

**MINUTES OF MEETING OF
BOARD OF ELECTRICAL APPEALS**

July 12, 2011 - 3:00 p.m.

**OFFICE OF CENTRAL INSPECTION
CITY HALL, 455 NORTH MAIN
OCI CONFERENCE ROOM, 7th FLOOR**

Chairman Harold Ragland called the meeting to order at 3:05 pm, with Board members Dave Urban, Tim Lenz, Brad Bishop and Secretary Tom Kerschen present. Also present was electrical inspector Chris Nordick and Assistant City attorney Jeff Vanzandt. Board members Mike Kilian, Scott Alder & Shane Chapman were absent.

The minutes of the June 14, 2011 meeting were read. Board member Urban made a motion the minutes be approved as written, it was seconded by Board member Lenz and approved.

The recent examination results from Prometric for electrical examinations administered by their office for City of Wichita approved applicants were presented to the Board. The results were as follows:

APPLICANT NAME	APPLICANT NUMBER	EXAMINATION CLASSIFICATION	EXAMINATION RESULT
Mark Miller	7127	Journeyman	Failed
Randy Cavanaugh	3026	Residential Wireman	Failed
Frank Loubey Jr	8447	Residential Wireman	Failed
Russel Humbird	4825	Elevator Mechanic	Passed
Michael Hauber	4225	Elevator Mechanic	Failed

Three (3) Master Electrician, six (6) Journeyman Electrician, one (1) Residential Wireman and one (1) Elevator Mechanic applications were reviewed for approval to be administered the appropriate examination for certification. The results were as follows:

NAME	NUMBER	CLASSIFICATION	ACTION
Brian Davis	6169	Master	Approved
Brian Keithly	5810	Master	Approved
Larry Harrison	5663	Master	Approved
Timothy Rose	9919	Journeyman	Approved
Andre Michaud	9039	Journeyman	Approved
Joshua Mantooth	5381	Journeyman	Approved
Kirk Lewis Jr	8630	Journeyman	Approved
Ryan McLaughlin	5848	Journeyman	Approved
Derek Whitehouse	5135	Journeyman	Approved
Randy Cavanaugh	3026	Residential Wireman	Approved
William Colburn	4713	Elevator mechanic	Approved

Under part A of the new business section of the agenda, the Board welcomed Mary Knoll and Craig Mershon with the Clarion Inn & Suites and Pat Tice with Shoshone Electric. Secretary Kerschen presented a brief description of the circumstances and the decision made by the Central Inspection. Secretary Kerschen explained that their department found several PTAC units that had the factory cord cap removed and with directly connected into the building wiring. Central Inspection is requiring that those units have the modified cord removed and a factory U.L. approved hard-wire kit installed and if one could not be located then the customer would need to contact a testing agency and have them approve a field installed hard-wire application. Secretary Kerschen then turned it over to Mr. Mershon to what Clarion proposes.

Mr. Mershon handed each Board member a document explaining the requested, the history of that building and a detail reason for the request including pictures of what is existing and how they propose to correct the problem. He explained that as further investigation by was made by himself and Ms. Knoll, that all of the 198 PTAC units in the hotel have had the factory cord removed and SO cord was used to hard-wire the units. Mr. Mershon went on to explain the current owners of the Clarion have only owned the hotel since May of 2007 and that maintenance had found the existing PTACs to be wired with SO cord so they have keep that practice with any units they have had to replace.

Mr. Mershon said that of the 198 – 200 units approximately 70% are Carrier brand units and he has tried to get the hard-wire kits but there are not any available for purchase in the Country. The other remaining 30% are GE and Amana brand units and they can get the hard-wire kits but the kits only come with wiring 3 ½ feet long. The outlet boxes for the PTACs are approximately 5 to 6 feet from the electrical connection panel on each of the units. Mr. Mershon then asked Mr. Tice to explain to the Board the procedure and method he proposes for the connections of the units.

