

BOARD OF CODE STANDARDS AND APPEALS MINUTES

October 4, 2010

Members: Francisco Banuelos, Randy Coonrod, Daryl Crotts, Randy Harder, Richard Hartwell, Bernie Hentzen, Ed Murabito, Warren Willenberg, John Youle

Present: Coonrod, Crotts, Hartwell, Hentzen, Murabito, Willenberg, Youle

Staff Members Present: Kurt Schroeder, Deb Legge, Penny Bohannon, Maria Bias, 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 Hentzen on Monday, October 4, 2010, at 1:34 p.m. in the 1st floor Board Room, City Hall, 455 N. Main, Wichita, Kansas.

Approval of the September 13, 2010, minutes.

Board Member Hartwell made a motion to approve the September 13, 2010, minutes. Board Member Crotts seconded the motion. The motion was approved.

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

Approval of the October 2010 license applications as follows:

Mr. Schroeder briefly explained that Central Inspection had received a number of out-of-town applicants for contractor licensing since the hailstorm in mid-September. Most of the applications were for licensing for roofing contractors.

<u>Name</u>	<u>Class</u>	<u>Date</u>
Roger S. Lipton II	Class B	October 2010
Josh Coslett	Roofing/Siding	October 2010
Bryan J. Walter	Roofing/Siding	October 2010
David L. Macy	Roofing/Siding	October 2010
Gerald L. Brin	Siding	October 2010
Wade C. Schniepp	Swimming Pool	October 2010
Gregory S. Herdt	Swimming Pool	October 2010
John T. Lang III	Roofing	October 2010
Lance Hutchinson	Roofing	October 2010
M. Scott Mills	Roofing	October 2010
Robert Edwards	Roofing	October 2010
Terry Rose	Roofing/Siding	October 2010
Bryan T. Barnett	Class A	October 2010
Ronald D. Crow	Roofing	October 2010
Aldon Bookhardt	Roofing	October 2010
Robert J. Clark	Roofing	October 2010
Cody Hoggard	Roofing	October 2010
Steve Martin	Roofing	October 2010
Damon Kirtland	Roofing	October 2010
Mike Pyles	Roofing	October 2010
Marc Poulin	Roofing	October 2010
Charles B. Froome	Roofing	October 2010

Dana Henjum	Roofing	October 2010
Brian White	Roofing	October 2010
John P. Rooker	Roofing	October 2010
William Pittman	Roofing	October 2010
Wes Young	Roofing	October 2010
Cody Miller	Roofing	October 2010
Charles N. Yood	Roofing	October 2010
Derek Lindsey	Roofing	October 2010
MacKenzie Barrett	Roofing	October 2010
Jennifer McCorkle	Roofing	October 2010
Clifford Satterwhite	Roofing & Siding	October 2010
David Phillips	Roofing & Siding	October 2010
Robert Covey	Roofing & Siding	October 2010
Jeff Cordray	Roofing & Siding	October 2010
Tim Scheel	Roofing & Siding	October 2010
Patrick M. Johnson	Roofing & Siding	October 2010
Jerry Rohane	Class A	October 2010
Chad Freeman	Class B	October 2010
Christopher E. Nichols	Class B	October 2010
John Belt	Class B	October 2010
Maro Croff IV	Class B	October 2010
Rodney Lagaly	Class C	October 2010
Michael D. Vance	Swimming Pool	October 2010
Jeff Steed	Swimming Pool	October 2010

Mr. Roger S. Lipton II was present to speak on the matter of his request for a Class B Contractor's License to be granted to him as Eagle Exteriors, LLC. Mr. Lipton provided the necessary documentation as required by Title 18. He explained to the Board that the permits originally issued to Whitetail Construction would be handled by Eagle Exteriors, LLC. The customer list and phone numbers were purchased from Whitetail Construction by Eagle Exteriors, LLC, and Eagle Exteriors, LLC, will honor the warranties from Whitetail Construction.

Board Member Coonrod asked Mr. Schroeder to review the criteria for sitting for a contractor license examination. Mr. Schroeder explained that, in order to obtain a contractor's license in the City of Wichita, an applicant had to pass any of the ICC Building Contractor exams, which by State law, is reciprocal. Another national exam accepted by the City of Wichita is the Prometric, formerly known as the Block exam. The City of Wichita still provides local exams as well. Additional requirements to obtain a contractor's license within the City of Wichita include a financial statement, proof of the ability to bind the company in contracts, to be in good standing, and to provide the necessary insurance documents.

