

North Canton City Council
Finance and Property Committee

Ordinance No. 12 - 2019

An ordinance authorizing the Mayor of the City of North Canton, upon Board of Control approval, to amend Exhibits "A" and "B" of the professional services agreement between the City and SafeBuilt Ohio, LLC, Ordinance 68-2018, to include Code Enforcement Services, and declaring the same to be an emergency.

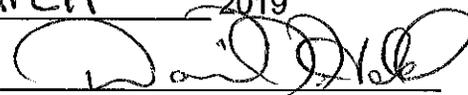
WHEREAS, the City entered into a professional services agreement with SafeBuilt to remedy ongoing deficiencies with its building department's efficiency, documentation, customer service, and overall financial proficiency; and

WHEREAS, the City wishes to include Code Enforcement Services to the agreement to protect, preserve, and improve its building and housing stock; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

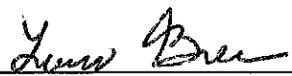
- Section 1. That Exhibits "A" and "B", attached hereto and incorporated herein, of the professional services agreement between the City and SafeBuilt, North Canton Ordinance 68-2018, is hereby amended to include Code Enforcement Services, as described in Amendment One, attached hereto and incorporate herein.
- Section 2. That if a provision of this ordinance is or becomes illegal, invalid, or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary to prevent deterioration and protect and enhance the City's building and housing infrastructure; wherefore, provided it receives the affirmative vote of six or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council, together with Board of Control and Mayoral approval

Passed in Council this 11th day of March, 2019


David Held, Mayor

Signed: 3-11, 2018

ATTEST:


Laura Brown, Director of Finance

**AMENDMENT ONE
PROFESSIONAL SERVICES AGREEMENT
BETWEEN CITY OF NORTH CANTON, OHIO
AND SAFEbuilt OHIO, LLC**

Amendment to the Professional Services Agreement effective November 13, 2018, between City of North Canton, Ohio, (Municipality) and SAFEbuilt Ohio, LLC, (Consultant). Municipality and the Consultant shall be jointly referred to as the "Parties".

Amendment Effective Date: This Amendment shall be effective on the latest date on which the Amendment is fully executed by both Parties.

RECITALS AND REPRESENTATIONS

Municipality and Consultant entered into a Professional Services Agreement (Agreement), by which both Parties established the terms and conditions for service delivery on November 13, 2018; and

The Parties hereto now desire to amend the Agreement as set forth herein; and

NOW, THEREFORE

Agreement Exhibit A - List of Services and Exhibit B - Fees Schedule for Services is hereby amended as set forth below:

1. Exhibit A - List of Services, As-Requested Code Enforcement Services shall be revised to Code Enforcement Services – Fifteen (15) Hour Weekly Minimum.
2. Exhibit B – Fee Schedule for Services, Code Enforcement Service fee shall be revised and replaced as follows:
 - a. \$36.00 per hour – fifteen (15) hour weekly minimum

The original Agreement, Exhibits and terms shall remain in effect, to the extent not modified by this Amendment.

IN WITNESS HEREOF, the undersigned have caused this Amendment to be executed in their respective names on the dates hereinafter enumerated.

Thomas P. Wilkas, CFO
SAFEbuilt Ohio, LLC

Date

Signature

Date

Name & Title
City of North Canton, Ohio

Approved as to form and content.

Timothy L. Fox, Director of Law

EXHIBIT A – LIST OF SERVICES

1. LIST OF SERVICES

Building Official Services

- ✓ Manage and help administer the department and report to Municipality's designated official
- ✓ Be a resource for Consultant team members, Municipal staff, and applicants
- ✓ Help guide citizens through the complexities of the codes in order to obtain compliance
- ✓ Monitor changes to the codes including state or local requirements and determine how they may impact projects in the area and make recommendations regarding local amendments
- ✓ Assist Municipal staff in revising and updating municipal code to comply with adopted requirements
- ✓ Provide Building Code Interpretations for final approval
- ✓ Oversee our quality assurance program and will make sure that we are meeting our agreed upon performance measurements and your expectations
- ✓ Provide training for our inspectors on Municipality adopted codes and local amendments as needed
- ✓ Oversee certificate of occupancy issuance to prevent issuance without compliance of all departments
- ✓ Attend one (1) Planning Commission Meeting and one (1) Zoning and Building Standards Board of Appeals meeting each month
- ✓ Responsible for reporting for Municipality – frequency and content to be mutually agreed upon
- ✓ Responsible for client and applicant satisfaction
- ✓ Work with Municipal staff to establish and/or refine building department and rental housing processes
- ✓ Issue stop-work notices for non-conforming activities – as needed