Mr. Tice explained he proposes to use ½ inch flexible metal conduit and stranded copper wire to run from the existing junction box to the connection box on the unit. There is room to run the flexible metal conduit below the unit and secure to the wall so it would not be subject to physical damage. He said all the connection points in the units are made with ¼ inch spade connectors and they are to use insulated wire connectors in the junction boxes. He referred to the pictures in the document handled out earlier, as he made his explanation.

It was asked how Central Inspection found this problem and Chris Nordick explained he was contacted by the Fire Department as there had been a small fire in one of the rooms at the Clarion and the Fire Department noticed some open splice in the wiring as well as some other issues that they felt needed to be addressed by Central Inspection. Mr. Nordick said all the other issues have been corrected by the Clarion.

Chairman Ragland thanked Mr. Mershon, Ms. Knoll and Mr. Tice for coming. He explained that the Board would continue to discuss this issue later in the meeting and Secretary Kerschen would contact them with the decision of the Board as long as the Board can reach a decision at this meeting. If it is a tie vote the issue would have to be presented to the Board again next month. Mr. Mershon and Ms. Knoll thanked the Board for their time and left the meeting.

The Board continued this discussing in depth giving consideration to safety and raising concerns about the continued monitoring to verify the future units were still connected by the procedure set forth. There was also concerns about the factory warranty of the new units and the appearance of City responsibility. It was discussed that the minimum requirements of the National Electrical Code, Article 110.3(B) states that listed or labeled equipment shall be installed and used in accordance with the listing or labeling. This Article was the basis of the decision by Central Inspection to require factory hard-wire kits or to require the equipment to obtain a new listing after a field designed hard-wire assembly was

connected. It was discussed that the option that Clarion presented was one of the safest methods of connecting the PTAC units to the building wiring but should the Clarion be required to hire a testing agency to approve the hard-wire assembly each time a unit was replaced.

Board member Bishop made a motion that the Clarion Inn & Suites located at 5805 W Kellogg Dr. be granted their appeal and variance of Article 110.3(B) of the National Electrical Code adopted by the City with the following conditions and requirements:

1. By installing a field designed hard-wire, the warranty of the PTAC unit may be voided and the City does not warranty or make any claims that the warranty should remain intact.
2. The assembly and installation of the wiring from the wall to the unit shall be performed by an Electrical Contractor licensed by the City of Wichita Office of Central Inspection.
3. A permit and inspection, per requirements of Central Inspection, is required to assemble and install the hard-wire assembly and each time a PTAC unit is moved or replaced.
4. The Board reserves the right to revoke this variance should the minimum requirements of the electrical code of the City ordinance change.

Board member Urban seconded the motion and it was unanimously approved.

Part A under the Unfinished Business section of the agenda the Board then continued with the review of the major changes in the 2011 National Electrical Code (NEC). The Board discussed in greater detail the following articles with recommendations:

Article 110.24 - amend out in the ordinance

Article 210.12 - leave as amended in Title 19 currently

Article 230.24(A) exception No. 5 - amend out in the ordinance

Article 300.4(H) - amend out in the ordinance

Article 300.11(A)(2) - leave as amended in Title 19 currently

Article 406.4(D)(4) - leave as written in the NEC

Article 410.64 - amend out in the ordinance

Article 430.22(G)(1) and 430.22(G)(2) - amend out in the ordinance

Article 514.11 - amend out in the ordinance

Article 517.160(A)(5) - add the new NEC color code requirements to Title 19

Article 590.4(D) - amend out in the ordinance.

The Board will continue the review of Articles, 680.2, 680.26, and amendments in Title 19 at the next meeting.

With no new business on the agenda and no other business to conduct, Board member Lenz made a motion to adjourn. Board member Bishop seconded the motion and the meeting adjourned.

The time was 4:53 pm.

Tom Kerschen, Secretary,
Board of Electrical Appeals