

Building Committee Meeting
Thursday, April 2, 2020 8:00 a.m.

Present: Chairman Canton, Councilman Berger, Fiscal Officer Romanowski, Building Inspector Hocevar, Building Department Administrative Assistant Grattino

Canton called the meeting to order at 8:00 a.m. and advised that Building Department Administrative Assistant Grattino would arrive shortly. Canton stated he would divide the meeting into three parts; an Executive Session with the Fiscal Officer, the regularly scheduled meeting, and then Executive Session with Grattino and Hocevar. Canton made a motion to go into Executive Session at 8:03 a.m. to discuss employee and work environment, seconded by Berger. Voice vote – ayes, all. Motion carried.

The committee came out of Executive Session at 8:27 a.m. The Committee resumed the regular meeting at 8:30 a.m. Canton asked how things were going in the Building Department and asked how the committee could help the department. Hocevar stated that a couple of years ago the Village hired a company to evaluate the Building Department. Berger asked the name of the company, and the Fiscal Officer stated it was Clemans Nelson. Hocevar stated they spent about 10 minutes talking to him about what should be done with the Building Department and then they came up with some type of evaluations assuming that it could be a part-time department. The Clemans Nelson representative asked Hocevar what his thoughts were with a part-time department, he said maybe the Building Department, but not the secretary and the zoning. These were full-time jobs. This was the last communication he had. After 25 years, no one came up to him to ask what should be done with the Building Department and if hours could be cut or if hours for the secretary could be cut. No one asked him. Hocevar stated it would not work as a part-time job; it wasn't going to happen. In the past, he had always answered to the Mayor and the committee, which worked out great. There was enough going on in the Building Department with zoning. Hocevar stated that zoning is very complex in the Village. There are five zoning books. Berger asked why there were so many, and Hocevar stated that with the Village's ordinances, people were grandfathered. There are five to six zoning districts, which had their own zoning with different setbacks. Hocevar said it would take a while for the average person on the street to learn. He added that Grattino grasped it very well and had experience with zoning with different cities. Canton asked if Hocevar was in agreement that the Village did not have the acreage to build new homes unless older houses were torn down, but that there was a lot of remodeling going on. Hocevar agreed that there was a lot. He stated that on the east side there was a lot of undeveloped land off of Bell Rd. Hocevar stated he had received a few calls already on developing that property, whether it involved splitting it in three to five lots. At one time there was going to be a development put in there. Part of the section is under conservancy. He added that the Conservation District has its own zoning.

Canton stated historically, Hocevar was the full-time Building Inspector. Hocevar stated he did this for 25 years. Canton verified that Hocevar was now a contractor who serves other communities. Hocevar stated he is a contractor for Pepper Pike, Moreland Hills, Hunting Valley, Chagrin Falls, and the City of Streetsboro. Canton asked if Council were to develop a part-time Inspector that would work for the Village, would this be a conflict of interest with the other communities with which he works. Hocevar did not know if it would be a conflict with the

communities, but it might be a conflict with his retirement under OPERS. This was the reason he formed his own company. Canton stated there were public employees who do retire and rehire. Hocevar stated he had the opportunity and chose not to do so because of other obligations.

Berger asked Grattino about the State report she did with former Building Inspector Heilman. Grattino said she could not have done it without Heilman. Berger asked if she could do it without Heilman the next time around, and Grattino said she might need to call her for a few things on it. She felt most likely she could do it as Heilman did it. Grattino stated Hocevar keeps the department together because all the State Licenses are under Hocevar. The State report shows Hocevar and then Heilman is the back-up on it with a couple of county people on as well. She relayed there are different back-ups on the report. Heilman explained how to do it, and she has her documentation. Berger asked if she could do 80% of it, and Grattino said yes. Berger clarified that the Village relies on Hocevar's certification to comply with the State, and Grattino said yes. Hocevar stated that Heilman had been in contact with the Building Department on numerous occasions to help and she generously helps Grattino and helped the former Building Department Administrative Assistant. He said it was part of her dedication to teamwork and she wanted to see the department succeed. Grattino reminded the committee that she only had 10 hours of training, two hours for five days, and with phones ringing and other things happening, probably in those two hours of training she maybe got an hour. Berger indicated he was not challenging Grattino but trying to ascertain the direction of the Building Department. Grattino explained this was the reason she would call Heilman, and further explained that she had a lot of experience, but these were reports she did not do at her old job. Many things she figured out on her own. Berger asked if going forward there were any reports of this nature that would need to be done. He clarified that this was the one big annual report. The Fiscal Officer stated that there was also the Stormwater report that the Building Department had to assist with. Grattino said Heilman had come in a few months ago to show her how to do the monthly reports.

