



MEMO

TO: City Council

FROM: Mayor Michael Dylan Brennan 

RE: Contract for City Engineering Services with WallacePancher Group

DATE: January 11, 2024

The above referenced item returns to the agenda on January 16, 2024 after City Council tabled it at its January 2, 2024 meeting.

In Spring 2023, City Council modified the City's professional services ordinance, including as it pertains to the acquisition and maintenance of city engineering services. This required the City to seek Statements of Qualification for city engineering services in 2024, and makes further changes. Namely, rather than a salaried engineer who has a base salary plus all engineering projects, the City will now retain the engineering firm directly for retainer projects, with non-retainer projects (1) approvable by the mayor up to the mayor's spending authority (\$15,000), (2) approvable by council from \$15,001 up to \$49,999, and (3) a separate SOQ process for every engineering project where the engineering work is in the amount of \$50,000 and above. See Ordinances 2023-07, 2023-13, UH Code Chapter 212.

In July 2023, Joe Ciuni and GPD Group advised they would not be submitting a proposal for 2024 and would be departing at year end 2023.

On October 2, 2023, the City sought qualifications for Municipal Engineering Services. Service Director Allen Pennington went to a public engineering conference and encouraged firms to apply. Ultimately, three engineering firms submitted Statements of Qualifications: WallacePancher Group (having recently acquired local engineering firm Mackay Engineering), Osborn, LJB.

Director Pennington and I reviewed separately the three SOQs and we both reached the conclusion that WallacePancher Group was our best qualified bidder. WallacePancher Group put forward the best approach to the City's municipal engineering needs. To wit: providing a dedicated, experienced, and well qualified engineer to be our primary (Brenda Mockbee), with a backup with same or even better qualifications (Kim Kerber), with multiple offices and staff to provide additional services as needed. As University Heights would be Ms. Mockbee's first city as primary, the level of service and attention is anticipated to exceed that offered in the other SOQs.

WallacePancher Group's bid price is \$6,000/month lump sum retainer, with most items covered by the retainer (see revised proposed contract). In comparison, LJB did not quote retainer but only hourly pricing, and Osborn quoted \$2,900/month retainer with hourly non-retainer with most of the day-to-day performed by an Engineer in Training (not a Professional Engineer).

At the Council meeting, Council tabled the ordinance after one or more members sought to apply the "best and lowest" standard instead of the "qualifications-based selection" standard to this professional services contract. Notably, as recently as September 2023 and since the revision of the professional services ordinance, the City retained Starfish Computer Corporation for Managed IT services (the best bidder and also the top bidder) at their bid rate of \$6,215/month. The City did not endeavor to reduce that bid price, in spite of commentary at council that this is always done with a new professional services provider. It's not, and it hasn't been.

There are nevertheless changes to the proposed agreement we have made since the last council meeting:

- As requested by Council, Item 1(k) (clarifies that engineer does not attend City Council committee meetings except when requested by Council

k. The City Engineer shall attend all regularly scheduled City Council meetings. The City Engineer shall attend City Council committee meetings only when requested by Council. The City Engineer shall attend any additional public or administrative meetings only when requested by the Mayor.

- Though raised by council with no request to make a change, the third Whereas clause now specifies that annual renewal up to 5 years is by the City (through its processes) and not merely the Mayor – customarily for engineering, the renewal would be proposed by the Mayor and then be subject to Council approval.

WHEREAS, the Council of the City of University Heights, Ohio by Ordinance No. _____, authorized the Mayor to enter into a one (1) year agreement with WPG for consulting engineering services renewable by the City up to four (4) times.

- Hourly rate chart 2(b) adds “Project Manager” at hourly rate of \$140.00. (A project manager is someone who has knowledge and experience in the public works sector but does not have a technical/engineering degree.) This was an addition requested by WP since the council meeting.
- Header to 2(b) rate chart adjusted to reflect inclusion of non-retainer item 1(p) as subject to the rate chart (fixes typo)

It is imperative that the City Engineering contract be entered at once, without further delay by City Council.

As stated at the last meeting, the administration requires the input of a City Engineer to complete the administration’s proposed 2024 city budget. Since the meeting, the resulting delay by Council has caused ODOT to postpone PID 109413 traffic signal project from FY 2025 to FY2026, citing specifically to the lack of a City Engineer.

Numerous other engineering projects are at a standstill and await advancement, and hopefully no further projects are postponed by another year, or lost altogether. As to the latter, the future is in question of a capital budget request (for the park restrooms) that administration applied for to the State of Ohio in December, when the City now has no engineer to assist in the lobbying for the project.

Other applications the administration planned to apply for (such as updating the request for a federal earmark for a sewer project) cannot be made without engineering input.

Finally, this delay in the transition to our next engineering firm has delayed the transition from GPD to WPG, which may yet require a separate agreement to be entered with GPD, depending on the scope and extent of the work to be done – undetermined until our new engineering firm meets with our old engineering firm, which will not happen until the new firm is formally engaged.

I recommend the approval on emergency of the ordinance authorizing the Mayor to enter the contract with WallacePancher for municipal engineering services as modified and in the packet at the rate of \$6,000.00/month.

THIS AGREEMENT made and entered into as of the 1st day of January 2024 by and between the City of University Heights, Ohio, a Municipal Corporation of Ohio, hereinafter referred to as “City,” and WallacePancher Group, a Pennsylvania Corporation, hereinafter referred to as “WPG.”

WITNESSETH

WHEREAS, the City desires to obtain qualified professional consulting engineering services from professional engineers registered in the State of Ohio to perform consulting engineering for and on behalf of the City as hereinafter set forth; and,

WHEREAS, WPG has employees that are professional engineers duly registered under the laws of the State of Ohio and accepts such work for the compensation as hereinafter set forth; and,

WHEREAS, the Council of the City of University Heights, Ohio by Ordinance No. _____, authorized the Mayor to enter into a one (1) year agreement with WPG for consulting engineering services renewable by the City up to four (4) times.

NOW, THEREFORE, the City and WPG for the consideration hereinafter stated and the conditions hereinafter specified, agree that WPG shall be and is hereby employed as Engineer for the City to serve until a successor is duly appointed.

1. It is mutually agreed between the parties hereto that in consideration of said employment and appointment as Engineer for the City, that WPG shall furnish the following services to the City:

Retainer Items

- a. The City Engineer will act as an advisor to the Mayor or their designee relative to roads, traffic, sanitary or storm sewers, water, landscape, design, right-of-way, new development projects (both residential and commercial), building maintenance and any other areas where such technical expertise is required. This task includes, but is not limited to, review of engineering plans, cost estimation and limited services during construction. Brenda Mockbee will be the primary contact for City Officials. An employee of WPG designated by Brenda Mockbee will be the secondary contact for City Officials when Brenda Mockbee is unavailable.
- b. The City Engineer will consult with authorized representatives of the City, providing consultations.
- c. The City Engineer will prepare estimated costs for the City's Annual Capital requests of engineering and/or technical services in sufficient detail for review and approval.
- d. Assist with the oversight and compliance with the City's Storm Water Management Program.
- e. The City Engineer shall review plans for stormwater compliance.
- f. Assist with the oversight and compliance with Ohio EPA MS4 permit and NEORS Community Discharge permit and Combined Discharge permit.
- g. The City Engineer will identify potential grant opportunities that the City may utilize for infrastructure needs or other future projects or initiatives.
- h. The City Engineer will maintain drawings, specifications, calculations, records, files, ordinances and other pertinent data developed for the City.
- i. The City Engineer will review the design and observe the construction of public improvements performed by the City or by entities other than the City when requested by the Mayor.

- j. The City Engineer shall make its services available to any department or division of the City or any official of the City acting within its official capacity in connection with City business upon the request of the Mayor.
- k. The City Engineer shall attend all regularly scheduled City Council meetings. The City Engineer shall attend City Council committee meetings only when requested by Council. The City Engineer shall attend any additional public or administrative meetings only when requested by the Mayor.
- l. The City Engineer shall have professional surveyors on staff to assist with design as requested by the Mayor.
- m. The City Engineer shall have the capabilities to generate GIS mapping as requested by the Mayor and advance the City's asset management program as it pertains to infrastructure.

Non-Retainer Items

- n. The City Engineer shall assist with management of variously funded projects including but not limited to ODOT LPA projects, CDBG projects, and NEORS MICP grants.
- o. The City Engineer will prepare estimates of construction cost in sufficient detail for review and approval. The City Engineer will design and observe the construction of public improvements of the specific project quoted to be implemented by the City when requested by the Mayor.
- p. The parties shall comply with Codified Ordinance Chapter 220 and Codified Ordinance Section 220.06, pursuant to which projects with design costs in excess of the Mayor's spending authority (currently \$15,000) but less than \$50,000 may be assigned or awarded to WPG by the Mayor with approval from Council. On projects where engineering and/or design costs will exceed \$50,000, such projects will go out for public bid in accordance with the terms and provisions of Codified Ordinance 220.06, except in the case of emergency or as otherwise expressly waived by Council.

