

**SHELBYVILLE BUILDING COMMISSION
SHELBYVILLE CITY HALL
COMMON COUNCIL CHAMBERS**

DATE: December 13, 2017

TIME: 11:30 a.m.

CALL TO ORDER:

ROLL CALL:

READING OF THE MINUTES AND APPROVAL:

OLD BUSINESS:

NEW BUSINESS:

1. Drake Electric journeyman license appeal

MISCELLANEOUS BUSINESS:

ADJOURNMENT:

**SHELBYVILLE BUILDING COMMISSION
MEETING MINUTES
December 13, 2017**

Members Present: Tony Nicholson, Gary Keppel, Joe Runnebohm, Danny Sebastian, David Rush, Jim Marshall

Members Absent: Matt Wortman

Staff Present: Bryant Niehoff, Troy Merrick, Chris Hext, Rod Miller, Lisa Loveless

Guests Present: Brent Drake, Trent Meltzer, Ray Basile

Approval of Minutes: Jim Marshall made a motion to accept the minutes of the November 8, 2017 Building Commission meeting and David Rush seconded the motion. Voice vote passed 5 – 0.

Old Business: None

New Business: *Drake Electric journeyman license appeal* – Bryant Niehoff explained that when Drake Electric submitted their applications for license renewals for 2018, Lisa discovered that neither Tyler Drake (apprentice) nor James Jolliff (journeyman) had renewed for 2017. She took the applications to Bryant for direction and Bryant talked to Brent Drake (contractor). Bryant explained that per the City of Shelbyville Code of Ordinances §155.38, since Mr. Jolliff's license wasn't renewed for 2017, he'd have to adhere to the requirement of either taking the Prometric journeyman exam or providing proof that he's done so in the past. Mr. Drake felt like this should be waived in their case.

Brent Drake and Ray Basile, Mr. Drake's attorney, presented their position to the board, stating that it was an oversight and asked the board to reinstate Mr. Jolliff's journeyman license.

After much discussion, Tony Nicholson made a motion to have Mr. Jolliff pay the \$75.00 renewal fee for 2017 as well as 2018, Drake Electric pay Tyler Drake's 2017 \$50.00 electrical apprentice registration fee and a \$50.00 fine. Additionally, Mr. Jolliff has until the May, 2018 Building Commission meeting to take and pass the Prometric journeyman exam in order to retain his journeyman license. Danny Sebastian seconded the motion. Voice vote passed 5 – 0.

Miscellaneous Business: Bryant announced that today was Danny Sebastian's last Building Commission meeting due to his transfer to the Madison office of Duke Energy. He presented a certificate of appreciation and thanked Danny for his service.

Adjournment: Jim Marshall motioned to adjourn the meeting and Danny Sebastian seconded the motion.

Meeting adjourned.

Gary Keppel, Chairman

Lisa Loveless, Secretary

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December 7, 2017

VIA ELECTRONIC MAIL

Bryant P. Niehoff
Planning and Building Director
44 W. Washington Street
Shelbyville, Indiana 46176

Re: Drake Electric and Denial of Electrical Contractor License

Bryant:

As we have discussed by telephone, I am formally requesting inclusion on the agenda for the Shelbyville Building Commission ("SBC") meeting scheduled for Wednesday, December 13, 2017 at 11:30 a.m. for the purpose of appealing from the initial decision to deny a journeyman's electrician license to Drake Electric's employee, James Jolliss. Mr. Jolliss and Drake Electric deny receiving any notices from the SBC via electronic mail, U.S. Mail or otherwise regarding the deadline to renew the application. Drake Electric is the oldest electrical contractor in Shelbyville and has always stringently abided by the licensing and registration requirements of Shelbyville and Shelby County.

At this point, for reasons that are presently unknown, the Building Department has refused to extend to Mr. Jolliss and Drake Electric any concession by which Mr. Jolliss could remain licensed pending completion of the new registration process, which is approximately a four to six month process. This position is at great odds with the fact that the Building Department and SBC have made numerous other accommodations to Shelbyville contractors in the past on various issues. Drake Electric and Mr. Jolliss have offered to pay in full for any balances that are due or past due as well as a late fee or fine. Instead, they have been met with an inflexible position that is contrary to the treatment afforded other similarly-situated contractors in the area in the past.

For this reason, we would request inclusion on the agenda for December 13, 2017 to present further information on this subject and request a reversal of the decision to deny a license to James Jolliss.

Thank you.

Sincerely,

BASILE LAW OFFICE, LLC

/s/ Raymond A. Basile

Raymond A. Basile

RAB:veb

cc: Drake Electric

(B) To change from a Class III license to a Class I or a Class II license, the person shall have been actively engaged in electrical work not less than two years.

(81 Code, § 155.32) (Am. Ord. 10-2658, passed 10-18-10) Penalty, see § 10.99

§ 155.33 APPLICATION.

Each application for an electrical license shall be made to the Building Department and the license granted in compliance with the general license requirements policies of the department. Blank applications are available in the Building Department. All electrical licenses expire on December 31st of the calendar year in which they are issued.

(Ord. 10-2658, passed 10-18-10) Penalty, see § 10.99

§ 155.34 FEES.

Electrical licensing fees shall be in accordance with the Permit Fee Schedule as recommended by the Shelbyville Building Commission and as approved by the Shelbyville Board of Public Works and Safety. (Ord. 10-2658, passed 10-18-10)

§ 155.35 RESERVED.

§ 155.36 RESTRICTIONS ON CERTAIN LICENSE CLASSES AND SUPERVISORS.

(A) The holder of a Class I or Class II license under the provisions of this chapter shall be the person to whom the license is issued. The same person shall not be designated as the license holder in more than one firm, corporation, and the like.

(B) In the event that the business association or employment of the license holder shall terminate with his or her firm, corporation, or the like, he or she

shall immediately notify the Building Department and submit a new application for licensing that reflects his or her current employment status. However, no fee shall be charged for the new license.

(Ord. 10-2658, passed 10-18-10) Penalty, see § 10.99

§ 155.37 CERTIFICATES.

(A) Each certificate for a Class I, II, III and IV license under the provisions of this chapter shall specify the name of the person to whom the license is issued, his or her address, and the expiration date.

(B) Each certificate for a Residential Homeowner's license shall, under the provisions of this chapter, specify the name of the person to whom the license is issued and the address at which he or she is allowed to perform electrical work and the expiration date.

(C) Each holder of a Class I or Class II license shall keep his or her certificate of license displayed in a conspicuous place in his or her principal place of business.

(Ord. 10-2658, passed 10-18-10) Penalty, see § 10.99

§ 155.38 EXPIRATION AND RENEWAL.

Each license issued under the provisions of this chapter shall expire on December 31 following the date of its issuance, and shall be renewed by the Building Department upon application of the holder of the license, and the payment of the required fee, at any time between November 15 and December 31st of the calendar year in which it was issued. Any license that is not renewed or postmarked by December 31st will be subject to the new licensing requirements as outlined in the general license requirements.

(Ord. 10-2658, passed 10-18-10) Penalty, see § 10.99