

**RECORD OF PROCEEDINGS  
SPECIAL COUNCIL MEETING  
MONDAY, AUGUST 19, 2019 - 7:30 P.M.  
MAYOR WILLIAM G. KOONS PRESIDING**

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

**OFFICIALS PRESENT:** Fiscal Officer Romanowski, Solicitor Matheney

**VISITORS:** Mo Darwish, Joe Ciuni, and Nick Fini GPD Group; and Eric Haibach and Diane Oris, CT Consultants

At 7:30 p.m., Mayor Koons called the Special Council meeting to order. Fiscal Officer read the roll. The Mayor stated the purpose of the meeting was to conduct the Engineering Firm Search interviews.

GPD Group was first interviewed. Joe Ciuni stated half of the work they did was in the public sector including Ohio Department of Transportation (ODOT), bridges, water, and sewer. They are municipal engineers and their services depend on the needs of the municipality. They have experience in electrical, mechanical, structural, etc. He described GPD as a one stop shop.

Joe Ciuni, a Municipal Engineer for 20 years, would be the proposed Engineer for the Village.

Mo Darwish was present for funding and was the former director of District 4. He was someone who knew how to get funding.

Interview of the firm by Council identified that GPD did not charge a monthly fee but instead charged by the hour. Ciuni offered that the company could do a monthly fee and a defined scope of work the Engineer would provide. His preference was to have assigned work and be paid by the hour, so that the Village was only paying for services it needed.

Carroll explained that the Village, with regard to finances, would not want to be nicked and dimed to death. It was explained that a proposal would be provided for anything expected to go over \$2,500. The proposal would address the hourly fee but only up to a maximum fee.

Carroll asked how responsive GPD would be to residents with stormwater issues with identifying solutions. The response was that there would be a need to question whether residential drainage was a municipal matter or mother nature, and GPD would not want to tell the Village to spend tax dollars on a resident's backyard if it were not a Village issue. Each situation would need to be looked at individually. He explained further that everyone wants the city or village to resolve their issue, and it is often necessary to explain that if the Village spends money to fix one resident's issue, it would have to fix all residents' issues.

CT Consultants were next interviewed. Oris explained that although the Village is familiar with Haibach, he is backed by 280 professionals. The organization spans 13 offices primarily in

Ohio, but also PA, WV, KY, and TN. It began as a Municipal Engineer for villages and cities in Ohio, and now serves as Municipal Engineer for over 60 communities. Oris described the wide variety of services provided, to now include ecological services.

Haibach emphasized that CT relies on putting the right personnel with the right projects and clients. He had been the Engineer for South Russell for seven years and the assistant Engineer for over 20 years. Haibach expressed that although it involved extra work, he enjoys working with the Village and has become intimately familiar with the needs of the Village. He is often able to anticipate the needs and develop solutions. He saw the value he brought to the Village in responsiveness, availability, and institutional abilities. Haibach addressed the development of the Road Program over the course of the firm's 20 years with the Village and described it as robust. He spoke of the importance to the Village of addressing stormwater issues.

Haibach also stated that CT Consultants has helped the Village secure over \$4 million in grant funding to offset costs and added that CT Consultants has a staff to pursue the grants and maintain the intricate requirements.

Haibach added that he only serves as Engineer to one other community that is similar to South Russell and noted the benefit was that it allowed his availability and responsiveness for both the Village and the residents.

In addition to getting the math, science, and hard engineering, which really could be provided by any of the firms, CT Consultants provides a personal touch and flexibility to meet with residents and to address specific concerns. Haibach recognized Council's concern with the quality of life for the residents. He viewed his role as supporting this expectation of Council.

He addressed the necessity to do forward thinking, which CT Consultants does, to include funding sources and quality of life projects.

Carroll questioned Eric about CT Consultants about connecting projects to the best funding options, and Haibach replied that it was more important to solve the problem regardless of availability of grant funds, for example.

Nairn questioned the staffing of the funding development department, in terms of availability of funding sources. He added that just because there was money available, it might not be the right solution for the Village.

Galicki asked Haibach whether the Village has an effective stormwater management program. Haibach replied that in one respect, in the last five years the Village has gone above and beyond other municipalities in identifying stormwater issues. He added, however, that the Village has a long way to go. He said that he is attempting to capture funding to take care of stormwater hotspot issues, to include the Manor Brook Downstream Restoration Project. Haibach commended the Village on not taking the easy solution.

Schloss questioned the delay in cleaning out the ditch easement on Chillicothe Road. Haibach provided a proposal, but the work was pending authorization by Council to contract the work if

the Service Department was unable to complete the work in a timely manner. He would have hoped to have seen the ditch cleared by now.