2. The City shall pay WPG for services rendered as follows:

- a. For services set forth in Paragraph 1(a) through 1(m) herein, the City shall pay WPG a retainer of \$6,000 per month for the year 2024. The monthly amount of the retainer shall increase by 3% on January 1 of each subsequent year this agreement is renewed.
- b. For services set forth in Paragraphs 1(n) through 1(p), payment shall be made according to the following schedule of hourly rates for the year 2024. These hourly rates shall increase by 3% on January 1 of each subsequent year this agreement is renewed.

Principal Engineer	155.00
Senior Engineer/Project Manager	145.00
Project Manager	140.00
Senior Engineer	135.00
Engineer/Project Manager	130.00
Engineer	120.00
Senior Civil Associate	120.00
Civil Associate	120.00
Principal Landscape Architect	155.00
Senior Landscape Architect/Project Manager	145.00
Senior Landscape Architect	135.00
Landscape Architect/Project Manager	130.00
Landscape Architect	120.00
Senior Site Designer	120.00

Site Designer	120.00
Senior Design Technician	100.00
Design Technician	90.00
Professional Surveyor	120.00
Survey Crew Chief	80.00
Survey Crew	150.00
Inspector	75.00
Administrative Assistant	60.00

- c. Payment shall be monthly upon detailed billing by WPG, setting forth the project, the date, the hours spent by its employees, and expenses incurred.
3. The Engineer shall not render any engineering services of any kind and description or be employed or otherwise retained to perform such engineering services, whether supervisory or otherwise, for any private person, firm or corporation, with respect to any construction, installation, building, improvement, or work to be performed or done by any such private person, firm, or corporation within the confines of the City limits, and which might require its official approval as City Engineer.
4. The City will be responsible for the following and has the following rights:
 - a. Provide full information as to its requirements for any project through the Mayor or other duly authorized representative;
 - b. Assist WPG by placing at its disposal all available information pertinent to all projects, including previous reports and any other data relative to design and construction of the projects;
 - c. Furnish to WPG services or data outside of WPG's expertise, such as core borings, probings and subsurface explorations; hydrographic surveys; laboratory tests and inspections of samples, materials and equipment; approximate professional interpretations of all of the foregoing; land title services; and, other special data or consultations, all of which WPG may rely upon in performing services under this Agreement;
 - d. Provide or assist in providing access to and make all provisions for WPG to enter upon public and private property as required to perform its services under this Agreement;
 - e. Pay for all costs incident to obtaining bids or proposals from contractors;
 - f. Provide such legal, accounting, and insurance counseling services as may be required for the projects, and such auditing services as the City may require to ascertain how or for what purpose any contractor has used the moneys paid to him under the construction contract; and,
 - g. Bear all costs incident to compliance with the requirements of this Section.
 - h. The City reserves the right to retain and pay for services of other engineers for projects within the City.
5. WPG shall have the right to terminate this agreement upon 90 days prior written notification. The Mayor shall have the right to terminate this agreement upon 90 days prior written notice. In the

event of such termination, WPG shall be paid for all fees and costs incurred in accordance with this Agreement including the costs of orderly termination.

IN WITNESS WHEREOF, the parties hereto have set their hands the day and year first above written, the signature of the City of University Heights being affixed by its Mayor pursuant to Ordinance No. _____ passed by the Council of University Heights and in accordance with the provisions of said Ordinance.

In the presence of:

CITY OF UNIVERSITY HEIGHTS, OHIO

By: _____
Michael Dylan Brennan
Mayor and Safety Director

WALLACEPANCHER GROUP, INC.

By: _____
Daniel Wallace
President

Approved as to legal form:

Luke McConville
Law Director
City of University Heights

ORDINANCE 2024-01

INTRODUCED BY: MAYOR BRENNAN

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO
AN AGREEMENT WITH WALLACEPANCHER GROUP FOR THE
PROVISION OF ENGINEERING SERVICES AS CITY ENGINEER,
AND DECLARING AN EMERGENCY**

WHEREAS, the City wishes to hire WallacePancher Group as City Engineer to provide engineering and consulting services in accordance with the Agreement and with Codified Ordinance Section 250.01; and

WHEREAS, Brenda Mockbee will serve as the primary point of contact to the City;

**NOW, THEREFORE, BE IT ORDAINED by the Council of the City of University Heights,
State of Ohio:**

Section 1. This Council hereby authorizes the Mayor to enter into an Agreement with WallacePancher Group for the provision of engineering services for the City in the capacity as City Engineer, which Agreement shall be in the form attached hereto as Exhibit A and which is incorporated herein by reference as if fully rewritten.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, the emergency being the need to enter into the Letter Agreement promptly so that the City has continuity of engineering services as of January 1, 2024; wherefore, this ordinance shall be in full force and effect from and immediately after its adoption and approval by the Mayor. This Ordinance shall take effect from and after the earliest time allowed by law.

CITY OF UNIVERSITY HEIGHTS, OHIO

MICHAEL DYLAN BRENNAN, MAYOR

PASSED:_____

ATTEST:

KELLY M. THOMAS, CLERK OF COUNCIL

APPROVED AS TO FORM:

LUKE F. MCCONVILLE, LAW DIRECTOR

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Landscape Architect	120.00
Senior Site Designer	120.00
Site Designer	120.00
Senior Design Technician	100.00

Design Technician	90.00
Professional Surveyor	120.00
Survey Crew Chief	80.00
Survey Crew	150.00
Inspector	75.00
Administrative Assistant	60.00

- c. Payment shall be monthly upon detailed billing by WPG, setting forth the project, the date, the hours spent by its employees, and expenses incurred.
 - d. Vehicle mileage shall be reimbursed at the current IRS standard mileage reimbursement rate.
- 3. The Engineer shall not render any engineering services of any kind and description or be employed or otherwise retained to perform such engineering services, whether supervisory or otherwise, for any private person, firm or corporation, with respect to any construction, installation, building, improvement, or work to be performed or done by any such private person, firm, or corporation within the confines of the City limits, and which might require its official approval as City Engineer.
- 4. The City will be responsible for the following and has the following rights:
 - a. Provide full information as to its requirements for any project through the Mayor or other duly authorized representative;
 - b. Assist WPG by placing at its disposal all available information pertinent to all projects, including previous reports and any other data relative to design and construction of the projects;
 - c. Furnish to WPG services or data outside of WPG's expertise, such as core borings, probings and subsurface explorations; hydrographic surveys; laboratory tests and inspections of samples, materials and equipment; approximate professional interpretations of all of the foregoing; land title services; and, other special data or consultations, all of which WPG may rely upon in performing services under this Agreement;
 - d. Provide or assist in providing access to and make all provisions for ~~WPG~~Mackay to enter upon public and private property as required to perform its services under this Agreement;
 - e. Pay for all costs incident to obtaining bids or proposals from contractors;
 - f. Provide such legal, accounting, and insurance counseling services as may be required for the projects, and such auditing services as the City may require to ascertain how or for what purpose any contractor has used the moneys paid to him under the construction contract; and,
 - g. Bear all costs incident to compliance with the requirements of this Section.
 - h. The City reserves the right to retain and pay for services of other engineers for projects within the City.
- 5. WPG shall have the right to terminate this agreement upon ~~90~~30 days prior written notification. The Mayor shall have the right to terminate this agreement upon ~~90~~30 days prior written notice. In the event of such termination, WPG shall be paid for all fees and costs incurred in accordance with this Agreement including the costs of orderly termination.

IN WITNESS WHEREOF, the parties hereto have set their hands the day and year first above written, the signature of the City of University Heights being affixed by its Mayor pursuant to Ordinance No. _____ passed by the Council of University Heights and in accordance with the provisions of said Ordinance.

In the presence of:

CITY OF UNIVERSITY HEIGHTS, OHIO

By: _____
Michael Dylan Brennan
Mayor and Safety Director

WALLACEPANCHER GROUP, INC.

By: _____
Daniel Wallace
President

Approved as to legal form:

Luke McConville
Law Director
City of University Heights

**CITY OF UNIVERSITY HEIGHTS
INTEROFFICE MEMORANDUM**

TO: CITY COUNCIL MEMBERS/MAYOR MICHAEL BRENNAN

FROM: DENNIS KENNEDY, FINANCE DIRECTOR

SUBJECT: HUMAN RESOURCE CONSULTING CONTRACT - 2024

DATE: JANUARY 11, 2024

CC: KELLY THOMAS, CLERK OF COUNCIL

Please see the attached proposal from Clemans Nelson for 2024. The agreement supports Human Resource services for fiscal 2024 and represents a not to exceed amount for the year of \$65,000.00.

