



MINUTES

On the 27th day of October, 2014, the Building and Standards Commission of the City of Bryan, Texas convened in Council Chambers of the Bryan Municipal Building at 6:00pm.

BSC Members Present:

Daryl Massey
Victor Drozd
James Cain
Richard Ravey
Judy Winn
Rev. G.H. Jones
Cheryl Free

Staff Members and Others:

Greg Cox, Chief Building Official
Martin Zimmermann, Planning Administrator
Jonathan Koury, Assistant City Attorney
William Taylor, Deputy Fire Marshal
Nick Koski, Development Service Technician
Cody Cravatt, Development Manager
Charmaine McKinzie, Dev. Services Staff Assistant

Disclaimer: *The meeting minutes herein are a summarization of meeting procedures, not a verbatim transcription.*

1. CALL TO ORDER.

Chairperson Massey called the meeting to order at 6:03 p.m.

2. RECOGNITION OF AFFIDAVITS FILED IN RESPONSE TO STATE LAW ON DISCLOSURE OF LOCAL OFFICIAL'S CONFLICT OF INTEREST.

No affidavits were filed.

3. APPROVAL OF MINUTES FROM THE REGULAR MEETING ON AUGUST 25, 2014.

**Commissioner Drozd moved to approve the regular meeting minutes from August 25, 2014.
Commissioner Winn seconded the motion.**

Chairperson Massey asked if there was any discussion.

There was none.

The motion passed with a unanimous vote.

4. OPENING STATEMENT FROM THE CHAIR.

Chairperson Massey read the opening statement.

5. SWEARING IN OF ALL PRESENT AND INTENDING TO TESTIFY.

Chairperson Massey swore in everyone in the audience that was planning on speaking concerning any of the properties on this meeting agenda.

6. REQUESTS TO DECLARE THE FOLLOWING BUILDINGS UNSAFE AND TO ORDER THE SAME TO BE VACATED, REPAIRED, SECURED OR DEMOLISHED – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (The order of hearings during this meeting is subject to change without notice, anyone wishing to speak at a hearing should be present at the start of the meeting. Commission makes final determination; appeals may be directed to district court).

- a. Case # 2034 – 212 Kosarek Street**
Owner: Ramirez Guillermo
Hanus, Block 3, Lot 1 & 2

Martin Zimmermann, Planning Administrator, presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Mr. Greg Cox, Chief Building Official, stated that the timeline of 90 days to repair have not been met by Mr. Ramirez, but would like to extend the order 45 more days to complete.

Mr. Ben Ramirez, 5709 Chelsea Circle, Bryan, Texas, informed the Commission he will have the repairs complete before the 45 days is up.

Chairperson Massey closed the public hearing.

Commissioner Drozd moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner lienholder or mortgagee to repair the building within 45 days. Commissioner Ravey seconded the motion.

Chairperson Massey asked if there was any discussion.

There was none.

The motion passed with a unanimous vote.

- c. **Case # 2049 – 1010 W. 17th Street**
Owners: Keaton Tess
Sunset PH 2, Block 3, Lot 6

Martin Zimmermann, Planning Administrator, presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Ms. Wilma J Fields, 2712 Hwy 21 East, Bryan, Texas, stated that this house was her Dad's house, and he died in 1992 and that Tess Keaton was not the rightful owner; her and her Brother Willie Campbell are the rightful owners. Ms. Fields stated that her Daughter Lundie Campbell is living in the house.

Mr. Willie Campbell, 2712 Hwy 21 East, Bryan, Texas, stated he sees the property needs cosmetic work and that he plans on doing the repairs.

Ms. Lundie Campbell, 1010 W. 17th Street, Bryan, Texas, stated that Habitat for Humanity helped her with the Electrical and Plumbing repairs. Ms. Campbell stated she was unaware they needed a permit.

Responding to a question from the Commission, Mr. Campbell stated it would cost about \$3,000.00 in materials to bring up the property up to code and there would be no labor cost as he would be completing the repairs himself. Mr. Campbell stated the electrical and plumbing have been complete.

