



**CITY OF WENTZVILLE  
BUILDING CODE BOARD OF APPEALS  
WORK SESSION MINUTES  
CITY HALL  
310 W. PEARCE BLVD.**

Tuesday, January 4, 2011  
6:00 pm

CALL TO ORDER: Chairman Russ Shilt called the meeting to order at 6:00 p.m.

ROLL CALL: Board members in attendance were Chairman Russ Shilt, Carl Erdmann, Richard Hoehne Jr., Lance Broughton. A quorum was present.

Absent: Vernon Boehme Sr., Alternates Steve Marion and Ken Russell

Board of Alderman Members Present: Alderman Rick Stokes

Staff members in attendance: Dianna Wright, City Administrator, Diane Bolderson, Building Commissioner, Doug Forbeck, Community Development Director and Carol Horn, Administrative Assistant

Representatives from various Real Estate Agencies were present

I. Information/Presentation:

- City Administrator Dianna Wright welcomed everyone and explained the purpose/reason for the meeting.
- Building Official Diane Bolderson presented a Power Point Presentation detailing the history and purpose of Occupancy Inspections. She explains the current Residential Occupancy Process. She also discusses the Advantages and Disadvantages of completing an Occupancy Inspection.
- Diane Bolderson explained the Current Property Maintenance Program and how it is relevant to an Occupancy Inspection and property value.

II. Discussion:

- Chairman Russ Shilt asked what the percentage of Occupancies completed for Rental Properties versus Point of Sale. Diane Bolderson estimated that it was about 2/3 Rental and 1/3 Point of Sale.

- Alderman Rick Stokes presented several questions to the Board based upon how this issue came about.
  1. A concern had been raised by a realtor regarding properties that are sold “As Is” and foreclosures that are Bank Owned. He stated that many will not pass an Occupancy Inspection because of their condition.
  2. Are the inspections doing what the Occupancy process was set out to do? He stated that other cities follow a safety checklist and is narrower in scope.
  3. Should the City continue with Occupancy Inspections and do they add value to the City?
- Realtor Lisa Atkins stated that the City should have an Occupancy Process in place, but proposed that the inspection list be revised. She questioned the process of work being done without obtaining a permit. She stated that the process is too long and would like to have that reviewed to see if there is a different way of handling improvements made without obtaining permits. Lisa stated that as a Realtor she feels an Occupancy Inspection should stay in place in order to maintain property value and safety.
- Community Development Director Doug Forbeck questioned the process when a basement has been finished and no permit had been obtained. He asked if the inspector would have the dry wall taken down. Diane Bolderson stated that we have the resident submit plans/drawings of work completed and obtain a finished basement permit. The inspector then notes that the work was completed without any inspections from the City. Lisa Atkins asked if there were other ways of obtaining a permit as the new owner may not know the exact scope of work. Diane Bolderson stated that is something that could be reviewed.
- Realtor Sandy Brown also stated that she feels the Occupancy Inspection is important but would like to see some changes made to the checklist. Sandy stated she would like to compliment the building inspectors as they have always been helpful when she had questions or needed assistance. She stated that Inspector Mike went out of his way to complete an inspection early in the morning to help out her client. Lisa Atkins also commented that she feels the inspectors do a good job and have always been helpful as well.
- Sandy Brown feels that some inspections are redundant. Sandy said she likes the idea of issuing a Temporary Occupancy for homes sold “As Is” or Foreclosures to give the new owner time to make repairs. Some cities (Lake St. Louis) only list a few items. Diane Bolderson distributed the current list Wentzville uses that are available to the public which describes what to expect for an occupancy inspection.
- Board Member Richard Hoehne asked what procedures the City has to encourage homeowners to obtain proper permits and follow through on a Temporary Occupancy. Diane Bolderson stated that the City has an ordinance that states we can turn the water off or even issue a summons.
- City Administrator Dianna Wright asked the Board if they felt there was value to requiring miscellaneous permits. Richard Hoehne stated that he felt there was value due to safety standards and to make sure codes are being upheld.
- Realtor Jeff Fellows stated he feels the City should keep Occupancy inspections as it is added revenue for City Services. He said that maybe a safety inspection should be with

