

BOARD OF CODE STANDARDS AND APPEALS MINUTES

August 6, 2012

Members: Francisco Banuelos, Randy Coonrod, Daryl Crotts, Brad Doeden, Randy Harder, Russ Redford, Larry Webb, Gregg Wilhite, Warren Willenberg

Present: Francisco Banuelos, Randy Coonrod, Daryl Crotts, Brad Doeden, Russ Redford, Larry Webb, Gregg Wilhite, Warren Willenberg

Staff Members Present: Rick Stubbs, Deb Legge, Penny Bohannon, Elaine Hammons (Central Inspection); Jeff Van Zandt (Law Department)

The regular meeting of the Board of Code Standards and Appeals was called to order by Chairman Coonrod on Monday, August 6, 2012, at 1:30 p.m. in the 1st floor Board Room, City Hall, 455 N. Main, Wichita, Kansas.

Chairman Coonrod requested that the Board and City Staff introduce themselves to the public in attendance.

Approval of the July 2, 2012, minutes.

Board Member Banuelos made a motion to approve the July 2, 2012, minutes. Board Member Willenberg seconded the motion. The motion carried. (Board Member Crotts was not present for this vote.)

Approval of the August 2012 license applications as follows:

<u>Applicant Name</u>	<u>Company Name</u>	<u>Class</u>
Patrick Adams	Synergy Reconstruction, LLC	Class A
Kevin Ballard	R & B Roofing, LLC	Roofing
Orin Boyd, Sr.	COGIC-ED (Church of God in Christ Enterprise Development)	Class A
Kurt Cunningham	Integrity Home Solutions, Inc.	Class C
Shawn M. Foor	Holon Fire Protection	Fire Sprinkler Installer
Casey Goodwin	Pro Tech Exteriors, LLC	Class B
Daniel J. Gorman	Gorman Roofing Services, Inc.	Roofing
Todd Halaburka	Aspen Roofing & Exteriors, LLC	Roofing
Dwayne Haukap	Dwayne Haukap dba Haukap Construction	Class C
Michael Healy	Opus Design Build, LLC	Class A
Bryan Johnson	Bryan Johnson dba Johnson's Renovation Solutions	Class C
Steve L'Hommedieu	Paric Corp.	Class B
Robert Loffredo	Santa Fe General Contractors, Inc.	Class A
Christopher Martin	Dolphin Construction & Remodeling, LLC	Roofing
James Palmer	United Renovations	Class B
Richard Prunier	US Roofing & Siding, LLC	Roofing
Bradley Sampson	Bradley Sampson dba Pride Remodeling & Improvements	Class B
Lisa Scudder	Top Master, Inc.	Class B
Denise Shellman	Denise Shellman	Class D

Board Member Wilhite made a motion that Patrick Adams, Shawn Foor, Todd Halaburka, and Denise Shellman be denied their respective requests for contractors' licenses due to the incomplete information packets submitted for consideration. Board Member Banuelos seconded the motion. The motion carried. (Board Member Crotts was not present for this vote.)

Kurt Cunningham was present on behalf of his request for a Class C Contractor's License. Finding his documentation in order, Board Member Wilhite made a motion to approve his application. Board Member Willenberg seconded the motion. The motion carried. (Board Member Crofts was not present during this vote.)

Casey Goodwin was present on behalf of his request for a Class B Contractor's License. Finding his documentation in order, Board Member Webb made a motion to approve the application for Mr. Goodwin. Board Member Doeden seconded the motion. The motion carried. (Board Member Crofts was not present for this vote.)

James Palmer was present on behalf of his request for a Class B Contractor's License. Finding the documentation in order, Board Member Wilhite made a motion to approve the license request. Board Member Willenberg seconded the motion. The motion passed. (Board Member Crofts was not present for this vote.)

Randall Rucker and Troy Weekley appeared on behalf of the application submission of Richard Prunier (US Roofing & Siding, LLC) for a Roofing Contractor's License. Mr. Van Zandt informed the Board that it had been brought to the attention of Central Inspection and the City of Wichita Law Department that representatives of US Roofing & Siding, LLC, had solicited contracts prior to being granted a license. Additionally, Wess Galyon, CEO of the Wichita Area Builders Association, stated in a written complaint to Central Inspection that US Roofing & Siding, LLC, had advertised that the company was a member of WABA when, in fact, the application for membership had been denied. Mr. Van Zandt explained that in spite of the solicitation for business without the proper licensing, and the false claim that the company was a member of WABA, the current ordinance did not provide grounds to deny Mr. Prunier a Roofing Contractor's License based on those incidents.

Board Member Doeden made a motion to approve the license application as submitted. Board Member Wilhite asked if the Board could make any amendment to the ordinance that would affect the current application. Mr. Van Zandt explained that the Board could approve or deny a license application based on the submission of all required documents, and all required documents had been submitted by the applicant. Board Member Wilhite seconded the motion. The motion was approved. (Board Member Crofts was not present for this vote.)

Bradley Sampson was present on behalf of his request for a Class B Contractor's License. Finding his application packet in order, Board Member Wilhite made a motion to approve the request for Contractor's License. Board Member Willenberg seconded the motion. The motion carried.

Board Member Wilhite made a motion to approve the remainder of the applicants for licenses. Board Member Redford voiced his intention to abstain from voting on the action for Mr. Orin Boyd, Sr.'s license request. Board Member Webb seconded the motion. The motion carried. (Board Member Redford's vote did not pertain to any Board action on Mr. Boyd's license.)