We have a new representative for Clemans Nelson, Melisa Fisco, who has aggressively addressed a number of outstanding issues that we need solidified. Since there are no labor negotiations scheduled in 2024, the scope of work for the year should focus on updating City policies and procedures and instituting training programs for staff. Particular areas of concern are detailed in the attached Addendum A.

The City's original contract with Clemans Nelson contained an auto renewal clause. I had requested that the firm present us with a new proposal for 2024 with a firm, not to exceed annual cost of services.

I would request that this item be added to the Council agenda for next Tuesday, January 16, 2024.

MANAGEMENT CONSULTANT AGREEMENT

The City of University Heights, Cuyahoga County, Ohio, hereinafter called the “Client,” and Clemans, Nelson & Associates, Inc., hereinafter called the “Consultant,” shall hereby agree to the following terms and conditions for a period of one (1) year commencing on the date of execution written below, subject to renewal or termination by the parties as provided herein.

The Consultant, in consideration of the covenants and promises set forth hereinafter, certifies, covenants, and agrees to perform in the following manner, to wit:

Provide to the Client on a priority basis, such management and/or fiscal consulting services in labor, employment, and other areas as might be requested throughout the duration of this Agreement.

Clemans Nelson will assign a qualified consultant on-site for scheduled consulting for up to two (2) days per week; at a minimum of 7 hours per day throughout the duration of this Agreement. The on-site consultant will assist the Client with such employee relations and personnel services as might be requested and which the consultant can reasonably perform within that allotted scheduled time.

IN CONSIDERATION of the foregoing covenants and promises, the Client agrees to pay the Consultant a monthly retainer of two hundred fifty dollars (\$250.00) per month for a period of one (1) year from the effective date of this contract to cover brief telephone consultation as provided below, scheduled on-site consulting at the rates of one thousand one hundred fifty dollars (\$1,150.00) per day (the scope of which are attached hereto as Addendum A), and to pay the Consultant at the applicable rates for professional services supplemental to those normal on on-site hours or routine telephone consultation as follows:

Consultant / Analyst.....	\$140.00 per hour
Senior Consultant	\$155.00 per hour
Manager.....	\$170.00 per hour
Director / Vice President / President.....	\$185.00 per hour

The total annual cost for services shall not exceed \$65,000.00.

Actual clock hours shall include only those hours spent in consultation and those hours of work integral to such consultation, including but not limited to preparation, research, analysis, writing, advice, and meetings with or on behalf of the Client. The parties may also agree on a flat fee for training or other special consulting projects. The Consultant will not charge the Client an hourly rate for portal-to-portal travel time. A minimum of four (4) hours will be billed for each on-site visit by the Consultant. The minimum shall not apply to those meetings conducted virtually or through other technological means. No professional service hours shall be charged for brief telephone consultations requiring no in-office or on-site follow-up.

The Client further agrees to pay the Consultant the mileage rate as established by the Director of the Internal Revenue Service for travel from the Consultant's headquarters or a regional office, whichever is applicable, necessary meal expense, actual overnight lodging expenses if required, and other ordinary and necessary business expenses.

The Consultant shall not unlawfully discriminate against any employee or applicant for employment because of race, color, religion, creed, national origin, ancestry, sex, sexual orientation, gender identity, age, military status, veteran status, pregnancy, or disability. The Consultant is not a law firm and this Agreement does not create an attorney/client relationship.

This Agreement shall automatically be renewed for successive one (1) year periods on its anniversary date unless either party provides written notice to the other party, during the last thirty (30) days of any annual contract period, of their desire to terminate the Agreement. The Client shall be notified in writing, not less than sixty (60) days prior to the anniversary date of the Agreement, of any general increase in the Consultant's rates or monthly retainer, which shall not become effective until the effective date the contract renews or the date a new contract is signed.

Invoices setting forth these charges shall be submitted as accrued on a monthly basis, payable upon receipt.

CERTIFICATION OF COMPLIANCE WITH O.R.C. 3517.13:

By signing this Agreement, the undersigned representative of Clemans, Nelson & Associates, Inc. certifies on behalf of the Consultant corporation that all of the following persons, if applicable, are in compliance with applicable provisions of division (J) of Ohio Revised Code Section 3517.13 with respect to all public officials of any Ohio political subdivision with whom the Consultant is hereby contracting:

- A. each owner of more than twenty percent of the corporation or business trust.
- B. each spouse of each owner of more than twenty percent of the corporation or business trust.

The undersigned authorized representative of the Consultant certifies such compliance on and since April 4, 2007 and on any date after April 4, 2007 that the Client and the Consultant enter into this Agreement. If the Consultant's representative or any Officer of the Consultant becomes aware of noncompliance with O.R.C. Section 3517.13(J) between the time the Consultant's representative signs this Agreement and the time the Client fully executes and enters into this Agreement, the Consultant shall so notify the Client – and unless and until the Client receives such notice, the Client may rely on this certification when entering into this Agreement. This certification is a part of this Agreement.

IN WITNESS WHEREOF, the parties hereunto set forth their hand as of the _____ day of _____, 2024 (date of execution).

CITY OF UNIVERSITY HEIGHTS
CUYAHOGA COUNTY, OHIO

CLEMANS, NELSON &
ASSOCIATES, INC.

Michael Brennan
Mayor

Michael D. Esposito
Vice-President/Director

APPROVED AS TO FORM

Director of Law

Addendum A - Scope of Services

1. Providing assistance to City officials with the maintenance and improvement of the City's personnel system and providing other services as listed below while on-site, when requested by the client.
2. Developing and updating of existing classification specifications and/or position descriptions as requested. Developing and updating current Personnel Policy and Procedures Manual as needed.
3. Providing routine research and consultation regarding compliance with state and federal regulations affecting personnel (i.e., Civil Service, EEOC, ADA, etc.).
4. Assisting the Finance Director in the maintenance of the City's personnel recordkeeping system and developing procedures for maintaining necessary personnel records; categorizing documents kept in personnel files into public records, confidential records, medical documents, and disciplinary action files.
5. Establishing system for providing employees with appropriate notifications as required by law and/or in accordance with the City's Personnel Policy and Procedures Manual.
6. Assisting the Finance Director and Law Director in the initial review of Workers' Compensation claims; comparing claimed injuries to accident reports; and coordinating claims with City's Workers' Compensation consultants.
7. Assisting the City with initial investigation of employee discipline cases and preparing appropriate paperwork for the predisciplinary conference, list of charges, and disciplinary action. Consultant may serve as hearing officer when appropriate and requested by the client.
8. Reviewing and tracking sick leave requests and other records relating to absences due to illness or injury.
9. Providing recommendations regarding the interpretation of the City's personnel policies and providing a centralized location for all personnel action forms.
10. Assisting the City with initial investigation of sexual harassment allegations and preparing investigative report.

11. Updating personnel files for changes in personnel information.
12. Performing new employee orientation regarding the City's policies on EEOC, ADA, Drug Free Workplace, Ohio Ethics Laws, etc.; having new employees complete necessary forms.
13. Performing FLSA audits of employees' positions and pay status to determine if the City is in compliance.
14. Meeting with City officials to assist in the day-to-day human resource needs.

INTRODUCED BY: COUNCIL MEMBER WEIZER

**AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 1424
ENTITLED “PERMITS AND FEES” IN ITS ENTIRETY AND DECLARING
AN EMERGENCY.**

WHEREAS, the City of University Heights has not updated its charges for fees and permits in connection with commercial and residential building, maintenance, alteration, addition and similar projects; and

WHEREAS, the City of University Heights existing fee schedule is not adequate to cover the City’s costs and expenses incurred in operating a municipal Building Department.

WHEREAS, the City’s third-party vendor, SafeBuilt, Inc., which performs various functions for the City including Building Commissioner and Chief Building Official services, has recommended a permit and fee schedule for all construction and project work in the City for purposes of allowing the City to cover its costs of operating a municipal Building Department;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS, OHIO THAT:

Section 1. Council hereby amends Codified Ordinance Chapter 1424 to read in its entirety as set forth in Exhibit A hereto, which is incorporated herein by reference as if fully rewritten.

Section 2. Codified Ordinance Chapter 1424 in existence immediately prior to the passage of this ordinance is hereby repealed.

Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 4. This ordinance is hereby determined to be an emergency necessary for the immediate preservation of the public peace, health and safety of the City of University Heights and for the further reason that increased permit fees are necessary to allow the City to fund its Building Department operations and the City’s Building Department currently operates at a deficit. It shall therefore become effective upon its passage by the affirmative vote of not less than five (5) members of Council and approval of the Mayor; otherwise, it shall become effective at the earliest time allowed by law.

CITY OF UNIVERSITY HEIGHTS, OHIO

MICHAEL DYLAN BRENNAN, MAYOR

FIRST READING: _____

PASSED: _____

ATTEST:

KELLY M. THOMAS, CLERK OF COUNCIL

APPROVED AS TO FORM:

LUKE F. MCCONVILLE, LAW DIRECTOR

EXHIBIT A
CHAPTER 1424
PERMITS AND FEES

- 1424.01 PAYMENT OF PERMIT FEE REQUIRED
- 1424.02 BUILDING PERMIT FEES
- 1424.03 FEES FOR HEATING AND AIR CONDITIONING PERMITS
- 1424.04 FEES FOR PLUMBING PERMITS
- 1424.04 ELECTRICAL PERMIT FEES
- 1424.06 DEPOSITS AND FEES
- 1424.07 PLAN REVIEW FEES
- 1424.08 RESIDENTIAL ADDITIONS, ALTERATIONS, DECKS, GARAGES, AND ACCESSORY STRUCTURES
- 1424.09 MISCELLANEOUS FEES AND PERMITS
- 1424.10 ROOMER PERMITS AND RENEWALS
- 1424.11 CANCELLATION FEE
- 1424.12 NO CHARGE PERMIT
- 1424.13 UNCERTIFIED ASSESSMENT SEARCH FEE
- 1424.14 ENGINEERING FEES
- 1424.99 PENALTY

1424.01 PAYMENT OF PERMIT FEE REQUIRED

Before proceeding with the construction, enlargement, alteration, repair or replacement of any building or other structure or part thereof in the City, a permit therefor shall be obtained by the owner or the owner’s duly authorized agent from the City Building Department. However, no permit for any construction, enlargement, alteration, repair or replacement of any building or other structure or part thereof may be issued by the Building Department unless accompanied by a permit fee as set forth in Section 1424.02.

1424.02 BUILDING PERMIT FEES

(a) The Building Commissioner shall require permit fees for commercial buildings in accordance with the following schedule. Permit fees for new construction, additions and/or alterations shall include a valuation fee determined by multiplying the value of the project by five percent (5%). All permit fees hereunder shall include an additional Ohio Board of Building Standards Fee determined by multiplying the aggregate commercial building permit fees by an additional three percent (3%).

COMMERCIAL BUILDING PERMITS	BASE FEE	VALUATION FEE
NEW CONSTRUCTION	\$450.00	<div><div></div><div>X .05 =</div><div></div></div>
ADDITIONS	\$250.00	<div><div></div><div>X .05 =</div><div></div></div>
ALTERATIONS	\$175.00	<div><div></div><div>X .05 =</div><div></div></div>
DEMOLITION BUILDING	\$250.00	<div><div></div><div></div><div></div></div>
INTERIOR DEMOLITION	\$100.00	<div><div></div><div></div><div></div></div>
OCCUPANCY & USE	\$150.00	<div><div></div><div></div><div></div></div>
EACH EXTERIOR STORM WATER BASIN	\$50.00	<div><div>X</div><div></div><div>=</div></div>
		SUB-TOTAL <div><div></div></div>
		3% BBS FEE <div><div></div></div>
		TOTAL <div><div></div></div>

(b) The Building Commissioner shall require permit fees for residential buildings in accordance with the following schedule. Permit fees for new construction, additions and/or alterations shall include a square foot fee determined by multiplying the square footage of the project by fifteen percent (15%).

All permit fees hereunder shall include an additional Ohio Board of Building Standards Fee determined by multiplying the aggregate residential building permit fees by an additional one percent (1%).

<u>RESIDENTIAL BUILDING PERMITS</u>	<u>BASE FEE</u>	<u>SQUARE FOOT FEE</u>
NEW CONSTRUCTION	\$350.00	<div><div></div><div>X .15 =</div></div>
ADDITIONS	\$250.00	<div><div></div><div>X .15 =</div></div>
ALTERATIONS	\$250.00	<div><div></div><div>X .15 =</div></div>
FOUNDATION ONLY	\$200.00	
DEMOLITION HOUSE	\$250.00	
INTERIOR DEMOLITION	\$75.00	
DEMOLITION ACCESSORY STRUCTURE	\$100.00	
OCCUPANCY & USE NEW DWELLING	\$150.00	
OCCUPANCY FOR ADDITION >750 SQ. FT.	\$75.00	
EACH EXTERIOR STORM WATER BASIN	\$50.00 X <div></div>	
		SUB-TOTAL <div></div>
		1% OBBS FEE <div></div>
		<u>TOTAL</u> <div></div>

1424.03 FEES FOR HEATING AND AIR CONDITIONING PERMITS

(a) The Building Commissioner shall require permit fees for commercial heating, ventilation and air conditioning units (HVAC) in accordance with the following schedule. Permit fees for new construction, additions and/or alterations shall include a square footage fee determined by multiplying the square footage of the project by ten percent (10%). All permit fees hereunder shall include an additional Ohio Board of Building Standards Fee determined by multiplying the aggregate commercial HVAC permit fees by an additional three percent (3%).

<u>COMMERCIAL HVAC PERMITS</u>	<u>BASE FEE</u>	<u>SQUARE FOOT FEE</u>
NEW CONSTRUCTION	\$250.00	<div><div></div><div>X .10 =</div></div>
ADDITIONS	\$175.00	<div><div></div><div>X .10 =</div></div>
ALTERATIONS	\$125.00	<div><div></div><div>X .10 =</div></div>
EACH HEATING UNIT OR AC UNIT	\$125.00 X <div></div>	
EACH CONVERSION OR REPLACEMENT	\$125.00 X <div></div>	
SOLAR OR GEOTHERMAL	\$250.00	
		SUB-TOTAL <div></div>
		3% BBS FEE <div></div>
		<u>TOTAL</u> <div></div>

(b) The Building Commissioner shall require permit fees for residential heating, ventilation and air conditioning units (HVAC) in accordance with the following schedule. Permit fees for new construction, additions and/or alterations shall include a square foot fee determined by multiplying the square footage of the project by six percent (6%). All permit fees hereunder shall include an additional Ohio Board of Building Standards Fee determined by multiplying the aggregate residential HVAC permit fees by an additional one percent (1%).

<u>RESIDENTIAL HVAC PERMITS</u>	<u>BASE FEE</u>	<u>SQUARE FOOT FEE</u>
NEW CONSTRUCTION	\$150.00	<div><div></div><div>X .06 =</div></div>
ADDITIONS	\$100.00	<div><div></div><div>X .06 =</div></div>
ALTERATIONS	\$100.00	<div><div></div><div>X .06 =</div></div>
EACH HEATING UNIT OR AC UNIT	\$100.00 X <div></div>	

SOLAR OR GEOTHERMAL	\$150.00	
		SUB-TOTAL
		1% BBS FEE
		<u>TOTAL</u>

1424.04 FEES FOR PLUMBING PERMITS

(a) The Building Commissioner shall require permit fees for commercial plumbing installations in accordance with the following schedule. Permit fees for new construction, additions and/or alterations shall include a square footage fee determined by multiplying the square footage of the project by ten percent (10%). All permit fees hereunder shall include an additional Ohio Board of Building Standards Fee determined by multiplying the aggregate commercial plumbing permit fees by an additional three percent (3%).

COMMERCIAL PLUMBING PERMITS	BASE FEE	SQUARE FOOT FEE	
NEW CONSTRUCTION	\$250.00		
		X .10 =	
ADDITIONS	\$175.00		
		X .10 =	
ALTERATIONS	\$125.00		
		X .10 =	
EACH FIXTURE	\$25.00 X	=	
EACH HOT WATER HEATER	\$50.00 X	=	
WATER SERVICE, SANITARY AND STORM CONNECTIONS, LATERALS (INCLUDES REPAIRS)	\$125.00 X	=	
GAS LINES	\$75.00		
		SUB-TOTAL	
		3% BBS FEE	
		TOTAL	

(b) The Building Commissioner shall require permit fees for residential plumbing installations in accordance with the following schedule. Permit fees for new construction, additions and/or alterations shall include a square foot fee determined by multiplying the square footage of the project by six percent (6%). All permit fees hereunder shall include an additional Ohio Board of Building Standards Fee determined by multiplying the aggregate residential plumbing permit fees by an additional one percent (1%).

