

DRAFT

CITY OF UNIVERSITY HEIGHTS, OHIO

**Minutes of Building and Housing Committee
Wiley Middle School - 2181 Miramar Boulevard
September 18, 2023**

Councilwoman Win Weizer, Chair of the Building & Housing Committee, called the meeting to order at 6:25 p.m.

Present: Councilwoman Win Weizer, Chair
Vice Mayor/Councilwoman Michele Weiss
Councilman Christopher Cooney
Councilman Brian King
Councilman John Rach
Councilwoman Sheri Sax
Housing & Community Development Director Geoff Englebrecht

AGENDA ITEMS

1. Begin Discussion of SAFEbuilt Contract

Ms. Weizer pointed out that there is one contract for SAFEbuilt with three addendums to same with additional changes. She noted that the addendums need to be reviewed for inconsistencies and/or things that need to be clarified. Ms. Weizer stated that one of the things she disagrees with is calling upon a director in front of a committee where there are no prepared questions. She suggested that the material be reviewed and questions be written out and submitted to the director so that there is a chance to prepare answers either in writing or verbally; everyone is treated professionally. Ms. Weizer stated she was surprised to discover that the third addendum does not include the Mayor's signature and that this needs to be verified.

Mrs. Weiss stated that it is a good idea to start reviewing this before March and asked Ms. Weizer if there is something specific that stands out. Ms. Weizer stated that she had not been involved with this contract, although she is aware of the conditions leading to hiring SAFEbuilt to act as the Building Commissioner for the city and to list the items that they will be responsible for. The list of services is comprehensive. She questioned what is missing.

Mrs. Sax suggested that a flow chart could be devised to better understand the process of how things should be done so that there is transparency for all responsibilities. Ms. Weizer acknowledged Mrs. Sax' comments and referred to correspondence from Mr. Rach where it was explained that because appropriate posting(s) wasn't done, meetings of both the Architectural Board of Review and the Board of Zoning Appeals had to be cancelled. It was questioned why those events took place; there needs to be accountability.

Councilman Cooney agreed that the contract should be reviewed. He also questioned whether the **Citizen Serve** system could be expanded to include a tracking system for application management. Mr. Cooney questioned whether the department has the resources available and the training and skill set to efficiently get things done. He has met with Denis Garcia with SAFEbuilt for an informal discussion about the department, who was in charge, etc.

Discussion regarding the responsibilities of SAFEbuilt defined in the contract, the fact that if something is needed, SAFEbuilt should be able to let Council know. The flowchart idea was thought to be helpful. Ms. Weizer noted that if authority for SAFEbuilt has been established and the department is operating professionally, Council needs to be supportive. Mrs. Weiss stated that processes and procedures are needed for residents as well as internally. It was mentioned that Council was told by Administration that Council was not to work with the department directly anymore. It was noted that the use of the **Citizen Serve** system was in the contract; that training had been provided on it, but it is not clear that it is in fact being used. Mrs. Weiss stated that there is a lot of overflow between building and housing responsibilities, and it is not fair to either department. She suggested that the contract be reviewed page by page and perhaps Mr. Englebrecht could provide some input; it was also suggested that Mr. Garcia could attend the next meeting. Mrs. Weiss stated that it was advised not to make flowcharts. Ms. Weizer stated that there needs to be a holistic review of the contract so that any suggestions made are positive.

Reference was made to an email from the Mayor, and the fact that Mr. Garcia was coordinating with other departments regarding flowcharts, but that was several months ago, and to-date nothing has been provided, nor has Mr. Cooney made a request for the material. Ms. Weizer stated that she would be happy to request flowcharts from the Mayor and Mr. Englebrecht. It was noted that the email from the Mayor requested that any questions pertaining to SAFEbuilt be routed through him; Ms. Weizer did not want to appear to be working behind the email. Performance outcomes were discussed, how to measure same. Ms. Weizer posed the question, if there aren't outcome measurements, how is it known that the best outcome for the cost that is being paid is met? She noted that public dollars are involved here.

