

## AGENDA REPORT

TO: Mayor & City Commissioners  
FROM: Ken Hibl, City Manager  
DATE: June 16, 2010  
RE: \*Board & Committee Appointment (Construction Board of Appeals – Messrs. Bob Meister, Gary Seiter, & Brad Martin Steve Stark)

For the Agenda of June 21, 2010

**\*Note: This is a Consent Agenda item and is considered as routine business of the City Commission. As such, this matter shall be automatically enacted by one motion with all other Consent Agenda items unless a Commissioner or citizen requests this item be individually discussed, in which event it shall be removed from the Consent Agenda and considered and acted upon in its designated sequence on the approved agenda of the Clare City Commission for June 21, 2010.**

---

***Background.*** Section 10-32 (*copy att'd*) of the Ordinance Codes of the City of Clare outlines the requirements for the appointment and qualifications of a Construction Board of Appeals. The duties and responsibilities of the board are outlined in Sub-sections d. and e. of the referenced Section 10-32.

The City does not currently have an appointed Construction Board of Appeals. We could find no record of appointments to the Board during the past fifteen years. And as the City has not received an appeal that required the convening of a board of appeals for construction matters during the aforementioned time period, it simply did not come to our attention that the board had no appointed members. Our recent application to the state of Michigan to administer building permits for all primary building trades (building, electrical, plumbing, and electrical) and the certification of Dave Williams, our Building Inspector, as a state-certified Building Official with authority to issue permits for all the four primary building trades, has mandated the appointment of individuals to this board – the state will not approve our application without an appointed Board of Appeals.

State law stipulates that the appointments to the Construction Board of Appeals are made by municipal mayor with the majority approval of the city commission. Mayor Humphrey has appointed Bob Meister, a licensed master builder; Gary Seiter, a licensed master electrician; and Bard Martin, a licensed mechanical contractor; to this three-member board. The City Commission is asked to approve the appointments.

***Issues & Questions Specified.*** Should the City Commission approve the Mayor's appointments?

***Alternatives.***

1. Approve the appointments.
2. Disapprove the Mayor's appointments.

3. Defer/delay decision of this matter to a subsequently scheduled City Commission meeting.

**Financial Impact.** I propose compensating the respective board members \$40 per meeting occurrence (appeal filed). Our proposed building inspection fee & rate schedule includes an construction appeal fee of \$150; this proposed appeal fee covers our costs of the board members and sufficient allowance (\$30) to cover the City's administrative costs for the appeal hearing.

**Recommendation.** I recommend that the City Commission approve the Mayor's appointments by adoption of Resolution 2010-0068 (*copy att'd*).

**Attachments.**

1. Section 10-32, City Ordinance Code.
2. Resolution 2010-068.