RESIDENTIAL PLUMBING PERMITS	BASE FEE	SQUARE FOOT FEE	
NEW CONSTRUCTION	\$150.00		
		X .06 =	
ADDITIONS	\$100.00		
		X .06 =	
ALTERATIONS	\$100.00		
		X .06 =	
EACH FIXTURE	\$25.00 X	=	
EACH HOT WATER HEATER	\$75.00 X	=	
WATER SERVICE, SANITARY AND STORM CONNECTIONS, LATERALS (INCLUDES REPAIRS)	\$100.00 X	=	
GAS LINE	\$50.00		
		SUB-TOTAL	
		1% BBS FEE	
		TOTAL	

ELECTRICAL PERMIT FEES

(a) The Building Commissioner shall require permit fees for commercial electrical work in accordance with the following schedule. Permit fees for new construction, additions and/or alterations shall include a square footage fee determined by multiplying the square footage of the project by ten percent (10%). All permit fees hereunder shall include an additional Ohio Board of Building Standards Fee determined by multiplying the aggregate commercial electrical permit fees by an additional three percent (3%).

COMMERCIAL ELECTRICAL PERMITS	BASE FEE	SQUARE FOOT FEE
NEW CONSTRUCTION	\$250.00	<div><div></div><div>X .10 =</div></div>
ADDITIONS	\$175.00	<div><div></div><div>X .10 =</div></div>
ALTERATIONS	\$125.00	<div><div></div><div>X .10 =</div></div>
EACH TRANSFORMERS, HEATERS	\$50.00	<div><div>X</div><div></div><div>=</div></div>
COMMUNICATION SYSTEM	\$75.00	
TEMPORARY SERVICE	\$100.00	
NEW SERVICE	\$100.00	
ELECTRIC PANELS, SUB-PANELS	\$75.00	<div><div>X</div><div></div><div>=</div></div>
SECURITY SYSTEM	\$100.00	
COMMUNICATION TOWER	\$400.00	
		SUB-TOTAL
		3% BBS FEE
		TOTAL

(b) The Building Commissioner shall require permit fees for residential electrical work in accordance with the following schedule. Permit fees for new construction, additions and/or alterations shall include a square foot fee determined by multiplying the square footage of the project by eight percent (8%). All permit fees hereunder shall include an additional Ohio Board of Building Standards Fee determined by multiplying the aggregate residential electrical permit fees by an additional one percent (1%).

RESIDENTIAL ELECTRICAL PERMITS	BASE FEE	SQUARE FOOT FEE
NEW CONSTRUCTION	\$150.00	<div><div></div><div>X .08 =</div></div>
ADDITIONS	\$100.00	<div><div></div><div>X .08 =</div></div>
ALTERATIONS	\$100.00	<div><div></div><div>X .08 =</div></div>
TEMPORARY SERVICE	\$75.00	
NEW SERVICE	\$100.00	
ELECTRIC PANELS, SUB-PANELS	\$75.00	<div><div>X</div><div></div><div>=</div></div>
GENERATOR	\$200.00	
SECURITY SYSTEM	\$75.00	
		SUB-TOTAL
		1% BBS FEE
		TOTAL

1424.06 DEPOSITS AND FEES

(a) The Building Commissioner shall require deposits and fees for commercial projects in accordance with the following schedule.

COMMERCIAL DEPOSITS AND FEES

DEMOLITION OF COMMERCIAL BUILDING DEPOSIT	\$1000.00	
ENGINEERING DEPOSIT (NEW STRUCTURE)	\$2000.00	
SITE WORK ONLY	\$1000.00	
PARK FEE	\$500.00	
RIGHT OF WAY	\$2000.00	
OTHER OPENINGS (ADJACENT TO STREET/SIDEWALK)	\$500.00	
SIDEWALK EXCAVATION	\$225.00	
SEWER SERVICE LINE DEPOSIT	\$500.00	
TOTAL		

(b) The Building Commissioner shall require deposits and fees for residential projects in accordance with the following schedule.

RESIDENTIAL DEPOSITS AND FEES

DEMOLITION OF DWELLING DEPOSIT	\$500.00	
ENGINEERING DEPOSIT	\$800.00	
PARK FEE	\$500.00	
RIGHT OF WAY DEPOSIT	\$2000.00	
OTHER OPENINGS (ADJACENT TO STREET/SIDEWALK)	\$250.00	
SIDEWALK EXCAVATION	\$225.00	
SUB-TOTAL		
TOTAL		

1424.07 PLAN REVIEW FEES

(a) The Building Commissioner shall require Plan review fees for commercial plan review in accordance with the following schedule. Permit fees shall include a square footage fee determined by multiplying the square footage of the project by a percentage, as indicated in the schedule. All permit fees hereunder shall include an additional Ohio Board of Building Standards Fee determined by multiplying the aggregate commercial plan review fees by an additional three percent (3%).

COMMERCIAL PLAN REVIEW FEES	BASE FEE	SQUARE FOOT FEE	
STRUCTURAL	\$200.00		
		X .08 =	
MECHANICAL	\$200.00		
		X .05 =	
ELECTRICAL	\$200.00		
		X .05 =	
PLUMBING	\$200.00		
		X .05 =	
FIRE SUPPRESSION SYSTEM	\$200.00		
		X .05 =	
FIRE ALARM	\$200.00		
		X .05 =	
INDUSTRIAL UNIT	\$200.00		
		X .02 =	
RE-REVIEW/SPECIAL	\$105.00 X	HR(S) =	
		SUB-TOTAL	
		3% BBS FEE	
		TOTAL	

(b) The Building Commissioner shall require Plan review fees for residential plan review in accordance with the following schedule. All permit fees hereunder shall include an additional Ohio Board of Building Standards Fee determined by multiplying the aggregate residential plan review fees by an additional one percent (1%).

NEW DWELLING RESIDENTIAL PLAN REVIEW FEES

STRUCTURAL	\$100.00	
MECHANICAL	\$50.00	
ELECTRICAL	\$50.00	
PLUMBING	\$50.00	
FIRE SUPPRESSION SYSTEM	\$50.00	
FIRE ALARM	\$50.00	
	SUB-TOTAL	
	1% BBS FEE	
	TOTAL	

1424.08 RESIDENTIAL ADDITIONS, ALTERATIONS, DECKS, GARAGES, AND ACCESSORY STRUCTURES

The Building Commissioner shall require permit fees for residential additions, alterations, decks, garages and/or accessory structures in accordance with the following schedule. All permit fees hereunder shall include an additional Ohio Board of Building Standards Fee determined by multiplying the aggregate residential permit fees by an additional one percent (1%).

ADDITIONS, ALTERATIONS, DECKS, GARAGES, ACCESSORY STRUCTURES

STRUCTURAL	\$50.00	
MECHANICAL	\$35.00	
ELECTRICAL	\$35.00	
PLUMBING	\$35.00	
FIRE SUPPRESSION SYSTEM	\$35.00	
FIRE ALARM	\$35.00	
	SUB-TOTAL	
	1% BBS FEE	
	TOTAL	

1424.09 MISCELLANEOUS FEES AND PERMITS

(a) The Building Commissioner shall require commercial miscellaneous permit fees in accordance with the following schedule. All permit fees hereunder shall include an additional Ohio Board of Building Standards Fee determined by multiplying the aggregate commercial miscellaneous fees and permits by an additional three percent (3%).

<u>COMMERCIAL MISC. FEES & PERMITS</u>	<u>BASE FEE</u>	<u>SQUARE FOOT FEE</u>
GRADING	\$120.00	
PARKING LOTS, PER 5000 SQ. FT. OR PORTION THEREOF	\$125.00 X	=
DRIVEWAY/APRON	\$100.00 X	=
SIDEWALKS/PATIOS	\$50.00 X	=
SWIMMING POOL	\$350.00 X	=
HOT TUB	\$150.00 X	=
WATER FEATURE	\$100.00 X	=
FENCE	\$100.00	
ELEVATORS	\$250.00	
...EACH FLOOR SERVED	\$30.00 X	=
FIRE ALARM SYSTEM	\$150.00	
...EACH DEVICE	\$2.00 X	=
FIRE SUPPRESSION	\$150.00	
...EACH HEAD	\$2.00 X	=
HOOD & HOOD SUPPRESSION	\$175.00	
EACH FIREPLACE	\$75.00 X	=
SIGN <24 SQ. FT.	\$75.00	
SIGN BETWEEN 24 & 48 SQ. FT.	\$100.00	
SIGN >48 SQ. FT.	\$150.00	
FIRE INSPECTION	\$150.00	
SPECIAL EVENTS	\$150.00	
RE-INSPECTION FEES	\$100.00	
WORK STARTED WITHOUT PERMITS (DOUBLE PERMIT FEE)		
	SUB-TOTAL	
	3% BBS FEE	
	<u>TOTAL</u>	

(b) The Building Commissioner shall require residential miscellaneous permit fees in accordance with the following schedule. All permit fees hereunder shall include an additional Ohio Board of Building Standards Fee determined by multiplying the aggregate residential miscellaneous fees and permits by an additional one percent (1%).