Canton questioned why the Village should continue to contract with CT Consultants. Canton reiterated that his question was answered through the course of the presentation and was impressed with future vision, years of service, passion, and time he has spent with the Village. Haibach felt that CT Consultants and the Village had a lot of miles to still travel together. Other engineering firms have qualifications but what set CT Consultants apart was that Haibach is comfortable with the day-to-day requirements. CT Consultants allowed him to not be profitable at times which enabled him to assess the needs of the community.

Porter asked Haibach what the most important project he has had with the Village, and the Engineer replied that it was the Chelsea Court flooding project.

The interview concluded at 9:02 p.m.

The Mayor asked if there was any new information to share from contact with other communities.

Schloss stated he needed more time to think about the decision and complimented both firms.

Carroll stated they were both very good, but GPD's presentation was slightly different because they had not done business with the Village where Haibach spoke from experience. Carroll did not like the discussion concerning the culvert. He had been very concerned about replacing the culvert and what it would cause downstream. Haibach stated during the meeting with the Sugarbush Development, that there would not be more water with the culvert replacement, it would just get there more quickly. It was the first time Haibach said it would be made worse. That being said, Carroll stated that CT Consultants has done a good job. He was sure GPD would also do a good job, but he also was not ready to decide until he had the opportunity to investigate further on his own.

Galicki stated that the Village had good choices and it was beneficial to go through the process. The Mayor asked Galicki if he had an issue with the price. Galicki said he did not make a statement about price. He explained that if CT Consultants was being a little too generous in what they billed the Village, maybe having the process made them a little more honest. In the business world with suppliers, companies go through the same process to open up the bid and perhaps it makes long-term suppliers see they need to be more competitive. He concluded that the Village has some great choices.

Porter stated he liked CT Consultant's presentation a lot and he would be inclined to stay with them if only because they spoke of what they had done for the Village and what they could do. The GPD staff did not have any idea of the Village's issues. He felt that in going to a job interview, the interviewee should have some idea of what the company's needs are. Consequently, he would choose CT Consultants, and would do it immediately.

Canton said CT had the benefit of experience and youth and used Power Point technology effectively in the presentation. He also found value in the longevity of the company. The Village works well with Haibach. Canton felt it would be beneficial to take time to consider the options.

Nairn stated she was taken aback that the Village did not price shop and deferred to using the same contractors. It was good to see what was out there and she was pleased the Village took the opportunity to conduct the search.

Porter asked if the contract would be for the remainder of the year and then go for another year. Carroll advised that the year was almost complete, and if the Village were to stay with CT Consultants it would just be renewing the contract.

The Mayor stated Council would discuss the Engineering firm decision at the September 9, 2019 Council meeting.

The Mayor addressed the need to discuss Engineering firms with neighboring communities individually with Council. He indicated the Fiscal Officer spoke to Hunting Valley and the Village of Grafton. Carroll suggested asking GPD for a hypothetical cost analysis of a past road program and then compare it to CT Consultants. Carroll was concerned about receiving a huge bill from GPD. The Mayor stated that GPD did a \$390,000 road program for Brooklyn Heights and charged \$27,000. Haibach has averaged \$21,000 on the Road Program.

Porter stated that the GPD lead engineer is the engineer for many other communities and felt that Haibach provided a more personalized service.

The Mayor said he called Macedonia and was told they dropped GPD. He also heard from Hunting Valley, Pepper Pike, Moreland Hills, Orange, and Chagrin Falls.

Schloss made a motion to accept the resignation of the Building Department Secretary Kris Wilson, seconded by Porter. Voice vote – ayes, all. Motion carried.

Regarding Building Department personnel and structure, Schloss proposed that the Fiscal Officer and/or the Administrative Assistant go over to the Building Department prior to the departure of the Building Department Secretary on September 10, 2019, in order to learn the process. Porter also addressed posting an ad for the Building Department Secretary position, and depending on how quickly hiring occurs, Porter thought this might not be necessary. For now, however, he thought it would be good for the Fiscal Officer and Administrative Assistant to have an understanding of the system.

Carroll addressed advertising for the Administrative Assistant/Board Secretary combined position at 25 hours that the Village tried with the current Building Secretary, but it did not work, and she elected to resign. There was discussion by Council of placing an ad. The Fiscal Officer placed an ad for Board Clerk and had received applicants. Carroll suggested advertising the Administrative Assistant/Board Clerk position, which would involve contacting the current applicants with the revised position. He recommended taking time with the applications and in

hiring someone, and allowing the Fiscal Officer or Administrative Assistant to learn enough of it to enable a smooth transition into the position.

Nairn asked if the position would be advertised in the Maple Leaf, Sun News and Chagrin Valley Times, or just one newspaper. The Fiscal Officer placed the original posting in the Chagrin Valley Times and on Indeed.com. She would call the persons who had applied thus far.