Mr. Van Zandt clarified that Mr. Lipton was actually applying as the qualified agent for the company, pursuant to 18.12.120 of the Code of the City of Wichita. Expounding on Mr. Schroeder's earlier explanation, Mr. Van Zandt said that the person applying for the license as a sole proprietor, or as a member of a legal entity (corporation, LLC, etc.), must have the authority to legally bind the company.

Board Member Coonrod made a motion to approve the request for license by Mr. Lipton pending proof of his ability to legally bind the company. Board Member Murabito seconded the motion. The motion carried.

Robert Edwards, owner and qualified person for Fat Frog Roofing, appeared on his own behalf regarding his request to obtain a Roofing Contractor's License with the City of Wichita. Board Member Hartwell inquired where Mr. Edwards had been performing roofing jobs. Mr. Edwards replied that he has performed roofing jobs in Indiana, Ohio, Texas, Oklahoma, and Nebraska. The corporate office is located in Indianapolis.

Board Member Coonrod made a motion to approve Mr. Edwards' request for a Roofing Contractor's License. Board Member Hartwell seconded the motion. The motion passed.

Request for One Time Class B Contractor's License:

Brian McGlone dba Mobilease Modular Space, Inc., requested a One Time Class B Contractor's License for the construction of a modular building.

Board Member Coonrod made a motion to approve the request by Mr. McGlone for a One Time Class B Contractor's License. Board Member Hartwell seconded the motion. The motion carried.

Change in Company Name:

Long Van Vo dba Long's Roofing (roofing only) requested a change in company name to LT Roofing.

Board Member Coonrod made a motion to approve Mr. Vo's request pending the outcome of a lien check by Central Inspection staff. Board Member Willenberg seconded the motion. The motion was approved.

Change in Qualified Person:

Chad Rasmussen requested approval by the Board to become the qualified person for Phoenix Contracting, Inc., a Class B Contractor. John Hackett, the former qualified person for Phoenix Contracting, Inc., left the company approximately a month prior. Mr. Rasmussen currently holds a Class B Contractor's License as Chadwick Rasmussen; the license is in "Inactive" status.

Board Member Hartwell asked Mr. Rasmussen why his current license was inactive. Mr. Rasmussen stated that he was originally the qualified person for Phoenix Contracting, Inc., but when John Hackett hired on, he became the qualified person for the company, replacing Mr. Rasmussen in that capacity. Mr. Hackett recently left the company, creating the need for Mr. Rasmussen to resume the role of qualified person.

Board Member Coonrod inquired whether Mr. Rasmussen had the authority to legally bind the company in contracts. Mr. Rasmussen responded that he did have the necessary authority.

Board Member Coonrod made a motion to approve Mr. Rasmussen's request to be permitted to become the qualified person for Phoenix Contracting, Inc., once the proper documentation of Mr. Rasmussen's authority to sign legal contracts on behalf of the company is provided. Board Member Youle seconded the motion. The motion passed.

Request to Renew License without Retesting:

David Brandon, formerly dba Cedar Roofing (Roofing/Siding), requested that he be permitted to renew his license without retesting. Mr. Brandon's Roofing/Siding Contractor's License expired on December 31, 2009.

Board Member Hartwell asked Mr. Brandon why he had let his license expire. Mr. Brandon explained that he was out of town and did not pay the license fee for 2010 because he believed his payment in 2009 was to cover 2009 and also an advance payment for 2010. He learned later that the additional fee he paid in 2009 was a late penalty for renewing his 2009 license.

Board Member Hartwell made a motion to waive the test requirement for reinstating Mr. Brandon's license, and to require that penalty fees be collected in addition to the regular license fee. Board Member Coonrod seconded the motion. The motion carried.

Change in Qualified Person:

David Dick requested that he be permitted to become the qualified person for John Beal Roofing. Mr. Beal said that his former qualified person left the company. As soon as Mr. Beal learned that the contractor's license was not valid without a qualified person, he had two other employees take the necessary examination; both employees received

passing scores. Chairman Hentzen asked if Mr. Beal authorized Mr. Dick to legally bind the company. Mr. Beal confirmed that Mr. Dick had the necessary authority to legally bind the company.

Board Member Coonrod made a motion to approve the request to allow Mr. Dick to become the new qualified person upon the submission of all necessary documents. Board Hartwell seconded the motion. The motion was approved.

