

## REVIEW & OVERSIGHT COMMITTEE MINUTES

July 13, 2010

The meeting of the Review & Oversight Committee was held on July 13, 2010, at North Royalton City Hall, 13834 Ridge Road. The meeting was called to order at 7:05 p.m.

Present: Members: Chair Vince Gentile, Vice Chair Dan Kasaris, Don Willey; Council: Larry Antoskiewicz, Gary Petrusky, Paul Marnecheck; Administration: City Engineer Mark Schmitzer; Others: Jaime Anton, Ali Kolosionek, Kyle Toth.

### APPROVAL OF MINUTES

Moved by Mr. Kasaris, seconded by Mr. Gentile to **approve the March 2, 2010 Minutes**. Yeas: 2. Nays: 0. **Motion carried.** (Mr. Willey was not in attendance at the March 2<sup>nd</sup> meeting and therefore was unable to vote on approval of the minutes.)

### UNFINISHED BUSINESS

#### 1. Bid Standards

Mr. Schmitzer said they did go out for bid on the York Road Baseball Field parking lot. He said he did not have a chance to make a copy of all of the information but said all of the information he collected followed the Ohio Revised Code. Mr. Schmitzer said they provided a better presentation of the project and included advertisement for bid and a scope of the work upfront so contractors know exactly what the project is. He said they did not include pictures of the project on the front of the bid book.

Mr. Marnecheck asked what the fee is per bid book. Mr. Schmitzer said the cost varies depending on the size of the books and how much they cost the city. He said there have been certain situations where they have just given bid books out to contractors. Mr. Marnecheck asked if we can just have these books available in a PDF format. Mr. Schmitzer said it is hard to PDF these books because a signed original has to be brought back to the city and we cannot accept any electronic format. Mr. Gentile asked if the contractors can print out the book then sign the necessary documents and bring those signed documents back to the Engineering Department. Mr. Schmitzer said the contractors have to pick up an official copy of the bid book from the Engineering Department.

Mr. Willey asked Mr. Schmitzer if he knows who the subcontractors are for each project prior to the project starting. Mr. Schmitzer said the subcontractors are known at the time the bid is submitted. Mr. Schmitzer said the contractor is able to change their subcontractors but there is a process they have to follow in order to do so.

Mr. Schmitzer discussed change orders. He said they are using the Standard General Conditions that are Engineering Joint Council documents. He said there was another document that looked like it had been created over time and he felt it was very confusing and he felt we should follow the General Conditions created by the Engineering Joint Council. He said there are supplemental conditions that substitute in as items that we want in place in the city. Mr. Kasaris asked how close this is to what the school systems uses with the Ohio School Facilities Commission as far as the change order process is concerned. Mr. Schmitzer said it is close to what we have with some slight minor modifications.

Mr. Gentile said there are standard prices associated with change orders. He said if there is a price that is out of line we need the contractor to provide backup to show why the cost might be higher than expected. Mr. Schmitzer said there is a whole section of conditions dedicated to authorized changes, unauthorized changes, execution of change orders, etc. Mr. Gentile asked if the approval of change orders comes back to Council. Mr. Schmitzer said the way that the contracts are structured typically 10 percent of the cost of the construction above the original cost of the construction is authorized without Council's approval. He said he always negotiates change orders. Mr. Schmitzer said he cannot authorize anything above 10 percent of the original cost. After that the change has to be approved by Council.

Mr. Schmitzer said one of the items that he has brought back is to price out labor so that the contractor does not try to throw an item into the project on a change order.

Mr. Gentile asked if it is noted in the change order documentation that we can change the contract if we decide there is a portion of the project we decide not to do. Mr. Schmitzer said we have the ability to do this. Mr. Schmitzer said he believes that if the city changes the direction of the project, we have to allow the contractor to re-bid that portion of the work.

Mr. .Gentile asked Mr. Schmitzer when he thinks he will have all of the information pulled together. Mr. Schmitzer said he is getting ready to put together another package so he will work on taking out reference to specific projects and PDF the documents and send them to Council next week.

## **NEW BUSINESS**

### **1. Department heads, salaried employees and contract employees pay adjustment**

Mayor Stefanik said this will be passed at the next Council meeting.

Mr. Gentile asked if anyone has any comment on this subject. There were no comments.

### **2. Redistricting Study**

Mr. Gentile asked committee members if they received the email from Mrs. Haller and if they had time to review it. Mr. Antoskiewicz said he believes we should leave it the way it is right now. He said we should wait to see what happens with the census.

Mr. Gentile said just before he was on Council there was a realignment of wards. He said he does not believe at this time any of our wards have exceeded the 2 percent that is necessary to redistrict but said he does not think Council should wait for the census because the Charter requires that any necessary changes are made in this calendar year. Mr. Antoskiewicz said he would prefer not to change anything then when the census numbers come out we will have those numbers available the next time around.

Mr. Gentile said the trend over the last eight years seems to be that the city has been built out from top to bottom. He said the bottom continues to grow, then with cluster homes and apartments in the center there is heavy gain there as well. He said Ward 1 has been consistently losing population over the past eight years. He said the loss is not as great because when tabulating kids leaving it appears that it is not growing as fast. He said Ward 2 has now been put into that category where it is not growing as fast as the southern portion of the city. He said if we do not make a change at some point we may come back and have an extreme change in four more years.

Mr. Willey said some of the older people are moving out and younger families are moving in. Mr. Gentile said if we choose not to make any changes then it will be eight years since a change has been made. He said currently Ward 2 is at 15.2 percent, Ward 4 and 6 are at 17.1 percent, which is only 1/10 of a percent from the Charter requirement that requires all. Mr. Gentile said Ward 5 and 2 have a scope of more than 3 percent. He said we are getting close and said if we do not do anything this year, four years from now we may have to make a very significant change. Mr. Gentile said that Mrs. Haller said that the redistricting could not redistrict any member out of their seat. He said these are just proposals and Council does not have to go by proposals. Mr. Antoskiewicz said he would rather wait to make a big change rather than tweak it now then have to tweak it again. Mr. Willey asked what type of change we are looking at. Mr. Gentile said Ward 5 needs to lose territory as it is pulling 3 points over Wards 2 and 1. Mr. Gentile said he will ask Mrs. Haller to look into this to make sure these numbers are correct. He said he believes the Charter states that the wards have to be within 2 percent of one another and currently the way we are on Alternate 1, Ward 5 exceeds Wards 1 and 2 by more than 2 percent.

Mr. Gentile read the portion of the Charter dealing with redistricting and it was discovered that the redistricting percentage is not 2 percent, it is 15 percent. Mr. Gentile said based on this, the consensus of the committee is that no changes will be made at this time.

## **ADJOURNMENT**

Moved by Mr. Kasaris, seconded by Mr. Gentile to **adjourn the meeting**. Yeas: 3. Nays: 0. **Motion carried.**

Meeting adjourned at 7:49 p.m.