<u>RESIDENTIAL MISC. FEES & PERMITS</u>	<u>BASE FEE</u>	<u>SQUARE FOOT FEE</u>
ROOFING OR SIDING	\$100.00	
WINDOW OR DOOR REPLACEMENT	\$50.00	
GARAGES OR ACCESSORY BUILDINGS	\$200.00	
		X .09 =
GARAGE FLOOR	\$35.00	
SWIMMING POOL	\$250.00	X =
HOT TUB	\$100.00	X =
WATER FEATURE	\$75.00	X =
DRIVEWAY	\$75.00	X =
APRON	\$50.00	X =
SIDEWALKS/PATIOS	\$35.00	X =
GRADING	\$60.00	
EACH FIREPLACE	\$50.00	X =
FENCE	\$50.00	
RETAINING WALL	\$75.00	X =
ELEVATORS	\$150.00	
...EACH FLOOR SERVED	\$30.00	X =

FIRE ALARM SYSTEM	\$125.00	
...EACH DEVICE	\$1.50 X _____	= _____
FIRE SUPPRESSION	\$125.00	
...EACH HEAD	\$1.50 X _____	= _____
WATERPROOFING	\$125.00	
LAWN SPRINKLER	\$50.00	
RE-INSPECTION FEES (WHEN APPLICABLE)	\$75.00	
WORK STARTED WITHOUT PERMITS (DOUBLE PERMIT FEE)		
	SUB-TOTAL	_____
	1% BBS FEE	_____
	<u>TOTAL</u>	_____

1424.10 ROOMER PERMITS AND RENEWALS

The fee for an initial inspection and for a renewal fee for periodic inspections resulting from applications for roomer permits and renewals thereof shall be \$300.00 for a single-family home, \$400.00 for a two-family home, and \$100.00 for a rental third floor unit.

1424.11 CANCELLATION FEE

Any inspection scheduled by any homeowner, occupant or contractor, or any of their respective representatives or agents, may be cancelled on not less than 24 hours’ notice to the Building Department or Housing and Community Development Department, as applicable. Failure to cancel any such previously scheduled inspection or failure to appear at any scheduled inspection shall result in a fee of one hundred dollars (\$100.00).

1424.12 NO CHARGE PERMIT

All work performed for the City of University Heights shall be performed by contractors registered to do work in the City. A “no charge permit” shall be obtained by the contractors performing work for the City. There shall be no charge to obtain the “co charge permit.” All other regulations pertaining to permits shall be followed.

1424.13 UNCERTIFIED ASSESSMENT SEARCH FEE

Upon request, the City shall conduct a search for any uncertified special assessments levied, charged against or attached to any parcel of real property in the City, for a fee of \$15.00 per parcel.

1424.14 ENGINEERING FEES

(a) Whenever the Building Department or the Housing and Community Development Department require inspection services by the City Engineer in connection with any construction project, the City Engineer shall make a reasonable estimate of its inspection fees. The property owner or developer shall be obligated to deposit with the Building Department or Housing and Community Development Department, as the case may be, the estimated amount of engineering inspection fees.

(b) Following the provision of engineering inspection services by the City Engineer or its designee, the City Engineer shall present its invoice for said services with the Building Department or the Housing and Community Development Department, as applicable. The City shall apply the amounts on deposit to pay said engineering inspection fees.

(c) In the event that the amount on deposit for engineering inspection fees is greater than the actual costs for said engineering inspection fees as set forth in the City Engineer’s invoice, the amounts remaining on deposit shall be promptly refunded to the owner or developer. In the event that the amount on deposit for engineering inspection fees is less than the actual costs for said engineering inspection fees as set forth in the City Engineer’s invoice, the shortfall shall be invoiced to the property owner or developer.

1424.99 PENALTY

Whoever violates or fails to comply with any of the provisions of this chapter is guilty of a misdemeanor of the first degree and shall be subject to the penalty provided in Section 1420.99(b).



PERMIT FEE SCHEDULE

University Heights
Building Department
2300 Warrensville Center
Road (216) 932-7800
(216) 932-5239 fax

For further information on Building Permits, please call the Building Department.

Notice:	<p>Effective July 5, 1993, State Law (S.B. No. 359) requires a 3% surcharge be collected on all permits other than for 1 and 2-family properties. This additional fee is remitted to the State Board of Building Standards.</p> <hr/> <p>Effective December 1, 2006, State Law (H.B. 175) requires a 1% surcharge be collected on all permits for Residential (1 and 2-family) properties. This additional fee is remitted to the State Board of Building Standards.</p>
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1420.02 PAYMENT OF FILING FEE REQUIRED

(a) Before proceeding with the construction, enlargement, alteration, replacement or repair of any building, structure, or portion thereof in the City, a permit shall be obtained by the owner or his or her duly authorized agent from the Division of Building Engineering and Inspection by filing a written application for permit; however, no application for a permit for any construction, enlargement, alteration, repair or replacement of any building, structure or portion thereof, may be accepted by the Division unless such application is accompanied by filing and plan review fees as follows:

1. Minor alterations, repairs or replacements (up to \$1,500.00 valuation)	6.00
2. Major alterations, repairs or replacements (up to \$5,000.00 valuation)	\$30.00
3. Major alterations, repairs or replacements (up to \$10,000.00 valuation)	\$40.00
4. Residential buildings (single-family and two-family)	\$50.00
5. Public and commercial buildings	\$60.00

(b) Also accompanying the application must be two complete sets of plans, drawings and specifications prepared in accordance with this Part Fourteen – Building Code.

(c) Such application fee shall not be refunded, returned, transferred from one applicant to another or assigned by one applicant to another.

(1982 Code, § 1319.02) (Ord. 87-63, passed 1/4/1988)

CHAPTER 1424 PERMITS AND FEES

1424.01	Payment of Permit Fee Required	1424.06	Sign Permit Fees
1424.02	Building Permit Fees	1424.07	Curb Cutting Fees
1424.03	Fees for Heating & Air Cond. Permits	1424.08	Re-inspection Fee
1424.04	Fees for Plumbing Permits	1424.09	Inspection Fee
1424.05	Electrical Permit Fees	1424.10	Work started w/out Permit
		1420.99	Penalty

Cross References – *Certificate of Occupancy Fee (see P&Z 1424.04) Filing Fees (see B&H 1420.02)*

1424.01 PAYMENT OF PERMIT FEE REQUIRED

Before proceeding with the construction, enlargement, alteration of any building or other structure or part thereof in the City, a permit therefore shall be obtained by the owner or his duly authorized agent from any construction, enlargement, alteration, repair or replacement of any building or other structure or part thereof may be issued by the Division unless accompanied by a permit fee as set forth in Section 1424.02.

(1982 Code, § 1323.01) (Ord. 01-03, passed 1/16/2001)

1424.02 BUILDING PERMIT FEES

The Commissioner of Buildings shall require a construction deposit of one thousand dollars (\$1,000.00) for one-family or two-family houses, three thousand dollars (\$3,000.00) for commercial, one thousand dollars (\$1,000.00) for commercial landscaping and in addition, shall issue the permit required and collect the fee therefore in connection with the following schedule:

- (a) One-family or two-family houses
 - per square foot over 2,500 square feet..... .15
 - minimum \$350.00
- (b) All new buildings other than one-family or two-family
 - per square foot of gross building area..... .20
 - minimum \$1,000.00
- (c) Commercial parking structures
 - per square foot of gross building area..... .15
 - minimum \$1,000.00

(d)	Additions to any one-family or two-family buildings.....	\$100.00
	Additions to any commercial building or tenant space	
	per square foot of gross building area.....	.30
	minimum	\$1,000.00
	(e) (1) Alterations/roofing for any building according to cost as	
	estimated by the Building Commissioner – per \$1,000.00	
	valuation.....	\$5.00
	minimum	\$50.00
	(2) Fire protection for hoods of commercial cooking	
	equipment (wiring for hood equipment Section 1424.05.....	\$50.00
(a)	(8) electrical permits	
(f)	Accessory Buildings	
	Residential	\$60.00
	Commercial appurtenant & accessory buildings	
	per square foot of gross building area.....	.20
	minimum	\$100.00
(g)	Demolition of all buildings	
	(1) Residential.....	\$30.00
	(2) Commercial – up to 5,000 square feet/minimum	\$500.00
	thereafter, per square foot of gross building area05
(h)	Vinyl and/or aluminum siding.....	\$50.00
(i)	Fences	\$35.00
(j)	Tents	\$30.00
(k)	Swimming Pools.....	\$50.00
(l)	Retaining Walls.....	\$30.00
(m)	Decks	\$50.00
(n)	Windows.....	\$35.00