Change of Company Name and Downgrade of License – Roofs Plus, Inc. (Roofing & Siding)

Julie Needham, President of Roofs Plus, Inc., and Qualified Person for the company, requested that she be permitted to change the company name to RP General Contractors, Inc. Although Ms. Needham passed the Class C contractor's test, she requested that the Board grant her a Roofing & Siding Contractor's License. The requested changes were due to a change in ownership of the company. There were no unresolved permits.

Board Member Redford made a motion to approve Ms. Needham's request for a Roofing & Siding Contractor's License. Board Member Willenberg seconded the motion. The motion passed.

Change of Qualified Person – Bear Claw Construction Management, LLC (Class A)

Mr. Samuel Petrie, Owner and Managing Member of the company, requested that he be allowed to become the Qualified Person for his company. Mr. Petrie passed his Class A Contractor's exam in February 2012. There were no unresolved permits.

Board Member Banuelos made a motion to approve Mr. Petrie's request to be the Qualified Person for Bear Claw Construction Management. Board Member Willenberg seconded the motion. The motion carried.

Condemnation Hearings

Review Cases:

1. 523 S. Richmond

Mr. Fred Ludwig was present to represent the property.

A one-story frame dwelling about 31 x 49 feet in size, the structure has been vacant for at least two years. This structure has been damaged by fire. It has fire-damaged and missing vinyl and transite siding; fire-damaged, sagging composition roof; fire-damaged wood trim and framing members; and fire-damaged attached garage.

First before the Board at the May 7, 2012, hearing, the Board approved a motion to allow until the regular August meeting for the owner to complete the exterior repairs while maintaining the property in a clean and secure condition.

The taxes are current, and there are no special assessments against the property. There is a trailer full of construction debris parked in the driveway. There is some tree debris in the rear yard. A roofing permit was issued on August 3, 2012, and roofing and window repair is in progress. The overhead door is open, which allows access to the structure.

Addressing the Board, Mr. Ludwig said the tree debris had been cleared and the yard cleaned up; the windows have been replaced; the damaged overhang has been removed; and the front of the roof has been reroofed. The overhead door has been sealed off with the purpose of adding another bedroom to the structure. Once the siding is finished, the exterior repairs will be complete.

Chairman Coonrod asked if Mr. Ludwig could give the Board an estimated time of completion. Mr. Ludwig replied that he anticipated the siding would be complete within thirty days.

Board Member Wilhite made a motion to grant until the regularly scheduled September meeting for the exterior repairs to be finished, maintaining the site in a clean and secure condition in the interim. If the site is in compliance at that time, there will be no need for Mr. Ludwig to reappear before the Board. Board Member Crofts seconded the motion. The motion was approved.

Update on the merger of the City and County Inspection Departments.

Mr. Stubbs informed the Board that it would be asked to approve the change in construction contractor licensing to a biennial renewal to match the County renewal process. The Board will also be asked to approve the new licensing fee structure once that has been devised, hopefully by the next regularly scheduled Board meeting.

The committees steering the merger are also working on the time line for the appointment of the new consolidated (City/County) Board. That Board will continue to hear condemnations but only properties within the City will be submitted for condemnation action.

The joint resolution to merge the City and County building departments will go before the governing bodies on August 14, 2012. Until the entities can be physically housed in one location, they will continue to work at their current locations even though they are consolidated.

Mr. Stubbs told the Board that it was brought to the attention of Central Inspection that roofing contractors are encountering with difficulties with some customers' homeowners' insurance. One insurance company in particular has told Central Inspection that it wants an inspector to certify that a house is within the City limits of Wichita and subject to the requirements of the International Residential Code before it will release payment to a contractor to do a roofing job. Specific issues in question are the interpretation on deck spacing and removal of edge metal. The major

conflict seems to be the unwillingness of the insurance company to comply with the adopted codes. Mr. Stubbs said the resolution to the problem may be to send an official correspondence from the Building Official or Central Inspection's legal counsel outlining the code requirements.

Some of the smaller jurisdictions surrounding Wichita/Sedgwick County are reviewing the IRC for changes. The City of Wichita has not been involved due to the extensive workload of the impending merger. Mr. Stubbs said he would attend the next meeting of the review committee and notify the committee that the City would not be reviewing the IRC at this time.

Lonnie Wright asked to address the Board regarding the IRC review. He stated that is involved with the IRC review and was under the impression that a representative from Sedgwick County was also representing the City. The committee meets for about two hours, once a month, and discusses the changes from the IRC 2006 to the IRC 2009 and to the IRC 2012 as well as the City amendments. Many of the surrounding jurisdictions, Mr. Wright explained, want to mirror the codes and amendments of the City of Wichita so that there are more uniform code requirements. Mr. Wright told the Board that he felt it was important for a representative from the consolidated department participate in the IRC discussions.

Mr. Stubbs responded that an actual review of the IRC takes an enormous amount of time and preparation, and the City was not able to take part in a review at this time; however, he saw no problem with a monthly discussion, and felt that the City could send a participant. He emphasized that there should be no expectation of an amended document to be presented for the Board's approval.

Board Member Webb expressed his opinion that it would be prudent to have a participant from the City attend the meetings in order to be aware of what transpires during the discussions. It was the consensus of the Board that a representative from the City should be appointed to attend the code review discussions and then periodically report back to the Board.

Chairman Coonrod asked Mr. Stubbs to update the Board on the status of hiring a Director for the merged City/County department. Mr. Stubbs informed the Board that job description had been revised somewhat to encompass the skill sets needed, including administrative and construction code enforcement skills. The position will be advertised again since the position was not filled from the original pool of applicants.

With no other business to conduct, Board Member Crotts made a motion to adjourn the meeting. Board Member Willenberg seconded the motion. The motion passed.

The meeting adjourned at 2:33 p.m.