

**MINUTES
BOARD OF DEVELOPMENT APPEALS AND REVIEW**

June 10, 2008

Attendance: Bob Brandt, Rich Huffman, John Herr, John Brewer, Gary Renner, Mike Albertson, Gary Renner, and Lloyd LaCroix. Absent: None.

City staff present was as follows: Assistant City Attorney Mike Schad, Building Official Brad Solon, Code Enforcement Officer Patricia Pummel, Police Officer J. L. Hanson, Police Officer Karl Jegeris, and Administrative Assistant Maggie Paul. Also present were Pennington County employee Mike Kuhl and Steve Paradis.

Chairman Bob Brandt called the meeting to order.

APPROVE MINUTES OF PREVIOUS MEETING

Brewer moved to approve the minutes of the May 27, 2008, meeting. Second by DeMersseman. Motion carried.

SET MEETING AGENDA

Brewer moved to approve the agenda. Second by Herr. Motion carried.

ACTING AS THE INTERNATIONAL PROPERTY MAINTENANCE CODE BOARD OF APPEALS:

HEAR APPEAL FROM STEVE PARADIS REGARDING VIOLATIONS OF THE 2003 INTERNATIONAL PROPERTY MAINTENANCE CODE AT THE COLONIAL MOTEL, 511 EAST NORTH STREET.

Solon told the Board that the State Department of Health and the City of Rapid City have a Joint Powers Agreement. The State was conducting its bi-annual inspection at the Colonial Motel, and the City did a substandard inspection at the same time. He said there are hundreds of corrections that need to be made, including electrical, plumbing, mechanical, and structural. Some of these items are more serious than others. A series of pictures that were taken on May 16, 2008, were shown to the Board. The pictures depicted some serious structural problems, as well as electrical problems and plumbing problems. There are light fixtures that are not properly installed, smoke detectors that do not work, screens that are missing or ripped, broken brick, mold and cracked plaster, rotted floor joists, water damage, plumbing fixtures that do not work, etc. Mr. Paradis, the owner of the Colonial Motel, said that as of July 1st, he won't be carrying a state license anymore. His tenants will be long-term renters, and they will not be supplying maid service anymore. He said he cannot dictate to his tenants how they live. He said he is addressing the issues raised by the City. He is meeting with an

engineer today on the foundation work. He also has an electrician and plumber coming in. He said a lot of work has been done at the motel. He said he has an exterminator come in once a month. Solon pointed out that there are four apartments in the basement that have no egress to them. The City is of the opinion that the substandard conditions need to be fixed or the motel needs to be vacated. The City gave Mr. Paradis 30 days to get a permit and 60 days to get the work done. That deadline is July 23rd. The life safety issues need to be addressed immediately. Herr said he is concerned about the ventilation. He said if this motel is converted to apartments, then the apartments will need to have fire walls. Solon said the problem with converting them to apartments is that the property is zoned General Commercial. Apartments are not a permitted use in that district. The property would have to be rezoned to allow that use. Albertson said it is up to Mr. Paradis as to how he solves these problems, but these corrections need to be made. Brewer said for the record, he will recuse himself from voting. He said he looked at this property as a potential buyer some years ago. He does believe the life safety issues should be addressed with regard to occupancy; and he said if he were voting, he would vote to not allow occupancy without these corrections. Albertson moved to follow the recommendations of the Building Inspection Department. If the corrections are not made by the 23rd of July, then the Building Inspection Department should red tag the premises and not allow occupancy. Second by Herr. Motion carried with Brewer abstaining.

ACTING AS THE BUILDING CODE BOARD OF APPEALS:

HEAR APPEAL FROM PENNINGTON COUNTY, SOUTH DAKOTA, REGARDING VIOLATIONS OF THE 2003 INTERNATIONAL BUILDING CODE AT THE PENNINGTON COUNTY JAIL.

Albertson said he would be recusing himself from voting on this matter because he was the structural engineer on the design team for the jail. Solon said the County has a building permit to renovate the second and third floor of the Pennington County jail. When the original work was done, a couple of the doors were installed to swing in the wrong direction. Because the floors were vacant, the City did not make the County fix them. Now that the County is renovating these areas, the City says the doors need to swing in the direction of the egress travel. Mike Kuhl with the county said these doors will be locked and are not equipped with panic devices. The only way these doors can be opened is with a key. Even if the doors swing in the direction of travel, they will not open if inmates are pushing against them. Solon pointed out that an alternative would be to install sliding doors. Mr. Kuhl said there is a huge maintenance problem with them. The reason the jail commander and the sheriff don't want the doors to swing into the recreation yard is because they will lose control of the door then. He stated that the building is completely sprinkled. Huffman moved to grant the appeal. Second by DeMersseman. Motion carried with Albertson abstaining.

The meeting adjourned at 9:05 a.m.