Building, Electrical, Plumbing, and Mechanical Inspection Services

- ✓ Consultant utilizes an educational, informative approach to improve the customer's experience.
- ✓ Perform consistent code compliant inspections to determine that construction complies with approved plans and/or applicable codes and ordinances
- ✓ Meet or exceed agreed upon performance metrics regarding inspections
- ✓ Provide onsite inspection consultations to citizens and contractors while performing inspections
- ✓ Return calls and emails from permit holders in reference to code and inspection concerns
- ✓ Identify and document any areas of non-compliance
- ✓ Leave a copy of the inspection ticket and discuss inspection results with site personnel

Plan Review Services

- ✓ Provide plan review services electronically or in the traditional paper format
- ✓ Review all plans, ensuring they meet adopted building codes and local amendments and/or ordinances
- ✓ Determine type of construction, use and occupancy classification using certified plans examiners
- ✓ Be available for pre-submittal meetings by appointment
- ✓ Coordinate plan review tracking, reporting, and interaction with applicable departments
- ✓ Provide feedback to keep plan review process on schedule
- ✓ Interpret legal requirements and recommend compliance procedures as well as address any issues by documented comment and correction notices
- ✓ Return a set of finalized plans and all supporting documentation
- ✓ Provide review of plan revisions and remain available to applicant after the review is complete

Permit Technician Services

- ✓ Provide qualified individuals to perform the functions of this position
- ✓ Facilitate the permitting process from initial permit intake to final issuance of permit
- ✓ Review submittal documents and request missing information to ensure packets are complete
- ✓ Provide front counter customer service as necessary
- ✓ Answer questions concerning the building process and requirements at the counter or over the phone
- ✓ Form and maintain positive relationships with Municipal staff and maintain a professional image
- ✓ Determine permit fees based on Municipal fee schedule as established by ordinance, if so desired
- ✓ Ensure that submittal documents are complete
- ✓ Work with Municipal Clerk to facilitate public record requests
- ✓ Provide inspection scheduling and tracking to ensure code compliance
- ✓ Act as an office resource to inspectors in the field
- ✓ Process applications for the Municipal Boards and Commissions – if requested
- ✓ Provide input, tracking and reporting to help increase efficiencies

Rental Housing/Property Maintenance Services

- ✓ Customize our approach at the direction of Municipal Council/Board and staff
- ✓ Help manage the program in addition to providing inspections
- ✓ Accept and review application forms and determine compliance with requirements
- ✓ Inspect dwellings, dwelling units, and property to ensure compliance with ordinance requirements
- ✓ Issue documentation for dwellings, dwelling units, and properties found to be in compliance
- ✓ Provide documentation for dwellings, dwelling units and property in violation of requirements
- ✓ Provide rental inspection services as called for by ordinance or state law, whichever has jurisdiction
- ✓ Attend meetings as requested
- ✓ Provide statistical, narrative information and detailed reports within agreed upon frequencies

As-Requested Code Enforcement Services

The primary focus of any code enforcement program is to achieve compliance without confrontation and at minimum cost. In order to meet the needs of your community we will:

- ✓ Customize our approach at the direction of Municipal Council/Board and staff
- ✓ Customize services in compliance with applicable Municipal code and ordinance requirements
- ✓ Proactively work with Municipality and its citizens to maintain a safe and desirable community
- ✓ Respond to and investigate code violations
- ✓ Post violation notices and provide initial citizen notifications and follow-up inspections
- ✓ Address specific code enforcement issues at the direction of Municipality
- ✓ Provide monthly written reports that include digital photos of violations and action taken
- ✓ Prepare cases for court appearances, provide presentations and attend meetings as needed
- ✓ Participate in educational activities and customer service surveys related to code enforcement
- ✓ Provide statistical, narrative and detailed recap reports within agreed upon frequencies
- ✓ Provide professional recommendations for code revisions – as needed
- ✓ Attend staff meeting and make presentations to Municipal boards as requested
- ✓ Provide agreed upon reports to demonstrate our performance against set measurements

Reporting Services

Consultant will work with Municipality to develop an acceptable reporting schedule and format that is mutually agreeable.

2. COMMUNITY CORE SOLUTIONS FEE SCHEDULE, TERMS AND CONDITIONS

Consultant will provide Community Core at no cost to Municipality. Consultant shall provide Community Core Services in accordance with the fee schedule, terms and conditions of Exhibit C.