Berger asked for the status of 98 Fernwood, and Hocevar said a court date was set. Grattino added it was set for Monday 4/6. Berger asked if it would be going forward with the COVID-19 issue, and Grattino said she was not sure. Berger asked if this was in Geauga County, and Grattino said it was. Berger asked if this meant the resident was not cooperating and Hocevar confirmed that was the case. Grattino stated that the Mayor asked her about the court case and said that some work had been happening. It would be necessary to drive by and take pictures before the court date. Berger indicated his concern about when this would occur because the court date was scheduled for Monday and it was already Thursday and the Building Department Secretary does not work on Friday. Berger asked if this pictures would be taken that afternoon, and Hocevar said this was a thought and said if they drive by, Grattino could take the pictures. Usually, the prosecutor would call and ask about the progress, and Hocevar would give him an update to determine whether or not the case should go forward. Hocevar stated that a lot of things had fallen apart in the Village as far as zoning. He said it was time consuming, and used the example of high grass, painting, Fernwood, etc.

Berger stated that after the meeting, the Fiscal Officer, Hocevar, and Grattino would coordinate calling Dennis Coyne to find out if the court case would be going forward. If it is, the documentation needed to be prepared. Hocevar said he would let the committee know, and

Berger stated he should let the Fiscal Officer know and allow her to pass it along. Berger asked if there were any other property issues in the Village with maintenance issues. Hocevar said there were quite a few and many that fell through the cracks the previous year. Grattino agreed and said it was before she started with the Village. Berger asked if there was a list. Hocevar said the majority were high grass complaints, which the Village had the opportunity hire a company to cut the grass and put it on the residents' tax bills. Hocevar said the department kept up with this until the end of the year last year when the grass started needing to be cut. Berger asked how many houses were involved, and Hocevar stated 10-15. The Fiscal Officer stated that there were not that many that were put on property tax bills. Hocevar agreed and said there were not that many because they were sent letters. Berger surmised that if these residents required reminders last year, they would probably need to be reminded this year. Grattino said that in her experience, the end of March and beginning of April would be peak time for people coming in for roofing permits, driveways, patios, etc. and once the grass started growing, those complaints would be made.

Berger asked what the level of activity had been with the COVID-19. Grattino said that it was more than she expected and depended on the day. She had received phone calls and emails for permit applications. She reviewed procedures being used for exchanging documentation with residents. Grattino said the activity varied day to day. Berger asked what the level of activity was compared to January. Grattino said March had \$3,900 in permits, which did not include the zoning permits that had no State fee. February was roughly \$2,400, according to Grattino. Berger concluded that March was 50% busier than February by dollar volume. Grattino stated that most of the Village's permits were \$100. The Fiscal Officer acknowledged there were more in permits and asked if there were any of the board meetings in March. Grattino said there was a Planning Commission meeting and an ARB meeting. The Fiscal Officer said this counts for work, too. Hocevar stated that patios and decks were not involved in the meetings unless they were large with coverings. He added that the department had quite a few patios and decks recently. Grattino agreed and said that in the last couple of days she had received a few as well as sheds and with a lot of them, she would tell the residents that the department needed to look at them because some sheds had to be reviewed by ARB, but some would not. She said it depended on the size of it and other variables. They were required to give her the paperwork with the zoning application. She looked it over and then had Hocevar review it with the codes. She then had Hocevar approve it, or he would decide if it needed to go to ARB. If it had to go to ARB, she said she would then have to call the residents who would have to bring her the paperwork needed for ARB.

