

The Beulah Planning & Zoning Special Meeting of June 10, 2021 was called to order at 6:05 PM by Jerry Reichenberg at Beulah City Hall.

Present: Jerry Reichenberg, Dale Schwalbe, Brock Seibel, Roger Gazur, Chris Renner, Gerald Bieber, Dustin Buchmann

Absent: Gary Miller

Also Present: Beaver Brinkman, Heidi Hamelton, Jarann Johnson, Tyler Rooks, Tatiana Rooks, Scott Buchmann

Scott Buchmann Salon Remodel

Scott Buchmann discussed his permit application. He described how the plumbing would be set up for the hairwash sinks, the sink in the back room, clothes washer and dryer. The hairwash drains would be indirect plumbing draining into a shower pan in an adjacent room. Schwalbe asked about the electrical wiring, specifically GFCI plugs near water sources. S. Buchmann confirmed these were present where needed. S. Buchmann presented a diagram to explain the parking situation. The rear entrance meets ADA requirements, as does the concrete pad in the rear. He will place a sign at the front of the building stating that ADA parking/entrance is in the rear of the building. Tyler Rooks asked about the term "change of use"; this was discussed and clarified. Gazur and Tyler Rooks discussed what "reasonable accommodations" means in relation to the ADA and the bathroom in S. Buchmann's property. Tyler Rooks stated concern about the possibility of the city asking for more changes after the permit was approved

Schwalbe asked if the Board of Cosmetology would approve their current drawn plan, and Tatiana Rooks said that she has looked into all of those requirements with them and she is confident they would meet their requirements.

Hamelton clarified the permit process again and that the city's goal is to help anyone wanting to set up a business in Beulah so the business is successful. Discussion continued regarding plumbing and electrical inspection/certificate requirements. Brinkman reiterated that only licensed plumbers/electricians are allowed to do work in a commercial building. Tyler Rooks was concerned about building out the wall for the bathroom, and then being required to immediately bring the entire bathroom up to ADA compliance. Gazur reminded him that even though P&Z may consider extending the wall to be reasonable effort, this allowance by the city doesn't protect him from any lawsuits brought against him because the bathroom doesn't meet all of the ADA's requirements. Brinkman stated that Tyler Rooks and Scott Buchmann would need write up a plan for how they will continue to bring the building up to ADA standards. Buchmann also stated that if the number of employees increases to 5 or more, they would be required to update the bathroom.

Gazur said he doesn't believe a decision can be made at this meeting; the commission needs an amended floorplan showing the changes that will be made to the bathroom wall. The next meeting is Monday, June 14, and they can present the updated floorplan to the commission, along with an updated permit application for review.

Tyler Rooks asked whether asbestos testing would be required when the current wall is removed, and Brinkman said because it's under 64 square feet being removed, they are not required to test.

Brinkman questioned the \$300 project cost written on the permit application, and discussion ensued regarding what would maybe be a more accurate cost estimate. Brinkman explained what expenses should be included as remodel costs.

D. Buchmann asked what specifically they need to finish this process. Hamelton stated again that they need a certificate from the plumbing inspector, a certificate from the electrical inspector, and a certificate of occupancy from the City of Beulah, which they would then take to the Board of Cosmetology to schedule their inspection 2 weeks before they plan to open the salon. D Buchmann asked then who certifies ADA compliance, and it was stated by multiple people that is the "authority having jurisdiction," which would be the City of Beulah. D. Buchmann stated that he believes extending the wall, putting in a wider door, and having a seat extender available for the toilet are more than reasonable accommodations for S. Buchmann and the Rooks' to make at this time. Gazur and D. Buchmann discussed the applicability of specific codes related to the authority of individual cities to interpret and adjust these rules. Tyler Rooks stated he just wants to know the rules are being applied fairly and equally in this situation.

Schwalbe asked how quickly the state plumbing and electrical inspectors come to town; Beaver said right now they seem to be coming within 2-3 days.

Gazur stated that S. Buchmann and the Rooks' need to update their permit application with an amended drawing, meet with Hamelton, and they should be ready to present it Monday night at the regular P&Z meeting.

S. Buchmann asked about a knox box, and Brinkman explained it is helpful to have one of these so the Fire Department doesn't have to break the door down in case of emergency. He was told to contact Eli Schumann.

100 3rd Ave NW

Gazur moved to table on this until the next meeting. Second by Schwalbe. Motion carried.

Gazur moved to adjourn the meeting; second by Schwalbe. Meeting adjourned at 7:25 PM.


Chairman


Secretary