

Date March 9, 2015

RECOMMENDATION FROM COUNCILMEMBER HENSLEY
FOR REAPPOINTMENT OF MARTIE MENDENHALL TO THE
BUILDING AND FIRE CODE BOARD OF APPEALS

WHEREAS, Martie Mendenhall has previously served multiple consecutive terms on the Building and Fire Code Board of Appeals in Seat 6, which is required to be held by a general contractor experienced in residential construction; and,

WHEREAS, Martie Mendenhall recently automatically ceased to be a member of the Building and Fire Code Board of Appeals because he is no longer a resident of the City of Des Moines; 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 6 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, by Ordinance No. 15,349 passed February 23, 2015, the City Council amended Section 26-121 of the City Code to provide that the City Council may waive the term limits imposed by Section 2-1059 of the City Code and reappoint an individual to a third or subsequent term on the Building and Fire Code Board of Appeals if it is determined that no other qualified person is available for appointment to a particular position on that Board; and,

WHEREAS, Mr. Mendenhall, who resides at the following address:

Martie Mendenhall
7660 SE 9th Avenue
Pleasant Hill, IA 50327-8047

is uniquely qualified to fill the vacant Seat 6 on the Building and Fire Code Board of Appeals, and desires to continue serving the citizens of Des Moines in this capacity; and,

WHEREAS, Mr. Mendenhall is recommended by Council Member Christine Hensley for reappointment to Seat 6 on the Board for the remainder of the term expiring April 1, 2015, and for the subsequent three year term commencing on April 1, 2015, and expiring on April 1, 2018.

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

(continued)

★ Roll Call Number

15-0379

Agenda Item Number

21

Date March 9, 2015

1. The City Council hereby finds that no qualified city resident is available for appointment to Seat 6 on the Building and Fire Code Board of Appeals, which is required to be held by a general contractor experienced in residential construction.
2. The City Council hereby waives the residence and term limit requirements, and approves the reappointment of Charles Mendenhall to Seat 6 on the Building and Fire Code Board of Appeals for the remainder of the term expiring April 1, 2015, and for the subsequent three year term commencing on April 1, 2015, and expiring on April 1, 2018.

MOVED by Gatto 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			

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.

MOTION CARRIED APPROVED
T. M. Franklin Mayor

Diane Rauh City Clerk