Hocevar stated that there were houses that would soon be built in the Paw Paw Lake neighborhood, on Bell Rd., and Hazlewood Dr. Grattino stated that some of the phone calls she received were quick and some involved research. This week she had received six to seven calls about flooding. She said that because the Street Commissioner was not in the office, she was taking messages for him and researching sewer and storm line issues. Hocevar stated he received a phone call at home Saturday night about basements flooding in the Manor Brook neighborhood. Berger acknowledged the issue and explained it involved the pond with the beavers. Canton observed that it was interesting that there was a storm and residents had flooding but on Chillicothe Rd. across from Manor Brook where it usually turned into a lake, there was nothing. The Fiscal Officer suggested that perhaps it was because of the mowing that

occurred. Hocevar stated he thought this issue was going to be further explored because he owns a house in this area, and it was totally underwater in the backyards because there was no place to discharge. He acknowledged that cleaning out the ditch was very helpful, but it would be necessary for the Village to go onto private property and order the residents to clean out the ditches. He said the Village had the right to do this. He thought the Village was going to move in this direction. Berger stated that the Village was by doing the Manor Brook project. Hocevar said this was what he meant.

Berger asked if the septic tank project could be done. Canton stated that the man doing the work would continue to do the work. Berger advised that regarding the inspection and cleaning of septic systems, he understood there was an issue. Berger asked how often residents were required to have the septic inspected, and Grattino stated every two years. She stated there was one resident who went to the Mayor and wanted his fee waived as well as the two-year requirement because he had a new septic system. Berger asked if the Village had any leeway in this regard, and Hocevar stated he had spoke to many septic contractors in the field because he inspects the systems, and there were various opinions on how often pumping was needed. He stated that the EPA was going to mandate sewers in the Village, so the Geauga County Board of Health and the Village developed an ordinance to preclude this from being necessary. Grattino stated the letters are automatically generated by the computer on Thursdays and she sends them out for the residents who are required to do septic cleaning. She currently had six on the list. She said she works with the residents if there are extenuating circumstances. Grattino said the septic issue is new to her in the Village but said there had only been one person who had objected in six months. The Fiscal Officer stated that this issue had been discussed by the committee the previous year, and the minutes had been provided to the committee. Berger clarified that he would report back to the Mayor that the committee reviewed the ordinance which stated that the pumping must be done every two years, which agreed with the county's recommendations. Although it was a burden to one homeowner, it would stand. The Fiscal Officer reiterated that this same issue had been addressed by Council last year, and that in one discussion a Council member pointed out that if the resident was paying for sewers, he would be paying more than \$200 in a year.

Canton said that he had suggested that for people with septic systems between zero and two years old, they could go an extra year without having it cleaned, but everyone else had to have it cleaned every two years. The Fiscal Officer stated that software wise, it would make it administratively difficult to track. Canton agreed that the ordinance could be kept as is. Berger stated that the committee owed the homeowner and the Mayor an answer which would be that following the county recommendation and the ordinance, it was every two years the pumping was required and there were no exceptions for the fact that it was brand new. The Committee discussed the cost of pumping and the prices of being tied into a sewer system and ultimately monthly sewer charges.

Berger addressed the handbook given to the committee and verified that the Fiscal Officer was working on one for the department as well. Berger stated that the committee would continue to track time and determine what the hours were going to be. Berger stated that the committee wanted to work to make the Building Department function and work better. COVID-19 had stopped the committee's efforts. Berger asked Hocevar if the Mayor had called him to discuss

masks, inspections, and personal protective equipment. Hocevar stated he had a mask in his pocket if he needed to wear it. 95% of the houses he inspected were empty. He advised that Building Departments were asking residents to leave. However, Hocevar stated that if there were an 80-year-old couple and a tree had fallen on their house, he would go in the house. He stated he is very cautious of where he goes and to whom he talks. Hocevar said that the contractors are all well aware of this, and they leave the house and stay a good distance away from him. All the inside inspections are on hold right now for trivial projects, according to Hocevar. Grattino agreed and said only unoccupied spaces were being scheduled, which included exterior and outside projects and unoccupied additions. No water tanks, furnaces, remodels, etc. were being inspected. Berger stated that as a committee, the number one priority should always be Hocevar's safety. He added that there is also liability involved when Hocevar walks into a house without knowing where he has been and what he could be carrying. When going into the home of an 80-year-old couple, the committee would not want Hocevar giving them anything where they could come back to the Village and attribute it to Hocevar's presence in their home. Safety is the committee's number one priority. Hocevar stated he had everything he needed as far as safety equipment. Berger added that the Police Chief had masks and things like that, so if Hocevar needed these things, he should tell the committee. Grattino stated that she has called Harry from the Chagrin Falls Building Department weekly to see what changes had been implemented with that department. She also spoke to other Building Departments, and everyone was doing the same thing being safe. According to Grattino, her main priority was to keep Hocevar safe, which kept her safe.