Mr. Greg Cox, Chief Building Official, advised the Commission that we had received a complaint in February 2013 that someone was living there with no utilities. Ms. Lundie Campbell was informed that she could not live there without utilities and that she would have to leave. Mr. Cox also stated that the City has no record of any permits being pulled.

Responding to a question from the Commission, Mr. Cox stated that he thought they would be looking at around \$13,000.00 worth of repairs as there are foundation problems, and they would need to have new siding, a new roof, and insulation.

Mr. William Taylor, Deputy Fire Marshall, advised the Commission there has been new electrical work done.

Chairperson Massey closed the public hearing.

Commissioner Drozd moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner lienholder or mortgagee to demo the building within 30 days. There was no 2nd, motion failed

Commissioner Winn moved to accept staff's recommendation that this building is unsafe

and that the Commission issue an order to the owner lienholder or mortgagee to allow, 90 days to repair and get ownership of property settled. Commissioner Drozd 2nd the motion.

Chairperson Massey asked if there was any discussion.

Responding to a question from the Commission, Chairperson Massey opened the public hearing.

Responding to a question from the Commission, Mr. Campbell stated that he could get all the repairs done in 90 days.

Mr. Cox stated that the City should allow them to get the ownership cleared up, and pull electrical and plumbing permits.

Mr. Taylor advised the Commission that we should be ruling on the condition of the house.

Chairperson Massey closed the public hearing.

Commissioner Winn and Commissioner Drozd withdrew their motion.

Commissioner Winn moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner lienholder or mortgagee to repair the structure, within 90 days, and Come back before the board in February 2015 to show compliance with the order Commissioner Drozd seconded the motion.

Chairperson Massey asked if there was any discussion.

There was none.

The motion passed with a 4-1 vote, Commissioner Drozd opposed order.

**f. Case # 2056 – 1611 W 28th Street
Owners: Arriola Silvia
Stovall, Block 3, Lot 5**

Martin Zimmermann, Planning Administrator, presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Ms. Silvia Arriola Lopez, 1609 West 28th Street, Bryan, Texas, stated that she bought the house a year ago from Mr. Larry Gilberts. Ms. Lopez also stated she feels it will take about \$10,000.00 to repair and she has the funds to do this.

Commissioner Judy Winn left at 7:00pm

Commissioner James Cain replaced Judy Winn at 7:00pm

Mr. Larry Gilbert, 2902 Highway 21, Bryan, Texas, stated that he bought the house from a tax

sale and Ms. Lopez didn't have enough money, so he told her he would buy the house and she can buy it from him. Mr. Gilbert also stated that there were squatters on the property and it took them 4-5 months to get them out. Mr. Gilbert stated that the house she is living in now she had repaired, pulled permits for, and brought everything up to code, and he would like to see the Commission give her a chance to repair.

Responding to a question from the Commission, Mr. Cox stated his concerns would be the foundation and walls, but if she is willing to gut the house so the City can take a look at what other issues there may be, Mr. Cox would be okay with that.

Chairperson Massey closed the public hearing.

Commissioner Ravey moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner lienholder or mortgagee to repair the structure within 150 days and come back before the board in February 2015 to show compliance with the order. Commissioner Drozd seconded the motion.

Chairperson Massey asked if there was any discussion.

There was none.

The motion passed with a unanimous vote.

- g. Case # 2057 – 1910 Old Hearne Road**
Owner: Hightower Bill
SFA #10, Block 15, Lot 7

Martin Zimmermann, Planning Administrator, presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Mr. Bill Hightower, 7578 Wixon Road, Bryan, Texas, stated that the front and back porch needs to be taken off but the rest of the structure is sound and feels that it can be repaired. Mr. Hightower stated he was in the process of repairing the house in July and all his tools were stolen, so he got disheartened with the repair.