- ✓ Community Core allows for electronic workflow tracking and monitoring with separate signoff capability that can be accessed and updated by multiple departments simultaneously – external and internal.
- ✓ Facilitate the transition from current software to Community Core
- ✓ Provide training to Municipal staff

3. MUNICIPAL OBLIGATIONS

- ✓ Municipality will provide zoning administration for projects assigned to Consultant and provide a copy of approval or denial document to Consultant - Cornerstone
- ✓ Municipality will provide codes books for front counter use (Consultant will provide code books for Consultant team members)
- ✓ Office space, desk, desk chairs, file cabinets, local phone service, Internet, use of copier and fax

4. TIME OF PERFORMANCE

Services will be performed during normal business hours excluding Municipal holidays.

- ✓ Services will be performed five (5) days per week, Monday through Friday for eight (8) hours a day during the Municipality's regular business hours
- ✓ Building Official will be on-site at the Municipal offices for a minimum of thirty-two (32) hours each week during the Municipality's regular business hours; attendance of Planning Commission and Zoning and Building Standards Board of Appeals meetings shall be counted as "regular business hours"
- ✓ Permit Technician will be on-site five (5) days a week; Monday - Friday for eight (8) hours a day
- ✓ Consultants representative(s) will be available by cell phone and email

<u>Deliverables</u>			
INSPECTION SERVICES	Perform inspections requested by 4:00 pm the next business day		
TWO HOUR INSPECTION WINDOW	Provide a two-hour window of time that the permit holder can expect to have their inspection performed – Upon request only		
MOBILE RESULTING	Provide our inspectors with field devices to enter results immediately		
RENTAL INSPECTION	Perform inspections within forty-eight (48) hours of request		
PRE-SUBMITTAL MEETINGS	Provide pre-submittal meetings to applicants by appointment		
PLAN REVIEW TURNAROUND TIMES	Provide comments within the following timeframes: Day 1 = first full business day after receipt of plans and all supporting documents		
	<u>Project Type:</u>	<u>First Comments</u>	<u>Second Comments</u>
	✓ Single-family within	5 business days	5 business days or less
	✓ Multi-family within	10 business days	5 business days or less
	✓ Small commercial within (under \$2M in valuation)	10 business days	5 business days or less
✓ Large commercial within	20 business days	10 business days or less	

EXHIBIT B – FEE SCHEDULE FOR SERVICES

1. FEE SCHEDULE

- ✓ Municipality will promptly notify Consultant of any revisions or amendments to Municipal Fee Schedule
- ✓ Municipality will forward a copy of revised or amended Municipal Fee Schedule to Consultant
- ✓ Municipality will periodically review its Municipal Fee Schedule and valuation tables and make adjustment to reflect increases in the cost incurred by Consultant in providing the Services
- ✓ Beginning January 01, 2020 and annually thereafter, the hourly rates listed in Exhibit B shall be increased based upon the increase in the Consumer Price Index, but not more than 4% annually.
- ✓ Rates shall not decrease for the term of this Agreement

Service Fee Schedule:	
Administrative Fee <ul style="list-style-type: none"> • Fee will become null thirty (30) days after Municipality adopts a fee schedule agreed upon by Municipality and Consultant (based on an analysis of a few contiguous communities), or • Municipality will implement a single-family rental registration program 	\$1600.00 per month
Inspection Services <ul style="list-style-type: none"> • Permits Issued after Service start date 	90% of Municipal Fee as established by ordinance
Inspection Services <ul style="list-style-type: none"> • Permits Issued prior to Service start date 	\$60.00 per inspection
Residential Plan Review Services	90% of Municipal Fee as established by ordinance
Commercial Plan Review Services <ul style="list-style-type: none"> • Project valuation < \$15,000,000 • Excludes structural engineer review fees 	90% of Municipal Fee as established by ordinance + \$95.00 per hour – one (1) hour minimum
Commercial Plan Review Services <ul style="list-style-type: none"> • Project valuation > \$15,000,000 	Consultant fee will be negotiated on a case by case basis.
Structural Engineering Plan Review	\$150.00 per hour – one (1) hour minimum
Rental Housing Inspection Services	90% of Municipal Fee as established by ordinance
Code Enforcement Services	\$45.00 per hour – one (1) hour minimum
Building Official Services	Included in percentage of fees above
Permit Technician Service	Included in percentage of fees above
After Hours/Emergency Inspection Services	\$100.00 per hour – two (2) hour minimum
Activities Where No Permit Fee is Generated - As requested by Municipality	
Non-Permitted Activity	\$75.00 per hour – one (1) hour minimum
Investigative Services (by request only)	\$75.00 per hour – one (1) hour minimum
Time tracked will start when Consultant checks in at Municipality or first inspection site.	