Berger relayed that the Fiscal Officer explained the statutory requirement with regard to depositing checks. He was aware this was in conflict with the way Grattino had been processing the checks as far as holding them. Berger asked how there could be a compromise. Through her experience at her previous place of employment, through contact with other Building Departments to include Chagrin Falls and Laura Heilman with South Euclid, Grattino stated that holding a check for a week or two happens. She explained the process in that a contractor would come into the Building Department and apply for a permit. The contractor's businesses might be close to the Village or far away. Regardless, Grattino explained that the contractors do not want to keep coming back to the Building Department two or three times. Instead, she would tell them what the fee would be, and they would leave her the check. Once Hocevar would approve the project, she would then process the check. Especially now with COVID-19, she did not want the contractors coming back many times. The Fiscal Officer explained that there is a statutory requirement that states checks must be deposited at the bank within 24 hours. Berger asked what would happen if Hocevar was not available for a couple of days. The Fiscal Officer verified that the process would be that when a general contractor would come in to fill out paperwork, Grattino would not process the paperwork until all the subcontractors were registered. Grattino stated at that point she would not know what the permit fee would be. She added that all the subcontractors must be registered, and there are times when separate permits are required and applications for those permits must be done. She noticed that for the past year, things had slipped through, like an electrical permit had not been pulled. She further explained that with one house with electric, plumbing, and HAC work, the contractors were not registered, and the permits were not pulled. She advised Hocevar knew to whom she referred. The Fiscal Officer asked if in the meantime, Grattino was holding all the checks, and Grattino stated she did not always have them all. However, she would wait until everyone had submitted all paperwork.

What she tried to do was have them at least send by email the application so that they were registered. She said that if she did it the way it had been done in the past, with one person and 25 hours a week, she would not have time. She stated she would have to make a list and said there was no way to pull it up in the computer. There was nothing that could be done to figure out what would be needed. The Fiscal Officer explained that perhaps she did not understand the software well enough but questioned that all the information went into the computer by address. She called some Building Departments as well and was told that no Finance Director would ever allow checks to be held. She explained that she would be personally liable for the money. Instead, the process would be that the general contractor would be given his permit. She asked the Building Department staff how they control everyone getting registered and getting paperwork in, and she was told this was done by withholding inspections until all the paperwork had been received. Grattino said this would mean that, for example, there might be 10 contractors/subcontractors for one job whom she would be giving a permit. She explained that there was not enough room in the program to list them on the permit in the computer. They are only listed on paper. This would mean that each time, she would have to go pull out the paperwork and go through the list. She would then have to go back in the computer and waste more time and go through ten contractors to see if they are registered. If they weren't registered, she would have to call them and then wait for their paperwork to be brought in. She would have to tell the resident that the inspection could not be done because the Building Department was still waiting on three contractors. Grattino said that these contractors might say that since they weren't doing work yet on the project, they would not worry about registering. They would be holding up everything, and she would be playing babysitter with the contractors. She added that she did not have enough time as it is to do everything. With one person, there was no possible way to track all of this.

Berger asked how it was done in the past, and Hocevar said it was just like they were currently doing it. Berger asked whether the checks had been held with Heilman and the former Building Department Administrative Assistant, and Hocevar added that it was also done by Dixie 30 years ago. Grattino explained another scenario where a contractor might come in to register, bringing her all his paperwork and check. While looking through the paperwork, she might find that he was missing his bond or the bond had not been signed. She said she would not be able to register the contractor without all of the paperwork, and she said it might take a few days to get, so she would hold everything instead of making the contractor come back. Berger asked if the Fiscal Officer was bonded, and the Fiscal Officer confirmed she was for \$50,000. He asked the Building Department Secretary if she is bonded, and she said she was. Grattino stated she did not hold cash, only checks. Canton asked if the Fiscal Officer knew when the statute was written and why, and the Fiscal Officer stated she was in the process of finding it and had spoken to the County Auditor. Canton asked if it was new, and the Fiscal Officer said it had been in place. However, she had not been aware that there was an issue with the checks being held by the Building Department. Canton asked if there was such a thing as the 'spirit of the law.' Berger stated the statute is firm. Berger stated that there was a firm rule that the department does not hold cash, and Grattino agreed. Berger asked if there were contractors that pay in cash, and Grattino said very few. He asked what the maximum value of checks would be that she would hold at one time. Grattino said it would depend on the project but could be \$1,100. She further explained that although it might look like she was holding checks, it might be because the check was backdated by the contractor's office. The Fiscal Officer asked typically how long would