Commissioner Free left at 7:30pm

Responding to a question from the Commission, Mr. Greg Cox stated the house is unsecured, the foundation in the kitchen needs repairs, and front and back porch needs to be repaired. Mr. Cox also said that he did notify Mr. Hightower in 2011 about repairing the structure and nothing had been done, so he is not confident that Mr. Hightower will repair.

Commissioner Free returned at 7:35

Responding to a question from the Commission, Mr. Hightower stated money is not a problem,

and he could get it repaired in 60 days.

Chairperson Massey closed the public hearing.

Commissioner Drozd moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner lienholder or mortgagee to secure structure and to demolish the structure within 30 days Chairperson Massey seconded the motion.

Chairperson Massey asked if there was any discussion.

The motion failed 3-2.

Commissioner Drozd moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner lienholder or mortgagee to secure structure and to repair the structure within 60 days, and come back to January 2015 meeting to show compliance with the order. Chairperson Free seconded the motion.

Chairperson Massey asked if there was any discussion.

There was none.

The motion passed with a unanimous vote.

- i. **Case # 2059 – 1415 Kermitt Street**
Owner: Heirs of Julius Cruz and Blasa Hernandez Cruz
Redden Thomas, Block 2, Lot 6

Martin Zimmermann, Planning Administrator, presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Ms. Nelda Cruz, 1414 Scott Street, Bryan, Texas stated that her parents owned this property, but they are now deceased. Ms. Cruz also stated that the storage building that was on half of her lot and half of this lot has been removed. Ms. Cruz agrees that the mobile home needs to be demolished.

Chairperson Massey closed the public hearing

Commissioner Cain moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner lienholder or mortgagee to secure structure and to demolish the structure within 30 days Chairperson Drozd seconded the motion.

Chairperson Massey asked if there was any discussion.

There was none.

The motion passed with a unanimous vote.

- b. Case # 2038 – 1221 Wheeler Street**
Owner: Smith Eula Kingsberry
Candy Hill PH 2, Block 2, Lot 8
- d. Case # 2050 – 3612 Elaine Drive**
Owner: Taylor Ronald D
Woodville Acres PH 3, Block 2, Lot 6
- e. Case # 2051 – 1702 W. Virginia Street**
Owner: Hall Luther Jr Et al.
Starlight, Block C, Lot 13
- h. Case # 2058 – 1411 Kermitt Street**
Owner: Ramierez Maria Carmen
Redden Thomas, Block 2, Lot 8

Commissioner Drozd moved to accept the staff's recommendation for agenda items 6.b., 6.d., 6.e., and 6.h. Commissioner Free Seconded the motion.

Chairperson Massey asked if there was any discussion.

There was none.

The motion passed with a unanimous vote.

7. STAFF ANNOUNCEMENTS (This item includes introductions of new employees, meeting reminders, upcoming events, and staff recognition).

a. Overview of Building and Standards Commission activity in FY 2014.

Mr. Zimmerman, Planning Administrator, went over the activity of the Building and Standards Commission from March to October.

b. Proposed regular meeting dates for 2015.

Mr. Zimmerman, Planning Administrator, stated we would have nine meetings this year, omitting May, September and December.

c. The next regular meeting is scheduled for 6p.m. on Monday, November 24, 2014 in Council Chambers, Bryan Municipal Office Building, 300 S. Texas Avenue.

Mr. Zimmerman, Planning Administrator, reminded the Commissioner of the next scheduled meeting.

8. FUTURE AGENDA ITEMS (A Commissioner may request that a subject for which notice has not been given be placed on an agenda for future meeting).

There was one.

9. ADJOURN.

Without objection Chairman Massey adjourned the meeting at 8:05 p.m.

These minutes shall serve as the official findings of the City of Bryan Building and Standards Commission, as approved on this the **24th day of November 2014.**

Daryl Massey, Chairperson
Building and Standards Commission
City of Bryan, Texas

Greg Cox, Chief Building Official and
Secretary to the Building and Standards
Commission