She added that these required the same type of inspections as new construction. Canton asked if the Manor Brook Community had been keeping the Building Department busy. Wilson stated that there were people who did their own jobs without permits. If a resident ignored the need to have a permit, they cannot fault the Village for not doing an inspection. She added that as a resident, when she moved here 10 years ago, she wanted to live in Chagrin Falls Village - she did not want to live in Geauga County. She then realized that while South Russell was in Geauga County, it was a Village in its own right. She said she and her neighbors related more to the culture and standards of Chagrin Falls and communities to the west. She did not consider that she lived in a county with less regulation and less conformity. Because she and her neighbors were in the Chagrin Falls School District, this was the community with which they identified and shared the same living standards. Wilson considered this one of the best parts of living in South Russell.

Carroll asked about point of sale inspections and whether they were something the Village should offer or whether this would be too intrusive. Dunning answered that Shaker Heights did a good job with this. In her condominium association, she felt this service would have been useful in determining issues inside the buildings. Hovevar thought it would be great if the Village had a qualified person with common sense and the right personality, but not just to put a burden on the home seller. It could be a great asset. Wilson stated she frequently received calls from realtors asking if the Building Department had this requirement, and they were happy that the Village did not. As a former realtor, she thought it could be done. Baumgart compared this service to that of a patient advocate. She also wondered whether it would create difficulties for home sellers. Dunning considered it a benefit and something that would strengthen the community.

Carroll addressed Baumgart's earlier question about the monies that would be saved by closing the Building Department. He stated that Council strives to run a tight budget. He added that the Village also has significant and costly storm water issues. The money, in other words, would be used for the good of the Village.

Nairn asked if, hypothetically, Council made the decision to convert to a part-time Building Department, and the Building Department became bogged down, would it be possible for residents to utilize Geauga County Building Department services? The Mayor stated that the county owes the Village that service.

Wilson stated that if a permit were inadvertently pulled in the wrong municipality, the former Building Inspector would never cross lines to inspect this permit. She surmised this would be the case with Geauga County. She did not believe they could inspect a permit they did not pull.

Carroll asked about the possibility of the county handling the Village's commercial building. Hocevar said that the commercial building in the Village is minor. The Fiscal Officer stated that at one point, the Village had a contract with Chagrin Falls and with Geauga County to provide services, so there was a way to help each other. Carroll clarified that there was then a cross over between communities. The Fiscal Officer said it was an agreement where the Village was paid per inspection to provide those services to other communities.

Schloss stated that he was impressed with how Hocevar and Wilson had been handling the Building Department. He had not been aware of their technical knowledge.

The Mayor thanked the participants for attending. Carroll asked the Solicitor if it was necessary to formally adjourn the meeting. She said he should. The Mayor was engaged in a private conversation and asked for a moment. Carroll indicated that the Mayor ended the meeting without following the appropriate procedures.

ADJOURNMENT: Being that there was no further business before Council, Carroll made a motion to adjourn, seconded by Nairn. Voice vote – ayes, all. Motion carried.



William G. Koons, Mayor



Danielle Romanowski, Fiscal Officer

Prepared by: Leslie Galicki