Note: Gross floor area shall be calculated from planned dimensions using outside measurements. *(1982 Code § 1323.02) (Ord. 01-03, passed 1/16/2001; Ord. 2002-44, passed 6/17/2002)*

1424.03 FEES FOR HEATING AND AIR CONDITIONING PERMITS

- (a) For all new residential one-family and two-family heating systems, the following fees shall be collected:
- Permit \$50.00
 - Fees for the installation or replacement of other natural gas burning and electric heating devices including but not limited to: gas unit heaters, wall heaters, space heaters, furnaces or similar devices \$25.00
- (b) Commercial fee, new or replacement:
- A base fee for each permit for new work, alterations, installations of any HVAC, cooling, heating appliance systems or similar devices \$40.00
- (1) Warm air furnaces
- for the first 250,000 BTU \$50.00
 - over 250,000 BTU, per each additional 1,000 BTU \$1.00
- (2) Electric heating unit
- for the first 15 KW \$30.00
 - over 15 KW, per each additional KW \$1.00
- Heating boilers
- less than 1,000 square feet of radiation \$20.00
 - 1,000 to 5,000 square feet of radiation \$30.00
 - over 5,000 square feet of radiation \$50.00
- Power boilers
- up to 400 horsepower \$50.00
 - over 400 horsepower \$75.00
 - Hot water boiler with steam \$50.00
- (c) Fees for air conditioning permit:
- (1) For all residential gas or electric air conditioning systems... \$30.00
(added to this amount are any electrical, plumbing or heating fees that are applicable)
- (2) Fees for Commercial air conditioning systems:
- (a) Heating & air conditioning (combination) \$125.00
 - (b) Variable Air Volume (VAV) per unit \$4.00
 - (c) Variable Air Volume (VAV) unit with heater \$10.00
 - (d) Central air conditioning (each compressor unit) \$100.00
 - (e) Cooling tower \$150.00
 - (f) Diffusers (supply & returns) \$4.00
- (1982 Code § 1323.03) (Ord. 01-03, passed 1/16/2001)*

1424.04 FEES FOR PLUMBING PERMITS

- (a) Each permit for new work, alterations or repairs, including replacements of water service or re-piping and interior fire sprinkler systems
- | | |
|----------------------------|---------|
| Residential base fee | \$35.00 |
| Commercial base fee | \$50.00 |
- (b) The following sums in addition to that provided by subsection (a) hereof for each closet, shower, bathtub, lavatory, sink, laundry tray, hot water heater and boiler, urinal, drinking fountain, dishwasher, instant hot or any other sanitary fixture trap:
- | | | |
|-----|--|---------|
| (1) | first 25 fixtures each | \$5.00 |
| | over 25 fixtures each | \$2.50 |
| (2) | new disposals, required by Section 1454.04..... | \$10.00 |
| (3) | replacement of residential dishwasher & disposal each..... | \$5.00 |
| (4) | each permit replacing gas hot water tank - residential | \$5.00 |
| (5) | sump pump - residential | \$10.00 |
| | sump pump - commercial | \$15.00 |
| (6) | lawn sprinkler - residential..... | \$5.00 |
| | lawn sprinkler - commercial..... | \$7.50 |
| (7) | fire protection sprinkler system per head..... | \$3.00 |
- (c) Each permit to make new sewer connection, including laying of sewers connected thereto..... \$50.00
- (d) Each permit to alter, repair or re-lay sewer on premises..... \$40.00
- (e) Each permit to clean sewer
- | | |
|----------------------------------|---------|
| Each permit to clean sewer | \$20.00 |
|----------------------------------|---------|
- (1982 Code § 1323.04) (Ord. 01-03, passed 1/16/2001)*

ELECTRICAL PERMIT FEES

- (a) Any electrical work, either new, replacement or temporary
 a minimum base permit fee – residential \$35.00
 Commercial \$50.00
- Wiring of a new commercial building or tenant space
 per 100 square feet of gross building area \$5.00
 minimum \$100.00
- To which shall be added the following where applicable: (1) Each lighting
 outlet and each receptacle outlet,
 except as hereinafter specified50
- (2) Each lighting fixture, except as hereinafter specified50
- (3) High intensity lighting outlets of 1,000 watts or more,
 including motion picture projectors and arc lamps each \$5.00
- (4) Outlets for ranges, clothes dryers on 220 volts, hot plates,
 electric furnaces, electric heating-treating or tempering equipment,
 permanent wave apparatus, hair dryers or similar devices over 1,000
 watts capacity, humidifier,
 electronic filter, heat cable \$5.00
- (5) Residential motors or generators \$25.00
- (6) Commercial motors and/or generators:
 (a) motors 1 ½ HP or less \$5.00
 (b) motors over 1 ½ HP to 10 HP \$20.00
 (c) motors over 10 HP \$75.00
- (7) X-ray machines each \$50.00
- (8) Each permit requiring alterations to existing residential
 or commercial wiring systems, when replacing or installing for the
 following units: post light, electrical hot water tank, disposal,
 dishwasher, garage door
 operator, compactor, and instant hot \$5.00
 Commercial \$15.00
- (9) Wiring for commercial cooking hood protection \$50.00
- (b) No base fee for the following: (minimum permit fee is waived)
- (1) Wiring for air conditioning compressor additional to air
 conditioning permit - residential \$7.50

Commercial	\$15.00
(2) Electrical repairs to single-family and two-family dwellings	\$25.00
All other buildings	\$20.00
(3) Burglar and fire alarms – local Commercial and residential	\$40.00
(4) Garage door operator – where contractor is not doing electrical alteration	\$10.00
Commercial	\$20.00

(Ord. 01-03, passed 1/16/2001)

- (c) Commercial electrical for building shell and parking structures
A base fee for any electrical work, whether new, replacement or temporary, a minimum of\$100.00

The following sum, in addition to the base fee provided in division (a) hereof, where applicable (per unit fees):

(1) A/C compressor (each) additional to the unit HVAC permit	\$15.00
(2) CO detector system	\$150.00
(3) Co-generation systems and associated equipment	\$200.00
(4) Communication system – including fiber optic cable systems data processing systems.....	\$50.00
(5) Electric furnace – additional to unit heating permit	\$15.00
(6) Emergency lighting battery pack per lamp	\$2.00
(7) Exit lighting	\$1.00
(8) Fans	\$15.00
(9) Fire alarm system – state certification required	\$100.00
(10) Generator 0 – 400 KW	\$50.00
(11) Generator 401 KW and up	\$200.00
(12) Heat Cables – roof snow removal	\$20.00
(13) Hi-intensity lights 1,000 watts or more	\$20.00
(14) Hot water heater	\$20.00
(15) Humidifiers	\$10.00
(16) Lighting fixtures	\$1.00
(17) Motors 1 ½ HP or less	\$5.00
(18) Motors over 1 ½ HP to 10 HP	\$20.00
(19) Motors over 10 HP	\$75.00
(20) Panel board – electrical panel	\$30.00
(21) Parking lot lighting standards	\$30.00
(22) Pre-engineered systems	\$100.00
(23) Post lights and pathway lighting fixtures	\$15.00
(24) Receptacles 240 volt	\$15.00

(25)	Receptacles under 240 volt.....	\$1.00
(26)	Security system	\$150.00
(27)	Smoke detector system.....	\$50.00
(28)	Snow melting system – below grade.....	\$100.00
(29)	Switches.....	\$1.00
(30)	Temporary electrical service.....	\$30.00
(31)	Track lighting – each section	\$5.00
(32)	Transformers	\$25.00
(33)	Underground wiring	\$35.00
<i>(Ord. 2002-44, passed 8/12/2002)</i>		

1424.06 SIGN PERMIT FEES

- (a) All new signs, electrical or others each per face \$30.00
- (b) Signs, relocated or altered in size or advertising copy
each per face \$30.00
- (c) Signs, restored or repaired with no change in size,
location or advertising copy no charge
- (d) Temporary signs allowed by Section 1166.01 (b) \$15.00
(1982 Code § 1323.06) (Ord. 01-03, passed 1/16/2001)

1424.07 PAVING AND CURB CUTTING

FEES New Construction:

- (a) Curb cutting per foot..... \$3.00
- (b) Minimum..... \$30.00
- (c) New, replacement, or widening of apron
(plus curb cutting fee) \$25.00
- (d) Widening of private driveways \$15.00
- (e) Driveway or garage floor replacement \$35.00
- (f) Partial drive replacement (50% or less) and all
service walks..... \$20.00
- (g) Resurface residential driveways \$20.00

- (h) Repaving, resurfacing or replacement of commercial parking lots: up to 1,000 square feet \$20.00
thereafter, per 1,000 square feet or part thereof \$2.00
- (i) Parking lot construction or additions up to 150 spaces.....\$200.00
each additional space..... \$1.00
(1982 Code § 1323.07) (Ord. 01-03, passed 1/16/2001)

1424.08 RE-INSPECTION FEE

For each extra inspection made necessary by faulty or incomplete work
(no final release from permit requirements shall be made

until such fees are paid\$100.00
(1982 Code § 1323.08) (Ord. 01-03, passed 1/16/2001)

1424.09 INSPECTION FEE

- (a) (1) There shall be a fee for all inspections by or on the authority of the property owner, including point of sale inspections, which is hereby set at \$150.00 for a single-family home and \$200.00 for a two-family home.