Grattino hold checks, and Grattino stated usually not longer than a week. She clarified that the Building Department might have the paperwork for a month before the contractor did anything. Berger clarified that he was not making accusations, rather just asking questions. He asked if the checks sitting in her drawer were endorsed. Grattino stated no, and the Fiscal Officer stated that she stamps them. Berger asked if there were situations where a contractor gave her a check and then would come back three days later and to ask for the check back because the project had been cancelled. Grattino said this had not happened. She explained that after a permit is issued, sometimes it might happen 30 to 60 days later, but there are no refunds over \$100. Berger asked if the check could simply be photocopied and the copy placed with the paperwork, allowing for the check to then be processed. Grattino said that when she entered her paperwork into the computer would not match the Fiscal Officer's, especially if it spanned two different months. Berger said that from a process standpoint, the process made sense. The Fiscal Officer questioned whose liability it would be and explained that it was her liability once she has been given the checks. Canton said that since there was a past practice of holding the checks, what motivated Council to pass the statute. The Fiscal Officer explained that it was not Council but State law. Berger suggested the possibility of having a safe where the checks could be kept until everything was done and the checks could be turned over to the Fiscal Officer. Grattino asked if she would be able to have a safe in the Building Department that was big enough to fit the paperwork as well because sometimes it might be the homeowner paying or the contractor paying. Berger asked again about the compromise of a safe, and Canton suggested talking to the Solicitor about the matter. The Fiscal Officer said the Solicitor believed the checks should be deposited. The Fiscal Officer stated she understood the committee was trying to address the practicality of the issue. Berger said he did not like the idea of the checks being locked in a desk. Grattino said that the only reason she did this was because since the Fiscal Officer and her Administrative Assistant moved into the Building Department spaces, multiple people have keys to the office and it was free game. Berger stated that a locked safe would be a better solution, and the Fiscal Officer stated she was in the process of obtaining a safe. Berger stated that both the Fiscal Officer and Grattino would have access, but he was unsure of the implication of having a safe on the Village campus. He asked if this would compromise work. Grattino stated that as long as she had access to it, she would have no problem with it.

Hocevar said that the Building Department was currently overcrowded and there was no room to move. He said he had no place to talk privately to residents when they come in. He can't have a phone conversation standing at the counter about private issues the resident might be having. He had no place to work. Hocevar said they ought to get some communication and have Council move on getting a Fire Inspector who should work with the Building Department. He said there was so much in the Village that was falling through the cracks in the last two years. He said he would be sharing responsibilities with the Fire Inspector and added that the Village did not even know what businesses were in the Village anymore. Hocevar said they were coming in left and right. He said there was no room to work and the Fire Inspector ought to work out of the Building Department office with his file cabinets and work as they used to hand in hand. They knew every business in the Village and if they did any remodeling. He did not think anyone had been in the Cleveland Clinic once in four or five years, and he was told there was nothing going on there. Hocevar said it was the same on East Washington Street where people would come in and say they had been in business for three years and would be asking why they needed an occupancy permit.

Berger stated that right before the COVID-19 hit, the committee had interviews scheduled for a Fire Marshall, and Sean Davis had been hired on an emergency basis. Davis was also a candidate for the job. The Zoning Inspector was also on the schedule. COVID-19 shut the process down. These are priorities for the committee. The committee had also discussed space in the Building Department and possible solutions. It had been pushed down the list because of the other issues going on. Berger clarified that this pertained whether Hocesvar was the Inspector or someone else.

Canton made a motion to go into Executive Session at 9:23 a.m. for employment of a public employee and work environment, seconded by Berger. Ayes, all. Motion carried.

The committee left executive session at 9:56 a.m. and adjourned.



Gerald Canton, Chairman

Prepared by Leslie Galicki