Galicki recommended advertising in the Maple Leaf, and said that he had recently seen ads for a similar position and thought it would expand the pool of local applicants. The Fiscal Officer advised it would also appear in the Village Newsletter.

Carroll addressed the August 19<sup>th</sup> combined HR and Building Committee meeting regarding the staffing of the Building Department. He summarized the meeting as follows: Since last December, when the Building Inspector quit, the Village had been functioning with a quasi part-time Building Department with Building Official, Dave Hocesvar. The Village advertised two different times to find a part-time Building Inspector to no avail, or at least no one with the qualifications that the Village was seeking. Carroll stated the Village was at a juncture and questioned whether the Village should continue its efforts, go to the county, or combine with another municipality. It did not appear that there was anyone else at this point with whom to combine. The other thought, he explained involved Hocesvar, who conveyed to Schloss that he would continue to work with the Village until things were resolved or until the end of the year. Carroll said the other thought was to advertise for a part-time Zoning Inspector, because regardless, the Village is required to have one and start moving the Village's Building Department business towards the county, having them take over the building inspection duties. Carroll added that the Village gave it a 'good college' try to make a part-time Building Department work. Initially it was thought this could be a viable option, but the Village has been unable to locate a part-time Building Inspector. The trades are busy, so the position is not so attractive. Carroll believed the Village needed to take action at this point. Schloss added that the matter needed to be concluded by the end of October so that it could be completed by the end of the year. Galicki asked Schloss whether he was referring to addressing the issue of whether the Village goes forward with the Building Department or not. Regarding the ads, Galicki asked if a motion was required. The Solicitor advised it should be a motion. Carroll made a motion to advertise for the combined Building Administrative Assistant/Board Clerk position as well as the part-time Zoning Inspector. Porter seconded. Voice vote – ayes, all. Motion carried.

Schloss reiterated that Council needed to have the matter resolved by the end of October, whether it meant combining with Chagrin, Woodmere, or another municipality. A decision was required to end the matter one way or another in October so that by the end of the year the Village could inform contractors of the Village's decision so that they would know if they had to go to the county. Galicki added that the two committees discussed entering the new year of 2020 having made the decision about the way to go forward with the Building Department. He felt it would be unfair if the question were still open relative to collecting fees from contractors for 2020 and potentially having to return them. He advised that the consensus of the two committees was that there needed to be a decision made shortly and to enable the use of the remainder of the year to effect the changes. Galicki stated that the committees discussed the possibility of combining, but of the two communities discussed, Woodmere did not have a

Building Official. Chagrin Falls also did not have a Building Official who was a certified electrical inspector, which would mean that those services would have to be obtained elsewhere. This would potentially mean keeping Hocevar under contract, or possibly going to the county for the electrical services. He was uncertain as to whether the Village could go to the county for some services but not all services.

Galicki added that included in the discussion of the two committees was the prospect of bringing the matter to a vote at the Special Council meeting, but he deferred to the Building Department Committee about whether more thought was needed. Nairn asked if Hocevar was still contracted for May 31, 2019 to May 31, 2020 and the Solicitor said no. Porter explained it was a one-year deal terminable with 30 days' notice. Hocevar could give notice today and be done by the end of September. Porter agreed that the Village needed to move along with the issue one way or another.

The Solicitor advised that the Village did not have a job description for an assistant Zoning Inspector. Galicki and Schloss advised it would be a part-time Zoning Inspector, and the Solicitor stated the Village only had a full time Zoning Inspector job description. She further clarified that the Village has a job description for a part-time Building Inspector and Zoning Inspector combined. Porter advised that one needed to be created. The Solicitor questioned how the Village advertised the position, whether a job description was included. Carroll asked if the same job description could be used but making it part-time. The Solicitor stated it would involve an amendment to the ordinance because it was part of the Employee Handbook. Carroll asked if this could be done at the September Council meeting. The Solicitor explained that she was not sure how Council planned to determine the hours and if the job description and associated hours suggested by Clemans Nelson would be used. The Fiscal Officer stated she usually did not post the job description with the ad. Porter stated that the Village has the job description for an Assistant Zoning Inspector. The Fiscal Officer advised the Village no longer has this description, that after adopting the new job descriptions, the position was not included. Carroll stated that HR and Building Committees would collaborate on this issue. He added that at the September 9<sup>th</sup> meeting, this could be formally adopted, and a decision made about the Building Department as well. Carroll acknowledged that with the Building Inspector and Zoning duties tied together and the need for them to be unmeshed, Council would need feedback from the Solicitor on how this would look, how long it would take, and what action would be required by Council. Porter stated this was all by ordinance and Council would need to significantly amend the Village ordinances for this. The Solicitor agreed. Once the ball of yarn was unraveled, according to Porter, it would be tough to put back together. The Solicitor agreed, and added that especially the one whole code section of 1440, which established the Building Department. Carroll suggested that if a decision were made at the September 9<sup>th</sup> meeting, the unravelling could occur at the second meeting in September. The Solicitor advised it might take a little longer than that and that there was quite a bit to do.

