

BOARD OF BUILDING CODE STANDARDS AND APPEALS MINUTES

January 9, 2017

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

Present: Banuelos, Coonrod, Crotts, Doeden, Harder, Redford, Stubblefield, Wilhite, Willenberg

Staff Members Present: Kyle McLaren, Richard Meier, Deb Legge, Bret Johnston, Elaine Hammons (MABCD); Jeff Van Zandt (City Law Dept.); Justin Waggoner (Sedgwick County Law Dept.);

The regular meeting of the Board of Building Code Standards and Appeals was called to order by Chairman Harder on Monday, January 9, 2017, at 1:00 p.m., at the Ronald Reagan Building, Metropolitan Area Building and Construction Department, 271 W. 3rd, 1st Floor, Room #126, Wichita, Kansas.

Approval of November 7, 2016, Minutes (December 5, 2016 meeting was cancelled).

A motion was made by Vice Chairman Wilhite to approve the November 7, 2016, minutes. Board Member Willenberg seconded the motion. The motion was approved. (9 – 0)

Public Agenda

There was no one present to speak on the Public Agenda.

Chairman Harder requested that the Board and staff present introduce themselves to the public in attendance.

New Business

Condemnations:

New Cases:

There were no new cases for January.

Review Case:

1. 2232 N. Volutsia

Gwen Tuggle, owner, attended the hearing on behalf of this property.

This is a one-story masonry dwelling about 30 x 30 feet in size. Vacant for at least two years, this structure has cracking basement walls; failing masonry exterior walls with large cracks; dilapidated rear porch; water damaged framing members; rotted fascia; and the 20 x 20 accessory structure is deteriorating.

Ms. Tuggle told the Board she was consulting with contractors to determine whether she should repair the structure or have it demolished. Staff suggested that Ms. Tuggle have a structural engineer evaluate the condition of the structure before putting money into repairs.

In agreement with staff recommendation, Board Member Redford made a motion to refer the property to the City Council with a recommendation of condemnation, with ten days to begin demolition and ten days to complete removal of the structure. Board Member Crotts seconded the motion. The motion was approved. (9 – 0)

Request by Richard J. Meier to have his inactive Class B General Contractor's License reinstated without penalty.

Mr. Meier's license was moved to inactive status upon his employment with the City of Wichita Office of Central Inspection (September 1998) to prevent a conflict of interest. By necessity of the various positions held by Mr. Meier during his employment as Combination Inspector, Chief Building Inspector, and Interim Assistant Department Director, he has indepth knowledge of current codes and their applications as well as having maintained continuing education certificaions throughout his tenure. Board Member Coonrod made a motion to approve the reinstatement of Mr. Meier's Class B General Contractor's License without penalty or retesting. Vice Chairman Wilhite seconded the motion. The motion carried. (9 – 0)

Hearing to consider possible probation, suspension, or revocation of the Class B General Contractor's License for R & R Construction, LLC, within the jurisdiction of the MABCD as set forth within Article 2.1.190 of the Wichita-Sedgwick County Unified Building and Trade Code ("Unified Code").

Assistant County Counselor, Justin Waggoner, presented the complaint as brought forth by Interim Department Director of MABCD, Kyle McLaren. Joe Stuart, the Qualified Person for R & R Construction, LLC, was given an opportunity to speak to the Board and explain his association with Chris A. Sampson dba Sampson Construction, previously brought before the Board for alleged violations involving the construction contract with the owners of 1200 S. Keith, Wichita, Kansas.

The Board moved to Excecutive Session to consult with its legal counsel at 1:33 p.m. The meeting reconvened at 1:43 p.m.

Board Member Doeden made a motion to place the Class B General Contractor's License for R & R Construction, LLC, and Joe Stuart as the Qualified Person of R & R Construction, LLC, on probation for one year, and during that time Mr. Stuart is not allowed to authorize any person to obtain permits on the license other than himself. Board Member Coonrod seconded the motion. The motion carried. (9 – 0)

Request by Paul Huffman to be the Qualified Person on a second Class A license, Harmon Huffman Construction Group, while retaining the Class A license currently under the company name of Walz Harman Huffman (License No. BUS-00044).

This item was withdrawn from the agenda by Mr. Paul Huffman prior to the meeting.

Old Business

Request by William Pittman dba All American Construction & Renovation to renew his Class B General Contractor's License without penalty. The license expired December 31, 2014.

This item was previously before the Board at the July 2016 hearing. Mr. Pittman asked that his request be reconsidered, and asked to address the Board regarding his lapsed contractor's license. Mr. Pittman explained that he was often out of town and that he didn't receive notification of the expiration date, preventing him from renewing within the renewal cycle.

Chairman Harder made a motion that the reinstatement of Mr. Pittman's license without penalty be denied and that Mr. Pittman be allowed to either pay the penalty to reinstate his license or take the appropriate ICC test and obtain a new license. Board Member Doeden seconded the motion. The motion was approved. (9 – 0)

Adjournment

With no other business to conduct, Vice Chairman Wilhite made a motion to adjourn. Board Member Willenberg seconded the motion. The motion carried. (9 – 0)

The meeting adjourned at 2:00 p.m.