

**MECHANICAL, PLUMBING, ELECTRICAL, AND SWIMMING POOL
BOARD OF APPEALS
MINUTES**

February 10, 2009

Public notice having been posted, a public hearing of the MPE Board was held at 4:00 p.m., Tuesday, February 10, 2009, in the Council Chambers at City Hall, 555 Walnut, Abilene, Texas.

MPE BOARD MEMBERS PRESENT: Anthony McColum, Chairman
Terry Williams
James Wheeler
Jay Wyatt
Pat Watkins
Ronnie Carlson

STAFF PRESENT: David Sartor
Kelley Messer
Alice Adams

GUESTS: Kandy Hickerson
Ed Hickerson
Russell Sullivan
Virgin & Marlene Kister

1. The meeting was called to order by Anthony McColum, Chairman.
2. The next item to come before the Board was the approval of the November 4, 2008 minutes. A motion was made by Pat Watkins, and seconded by Jay Wyatt, to approve the minutes as written. Said motion unanimously passed.
3. The next matter to come before the Board was consideration, with possible action, regarding the request of Ed Hickerson, representative for Kandyland Too, to use a Type II Hood, in lieu of a Type I Hood, at their facility located at 588 E. Ambler, Abilene, Texas. David Sartor, Building Official for the City of Abilene, addressed the Board, advising them there is currently no hood above the stove at this location. He went on to say that the Mechanical Code does require a Type I Hood at any commercial food establishment or anywhere commercial food processing occurs that would produce grease or grease vapors. Mr. Sartor went on to say the Board has allowed proponents to come before this Board and request permission to use a Type II Hood, in lieu of a Type I Hood, based on the fact that they sign a Food Service Affidavit stating they understand there can be no frying, grilling, sautéing and/or broiling at this location. The stove can be used simply for warming and reheating cooked food. He said there is a requirement that a sign be posted identifying the prohibition against any frying, grilling, sautéing and/or broiling. Mr. Sartor further advised the Board that the letter making this request was incorrect, wherein it stated they were requesting to use a Type I Hood instead of a Type II Hood, when it should have stated they were requesting to use a Type II Hood instead of a Type I Hood. Kandy Hickerson, co-owner of Kandyland Too, addressed the Board, advising them all they do at this location is heat and serve food. All the food is precooked and simply warmed before serving. After discussion, James Wheeler made a motion to allow use of the Type II Hood in lieu of the Type I Hood at the Kandyland Too location at 588 E. Ambler, Abilene, Texas. The motion was seconded by Terry Williams and unanimously passed.

4. The next matter to come before the Board was consideration, with possible action, regarding the application of Russell Sullivan, to be licensed as a Swimming Pool Contractor in the City of Abilene, contingent upon his passing the required Swimming Pool Contractor Exam given by Thompson Prometric. David Sartor addressed the Board, advising them the City of Abilene Swimming Pool Ordinance requires anyone that wants to act as a Swimming Pool Contractor must be licensed. One of the requirements is to submit an application to this Board, identifying they have at least three years experience in the construction of swimming pools, with dates and employers, and also show they have worked on a minimum of at least five pools, again with dates and employers. Mr. Sartor went on to say that Mr. Sullivan has submitted letters from previous employers he has worked for, and addresses of pools he has worked on. Mr. Sartor said that as per the licensing requirements, the Board is to review the application and approve or disapprove same, based on information provided by the applicant. If approved, Staff will contact Thompson Prometric, the exam provider, and arrange a date for Mr. Sullivan to take the exam. They will send a proctor to Abilene to administer the test. If applicant receives a passing grade he can register with the City and start constructing pools. After discussion, Terry Williams made a motion to allow Russell Sullivan to take the exam to be a licensed swimming pool contractor in the City of Abilene. The motion was seconded by Jay Wyatt and unanimously passed.
5. The next item to come before the Board was consideration, with possible action, to recommend adoption of the 2008 National Electrical Code, with attached local amendments, to the City Council. David Sartor addressed the Board, advising them that the City is currently under the *2005 National Electrical Code* and the proposal before the Board is to adopt the *2008 National Electrical Code*, with local amendments. Mr. Sartor said the local amendments consist entirely of existing amendments that are in the 2005 NEC. The only change, other than article numbers changing, is the deletion of the local amendment requiring a 110 receptacle for change out of existing mechanical equipment on a roof. The committee felt this was not necessary due to the use of battery operated equipment. Mr. Sartor then passed some handouts to the Board, showing some of the significant changes made to the actual Code itself. He went over all of the significant changes made that were different from the 2005 NEC. After questions and discussions, Terry Williams made a motion to recommend adoption of the 2008 National Electrical Code, with attached local amendments, to the City Council. The motion was seconded by James Wheeler and unanimously passed.
6. Upon motion made and seconded, the meeting adjourned.

Anthony McColum, Chairman

Alice Adams, Acting Secretary