The Mayor stated he agreed with Galicki that in their hearts, Council had already made a decision on the Building Department and questioned why Council would wait a couple of weeks. He asked what they would gain. Porter stated that Council did not know who would respond to the ads, and if Council were to get rid of the Building Department, then Dave Hocevar would walk. Carroll stated that the plan needed to be executed at a certain point to keep Hocevar and it

all needed to make sense. He would hate to prematurely do something. The Mayor stated he did not think they had to, but in the hearts of Council, they had already made the decision. He proposed that since he would be in Chardon the following day, he would walk into the county Building Department and ask them about the transition if it were to occur. Secondly, the Mayor instructed Council not to send the Fiscal Officer or Administrative Assistant over to visit with the Building Department Secretary this week. He said it would take some smoothing out and not to go over this week. Porter stated he would leave this to the Mayor's executive authority as to the timing. Carroll stated he was so tired of the 'executive authority stuff'. He appreciated the point of giving the Building Department Secretary time to settle in and added that she resigned from the position and there was an important job to do. If that was the take on giving her time to adjust for the change in position, he respected that. The Mayor stated it was not. He thought she needed some time to "chill" and did not want her to say goodbye. He added that he was not saying to give him a week and said don't do anything this week. Carroll said that was fine. Schloss stated that today was Monday and asked if the Mayor was saying not to mess with her this week. The Mayor stated yes. Schloss further clarified that the Mayor was saying it was necessary to wait until the following Monday to put this on her.

The Fiscal Officer stated that the Building Department Secretary called her that day to tell her that she gave three weeks' notice and was hoping that the Village could get someone in there as soon as possible to learn the job. The Building Department Secretary did not know whether this would be a "temp" but said the reason she gave notice was so that someone could come in and start learning the job. The Fiscal Officer clarified that whether it was a temp or her doing this, when she spoke to the Building Department Secretary, the Building Department Secretary wanted to make sure someone got in there. Schloss said he did not think a temp was needed.

Porter stated that there were responses to the Board Clerk Position and once the new ones hit, the Village would hopefully get good ones. He imagined it would take a week to compile the responses presuming the Village received them, so he thought the Mayor's idea was good. Schloss said that was fine and stated that next Monday it might be possible to hear something back from the applicants. Galicki did not think someone would be hired by next Monday. If Council was waiting for applicants, it would not make sense. In the meantime, he thought Council should be thinking about some type of transition. Schloss said, "right here." Galicki responded that this was something that Council was not addressing. Schloss advised that it was proposed earlier in the meeting that the Fiscal Officer and/or the Administrative Assistant or both would start going over to the Building Department a week from Monday to find out what was happening and hopefully the Building Department Secretary would cooperate. Galicki said that a week from today, there would be the same people Council discussed today and it was not like someone would have been hired for a new position by Monday. Porter said, "although that would be great if it happened." Canton suggested approaching the Building Department Secretary with the idea that the Fiscal Officer and/or the Administrative Assistant would come over. Schloss replied that this was what the Mayor would be doing, and Porter said this was the Mayor's job.

The Mayor reiterated that he would check with the county Building Department on August 20<sup>th</sup>. He would check with the Building Department Secretary on August 20<sup>th</sup>. The Mayor would also notify the Engineering Firms September 9<sup>th</sup>. He clarified that no decision would be made until

September 9<sup>th</sup>. Regarding the meeting on September 9<sup>th</sup>, since the Village would be awarding a contract with the Village's stipulation, the Mayor asked if this needed to be done in Executive Session and what should Council plan on September 9<sup>th</sup> to do. The Solicitor stated Council could decide on which firm they wanted and then work out the terms at another point. It did not need to be done that day. The Mayor asked if this would be decided in Executive Session. The Solicitor stated Council could go into Executive Session to discuss but approving it must be out of Executive Session. She said it would be like discussion of an appointment of a public official or employee.

Nairn said this was muddy to her and felt she had missed something with regard to the Building Secretary. She thought the Village was going to try to do some transitioning. The Mayor said it would be starting next Monday. He added that Engineering was on September 9<sup>th</sup>.

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

  
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William G. Koons, Mayor

  
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Danielle Romanowski, Fiscal Officer

Prepared by Leslie Galicki