Request for Second License:

Mr. Craig Stuart dba Craig Stuart Homes, Class C Contractor, requested that he be permitted to have a second license for roofing only. The second business, Home & Building Solutions, LLC, would be a partnership with Shad Kroeker, who also has a separate Class C Contractor's License.

Board Member Youle made a motion that the request for second license be approved upon receipt of all necessary documentation for insurance and proof of responsible parties. Board Member Coonrod seconded the motion. The motion passed.

Request for Second License:

Mr. Ted Farha, qualified person for Farha Construction, Class B Contractor, requested a second license for a separate roofing company to be called "Farha Roofing." Mr. Farha explained that Farha Construction currently contracts roofing jobs under Farha Construction dba Farha Roofing. All contracts and insurance are in the name of the parent company, Farha Construction.

Mr. Van Zandt determined that a second license for the roofing company was unnecessary since a Class B Contractor can do roofing.

Board Member Coonrod made a motion to approve Mr. Farha's request to have his roofing company, Farha Roofing, under the auspices of Farha Construction without an additional license. Board Member Hartwell seconded the motion. The motion carried.

Change in Organization:

Mr. Bryan Oxley requested that his company name, Oxley Construction, be changed to Oxcon, LLC.

Board Member Coonrod made a motion to deny the name change until all required documentation is submitted and presented to the Board. Board Member Crotts seconded the motion. The motion carried.

Change in Company Name:

Mr. Andrew Hecox requested permission to change his company name, Air Capital Remodeling to Air Capital Roofing & Remodeling.

Board Member Youle made a motion to approve the name change once Central Inspection has received all necessary documentation with the required signatures. Board Member Hartwell seconded the motion. The motion was approved.

Change in Company Name:

Mr. Luis Morales requested that his company name, H & A, LLC, be changed to Hamilton Roofing. Mr. Van Zandt informed the Board that Hamilton Roofing would be a subsidiary of H & A, LLC. All paperwork would be under the umbrella of H & A, LLC, dba Hamilton Roofing.

Board Member Coonrod made a motion to approve H & A, LLC, dba Hamilton Roofing without changing the name of the main entity (H & A, LLC). Board Member Youle seconded the motion. The motion was approved.

Change in Company Name:

Mr. Travis Davis, the qualified person for Catastrophe Restoration Specialists, Class A Contractor, requested the Board approve a new license. Catastrophe Restoration Specialists has decided not to renew its contractor's license; Mr. Davis requested a new license issued in his own name.

Board Member Hartwell made a motion to permit Mr. Davis to have a license issued in his own name, Travis Davis. Board Member Crofts seconded the motion. The motion passed.

Request to Approve Application for License:

Mr. Andrew J. Schaeffer, qualified person for ProExteriors, requested that the Board approve his application for obtaining a Roofing Contractor's License. Mr. Schaeffer submitted all necessary documents prior to the meeting, except proof of passing the ICC Roofing Contractor's Exam. Mr. Schaeffer was able to provide verification of his passing score to the Board.

Board Member Coonrod made a motion to approve Mr. Schaeffer's request for a Roofing Contractor's License. Board Member Willenberg seconded the motion. The motion carried.

Request to Approve Application for License:

Mr. Kevin Owen requested approval for a Class B Contractor's License. Mr. Van Zandt verified that Mr. Owen's documentation met the requirements for issuing a Class B Contractor's License.

Board Member Coonrod made a motion to approve Mr. Owen's request for a Class B Contractor's License. Board Member Willenberg seconded the motion. The motion was approved.

Board Member Coonrod made a motion to approve the remainder of the license applications on the condition that each applicant had submitted the required documentation to Central Inspection. Board Member Murabito seconded the motion. Board Member Coonrod asked if there were any of the remaining applicants whose application(s) needed to be reviewed separately. Mr. Schroeder suggested that the application for Terry Rose be reviewed because of questions about the LLC and the content of his documentation.

Board Member Coonrod amended his motion to approve the remainder of the license applications, excluding Terry Rose, providing that all required documentation has been submitted to Central Inspection. Board Member Murabito seconded the amended motion. The motion carried.

Because of the length of the meeting, it was decided that the discussion regarding the presentation of materials for condemnation cases to the Board be deferred until the November 1, 2010, regular monthly meeting.

With no other business to conduct, Board Member Coonrod made a motion to adjourn the meeting. Board Member Willenberg seconded the motion. The motion passed. (Board Members Murabito and Hartwell were not present for this vote.)

The meeting adjourned at 3:08 p.m.