- a change of occupant not always a change in ownership. He also stated he would like the Board to review the current checklist as he feels it is too open ended and it leaves inspections up to interpretation of the inspector. He would like to see more consistency within the inspection process. Lisa Atkins stated that you have inconsistencies within every City. Sandy Brown and Jeff Fellows both agreed, but feels that if the checklist was narrowed to a pass or fail guideline then that issue may be reduced. Doug Forbeck asked Jeff what his opinion of the current checklist was. Jeff Fellows stated he thought it could be more defined and commented on how other municipalities have more extensive list and others focus on safety issues only.
- Dianna Wright asked the realtors how much of a problem does it present with a failed inspection. Lisa Atkins and Jeff Fellows stated that it depends on the issues. Jeff Fellows commented that if homes are required to be maintained then most repairs are not as difficult to resolve. Lisa Atkins stated that most items are negotiated between the Buyer and Seller and are disclosed in the contract. Jeff Fellows said that he feels blighted homes would go unrepaired if the city did not at least complete a window inspection. He also stated that the FHA guidelines are getting harder and that houses will eventually have to meet that standard.
  - Chairman Russ Shilt asked what is the cost to the City to run the program. Diane Bolderson stated that we currently charge \$35.00 for a residential occupancy inspection. Russ wanted to know if the revenue is enough to pay for the inspector and use of vehicle and maybe that the fees should be reviewed. Several of the Realtors commented on the fees that other Cities charge. Citing that some cities charge \$100.00.
  - Chairman Russ Shilt wanted to know how the City handled older homes regarding code compliance. Diane Bolderson stated that many issues within older homes are grandfathered. He also asked how much duplication exists between home inspections and City inspections. Lisa Atkins stated that a home inspection is not required by the lender and that a City inspection may be all they get. She also stated that safety is a big issue regarding rental properties as some Landlords do not take care of their properties
  - Realtor Dan Peiper stated he feels the inspection needs to be made simple and straight forward. He said inspectors have to be more consistent and not cross into areas they are not certified in. Dan would like to see the list defined and more specific. He feels Safety should be the concern.
  - Board Member Carl Erdman asked if the list needs to be more clear and safety the priority. All agreed.
  - Lisa Atkins commented that there needs to be more compliance with Code Enforcement. Alderman Stokes agreed that the city needed to be tougher on some areas.
  - Alderman Stokes stated that all rental properties should be required to obtain an Occupancy Inspection and that maybe the fee could be more. He also stated that he does not feel that it is necessary for Point of Sale inspections. Board Member Lance Broughton stated he felt the inspection should be done but reduce the list and focus on life safety issues.
  - Motion made by Chairman Shilt to determine if the City should conduct Occupancy inspections. Carl Erdman seconded the motion. All in favor. Motion carries.

- Dianna Wright suggested the Board needs to determine what the values, goals and purpose should be and what needs to be proposed.
- Board Members and realtors discussed whether they should consider Life Safety only, Property Value only or both. Dianna Wright stated that if you are only dealing with life safety, will property values suffer? Lance Broughton asked, how far should the city go regarding property value?
- Motion made by Chairman Shilt to focus on Life Safety. Lance Broughton seconded the motion. Three (3) ayes One(1) nay recorded
- Richard Hoehne stated he did not feel that the checklist could be revised in one night and would like additional time to discuss what safety items should be addressed. Chairman Shilt requested that information from other cities be compiled and sent to Board Members for review.
- Alderman Stokes stated that he would advise the Board of Alderman that additional time would be necessary to review the list but that their recommendation should be submitted by the February 9<sup>th</sup> 2011 Board of Aldermen meeting.
- Members of the Board asked if it would be possible to have the inspectors attend one of the meetings to hear their comments. Dianna Wright stated that yes they could be invited. The Board Members said they would wait on the packet of information and then agree on a date for the next work session.

Alderman Stokes and Dianna Wright thanked the realtors and Board Members for attending the meeting.

Chairman Shilt motioned to adjourn the meeting at 8:20 p.m. Seconded by Lance Broughton. All in favor. Motion carries

Respectfully submitted:

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Carol Horn, Recording Secretary

Approved by:

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Russ Shilt, Chairman