After further discussion, Ms. Weizer stated that she will email the Mayor with a copy to both SAFEbuilt and Mr. Englebrecht requesting a flowchart of who does what in terms of the internal process; then a flowchart both inward and outward facing. If this is done, overlaps will be identified and needed tweaks can be identified. Ms. Weizer also suggested that instead of having three addendums, one contract be utilized where there is no duplication, so that at renewal time one comprehensive contract be submitted to Council. Ms. Weizer noted that there is nothing in the contract regarding zoning and planning. Reference was made to the recent Chick-fil-A application regarding reviewing the plans, and it was pointed out that Mr. Garcia advised that reviewing the plans was not in the contract. Mr. Rach discussed this while referring to the contract. Mrs. Weiss mentioned that Council was advised that SAFEbuilt could not handle a large project;

that needs to be fixed – size of project, plan review. The Code requirements were cited vis-a-vis what was reported at the Planning Commission meeting. Mrs. Weiss noted that they (SAFEbuilt) did not have the resources for a sizeable project; there is no Planner. These issues have to be resolved.

Mr. Rach reported further on matters regarding Chic-fil-A, the fact that he had asked the Building Commissioner if there was going to be a zoning review; the fact that he himself had done the zoning review and that SAFEbuilt stated that they needed a city planner to do the zoning review, which the City does not have.

Ms. Weizer explained that William Nadeau, a registered architect with the city years ago, reviewed codes when he headed the Building Department and that practice followed after Mr. Nadeau left because information was passed on to the Planning Commission. SAFEbuilt, however, did not feel that task was part of the contract and that is why they believed a planner was needed. Ms. Weizer stated that Mr. Garcia and Mr. Englebrecht can review the contract for clarity; once there is clarity, it will be clear what SAFEbuilt needs to do, and then a clear revised contract can be done.

2. Discussion of Vacancies and Inspection process

Ms. Weizer sent Mr. Englebrecht an email regarding the housing violations filed in Shaker Housing Court. She asked if these violations were generated by vacancies, external inspection issues, or point-of-sale matters. Mr. Englebrecht stated that all apply, adding that there is always a separate inspection done for the exterior program; there is the point-of-sale for rentals. An inspector is sent out to investigate complaints. Mr. Englebrecht acknowledged that the violations are a mix of the categories referred to above. In response to Ms. Weizer's question about the number of complaints received, Mr. Englebrecht described the types of complaints received pointing out that one resident comes in every week to complain about something that needs to be done, such as just something exterior which may deal with trash or brush that needs to be picked up. He also described the type of complaint where a resident may be walking and refers to sidewalk blocks that are elevated, and also complaints that are extreme which occur once in a while.

Mrs. Sax suggested that a period of time, perhaps three or four months, be set aside to go through the city to determine the sidewalks that need attention, so that preventive measures can be taken; the city will be ahead of those incidents avoiding the possibility of residents being hurt by falling. It was noted that those conditions don't appear overnight. She also suggested that the overall inspections could possibly be coordinated with the city's tree removal and planting programs.

The process of settling violations, the receivership program, and abandoned houses was discussed as well as the tolerance for the violations. It was noted that the court process is lengthy, lasting as long as a year. Mr. Englebrecht explained the receivership program, and stated that this is a

last resort. Ms. Weizer requested that Mr. Englebrecht provide the committee with information in writing about the guidelines/criteria for the receivership program, i.e., health and safety concerns; he agreed to do so. Various houses with violations were discussed and it was noted that the list is ever-changing considering new owners working on the properties and other factors.

Mrs. Weiss questioned whether a contract exists on current property/receivership and expressed concern about the consequences if that process does not go through; will the property go back to the city? It was noted that this is a question for the law director. Regarding Shaker Heights expediting the cases, Mr. Englebrecht stated that Assistant Prosecutor Mike Cicero does outstanding work with the court and offers violators time to come up with a solution before the judge hears the case; the court works well getting the cases processed. It was noted that receivership won't solve all the problems.

Ms. Weizer mentioned that the administration will be asked to verify that plans have been reviewed as to Code requirements.

Motion by Mrs. Weiss, second by Mrs. Sax, to adjourn the meeting. On roll call, all voted "aye. The meeting adjourned at 7:20 p.m.

Submitted by Jeune Drayton
Assistant Clerk of Council

Winifred Weizer, Chair
Building & Housing Committee