(2) There shall be no charge for any re-inspection requested by the same owner within one year of the issuance of the Inspection Report.
- (b) Whenever the Building Division of the City is required to make an inspection for purposes other than where plan examination is or will be required and such request is made by a profit-making commercial organization or by another governmental agency, there shall be levied for such inspection a charge of fifty dollars (\$50.00).
- (c) Such inspection shall be requested in writing of the Building Division and the fee shall be paid by the requestor prior to the inspection.
- (d) The fee for an initial inspection and for a renewal fee for periodic inspections resulting from applications for rental permits and renewals thereof shall be \$300.00 for a single-family home and \$400.00 for a two-family home and \$100.00 for a rentable third floor unit.
(Ord. 2002-25, passed 6/17/2002)

1424.10 WORK STARTED WITHOUT A PERMIT

Where work for which a permit is first required by this Part Thirteen-Building Code, is started prior to obtaining such permit, the fees required by such permit shall be doubled but the payment of such double fee shall not relieve any person from fully complying with the requirement of this Building Code or any law of the State or ordinance of this municipality. *(1982 Code §1323.10) (Ord. 01-03, passed 1/16/2001)*

1420.99 PENALTY

No person shall construct, erect, build, or cause to be constructed, erected, or build, any building or structure, or make any addition thereto or alteration thereof, or any part thereof, without complying with all requirements and provisions relating thereto contained in this chapter.

Whoever constructs, enlarges, alters or repairs, or maintains as an architect, engineer, contractor, subcontractor or owner, any building or other structure or part thereof, in violation of any provision of this chapter, is guilty of a misdemeanor of the first degree. Each day during which such violation shall continue will constitute a separate offense.

Whoever is convicted of or pleads guilty to a violation of this Building Code shall be imprisoned for a definite term or fined, or both, which term of imprisonment and fine shall be fixed by the court as provided in this section.

Classification of Misdemeanor	Max. Term of Imprisonment	Minimum	Maximum
First Degree	6 months	\$100.00	\$1,000.00
Second Degree	90 days	75.00	750.00
Third Degree	60 days	50.00	500.00
Fourth Degree	30 days	25.00	250.00
Minor	no imprisonment	10.00	100.00

(Revised 4/1/2004)



UNIVERSITY HEIGHTS FIRE DEPARTMENT

Chief Robert D. Perko III
3980 Silsby Road
University Heights, OH 44118

Phone: 216.321.1939
Fax: 216.932.8584

Memorandum

TO: KELLY THOMAS, CLERK OF COUNCIL
FROM: ROBERT PERKO, CHIEF OF FIRE *RDP*
SUBJECT: MOTION TO APPROVE FIRE DEPARTMENT SEEKING BIDS FOR 2024 FIREFIGHTER WELLNESS PROGRAM
DATE: DECEMBER 28, 2023
CC: MICHAEL DYLAN BRENNAN, MAYOR/SAFETY DIRECTOR; CITY COUNCIL MEMBERS; DENNIS KENNEDY, FINANCE DIRECTOR; LUKE MCCONVILLE, LAW DIRECTOR

Program Description

The City of University Heights invites your proposal to provide Wellness Program Services for the Fire Department. The City intends to establish a term contract with an area professional health and wellness provider organization to develop and implement, in partnership with our first responders, a (1) wellness education curriculum and (2) menu of services. This is a grant-funded program that will conclude by December 31, 2024 and is not to exceed the remaining grant award of \$100,000.

Project Manager

Andy Boylan, Executive Captain, will be the overall coordinator for this program. All program inquiries can be addressed to:

Andy Boylan, Executive Captain
City of University Heights Fire Department
aboylan@universityheights.com
216-848-1153

Proposal Submittal

All proposal inquires, including finished proposals relating to this request shall be addressed to:

Kelly Thomas, Clerk of Council
City of University Heights
2300 Warrensville Center Road
University Heights, OH 44118
kthomas@universityheights.com

Submittal Date

All proposals must be received no later than Thursday, February 8, 2024 at 12:00 pm.



UNIVERSITY HEIGHTS FIRE DEPARTMENT

Chief Robert D. Perko III
3980 Silsby Road
University Heights, OH 44118

Phone: 216.321.1939
Fax: 216.932.8584

Scope of Work

Proposed work is to be for all department members (currently 32). Work is to be held in the Fire Department whenever feasible, otherwise in a facility closely located in the region.

The University Heights Fire Department (UHFD) has targeted ensuring the health and safety of its employees as the key objective. The organization believes that an essential method to achieving this objective is to implement a mental health and well-being training program.

The program requires a provider with extensive experience in the job-related tasks, stressors, requirements, and work-life balance encountered by first responders.

Objectives

1. Incorporate mental and physical health aspects to impact overall wellbeing and mental health of the workforce.
2. Provide in-person workshop-type training for employees that provides education on topics such as, but not limited to, suicide prevention/awareness, signs/symptoms, behaviors, PTSD, etc.
3. Provide employees with tools to promote emotional wellness.

Scope

The provider will provide the following:

1. Program coordinator to work with our own FD coordinator.
2. Multiple in-house training courses over the scope of this award period to begin immediately following the award.
3. Follow-up sessions.
4. Stress management and resiliency training sessions.
5. Related well-being screenings.
6. Whenever feasible, appropriate sessions will be allowed to be recorded for viewing by members unable to attend in person training.
7. Other related training or therapy training sessions.

Qualifications

The provider must be knowledgeable about the current issue regarding first responder mental health wellness including but not limited to suicide, suicide prevention, PTSD, moral injury, and family implications.



UNIVERSITY HEIGHTS

Date: January 10, 2024

To: Mayor Michael Dylan Brennan
City Council

From: Allen E. Pennington, P.E., Service Director

RE: Authorization to Extend Minutemen Inc Temporary Labor Contract

At this time it is desirable to extend the three year contract with Minutemen Inc to provide temporary labor during the City's leaf collection season. The previous three-year contract has just concluded and Minutemen Inc has provided an hourly price to extend in the attached email. Based upon the hourly rates and the 8 week limitation for their use per the union contract, it is requested that the City extend the contract at the rates listed below. In addition, there was an overrun of hours billed from 2023 at \$2,455. The requested contract extension is as follows:

2023 extension - \$2,455

2024 - \$32, 708

2025 - \$33,668

2026 - \$34, 660

Total contract extension - \$103,491

Should you have any questions or require additional information please contact this office.

Your approval is requested.

Cc: Dennis Kennedy, Finance Director

Allen Pennington

From: Brent Marco <bmarco@minutemeninc.com>
Sent: Wednesday, December 27, 2023 10:30 AM
To: Allen Pennington
Subject: Fwd: Staffing quote

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From: Eric Gardner <egardner@minutemeninc.com>
Sent: Wednesday, December 27, 2023 10:27:38 AM
To: Brent Marco <bmarco@minutemeninc.com>
Subject: Staffing quote

Good afternoon,

We at the Minute Men family of companies would like to thank you for another wonderful year of providing staffing for the City of University Hts. As we do when the time comes, we review the staffing bill rates for General Labor temporary employees.

Below you will find the bill rates for the next 3 (three) years for employees performing General Labor duties. These rates will cover the time of January 1st, 2024, thru December 31st, 2026.

- 2024 Bill rate = \$20.02 per hour
- 2025 Bill rate = \$20.62 per hour
- 2026 Bill rate = \$21.24 per hour

Again, these rates are for employees performing general labor duties. These employees will not operate any motorized vehicles.

If there are any questions, please do not hesitate to reach out to Brent Marco at bmarco@minutemeninc.com or 216-408-7889.

Thank you very much & we look forward to many years to come.