

Date July 28, 2014

RECOMMENDATION FROM COUNCILMEMBER GATTO
FOR APPOINTMENT OF DONALD STOCKTON TO THE
BUILDING AND FIRE CODE BOARD OF APPEALS

WHEREAS, Seat 7 on the Building and Fire Code Board of Appeals has remained vacant since July 27, 2009, and is required to be held by a person who holds an active master electrician license issued by the State of Iowa and in responsible charge of the electrical installation operation of a licensed electrical contracting firm; and,

WHEREAS, all attempts to find someone willing to serve on the Building and Fire Code Board of Appeals who resides in the City of Des Moines and has the experience and training to qualify for appointment to the vacant seat have been unsuccessful; and,

WHEREAS Section 2-1049(d) of the Municipal Code establishes the residency requirement for City boards and commissions, and provides that the City Council may waive the residency requirement if the Council determines that no qualified city resident is available for appointment to a particular seat; and,

WHEREAS, Donald Stockton, who resides at 7601 NW 99th Court, in the City of Johnston, Iowa, holds an active master electrician license issued by the State of Iowa; has extensive experience being in charge of electrical installation operation at Baker Electric, Inc.; is uniquely qualified to fill the vacant Seat 7 on the Building and Fire Code Board of Appeals; and desires to serve the citizens of Des Moines in this capacity; and,

WHEREAS, Donald Stockton would be the third officer or employee of Baker Electric, Inc., to serve on the Building and Fire Code Board of Appeals, joining Chad Layland who serves in Seat 3 as a professional electrical engineer, and Gary Edgington, who serves in Seat 8 as one of two master electricians; and,

WHEREAS, Mr. Stockton and is recommended by Council Member Joe Gatto for appointment to Seat 7 on the Building and Fire Code Board of Appeals.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. The City Council hereby finds that no qualified city resident is available for appointment to Seat 7 on the Building and Fire Code Board of Appeals, which is required to be held by an active master electrician licensed by the State of Iowa and in responsible charge of the electrical installation operation of a licensed electrical contracting firm.

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2. Pursuant to Section 2-1049(d) of the City Code, the City Council hereby waives the residency requirement to allow the appointment of a nonresident to Seat 7 on the Building and Fire Code Board of Appeals.
3. Pursuant to Section 2-1054(f), the City Council hereby waives the requirement that no two members of the Building and Fire Code Board of Appeals be employees or officers of the same company, to allow the appointment of a third employee or officer of the same company to Seat 7 on the Board.
4. The City Council hereby approves the appointment of Donald Stockton to Seat 7 on the Building and Fire Code Board of Appeals for the three-year term that commenced April 1, 2012, and expires on April 1, 2015.

MOVED by Mahaffey to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown
Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin
Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Diane Rauh
City Clerk