



MINUTES

**BRYAN BUILDING AND STANDARDS COMMISSION
REGULAR MEETING
MONDAY, OCTOBER 26, 2015 – 5:30 P.M.
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

On the 26th day of October, 2015, the Building and Standards Commission of the City of Bryan, Texas convened in Council Chambers of the Bryan Municipal Building at 5:30pm.

BSC Members Present:

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

Staff Members Present:

Greg Cox, Chief Building Official
Cody Cravatt, Development Manager
Martin Zimmermann, Planning Manager
Jonathan Koury, Assistant City Attorney
William Taylor, Deputy Fire Marshal
Nicholas Koski, Development Technician
Charmaine McKinzie, Dev. Service 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 5:37 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 24, 2015.**
Commissioner Jones moved to approve the regular meeting minutes from August 24, 2015.
Commissioner Ravey 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 CHAIRPERSON.**

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).**

- h. Case# 2134 – 307 E. Villa Maria Road**
Owner: Lyon Johnny Foster Bypass Trust
Restwood PH 2, Block B (pt of)

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Mr. Gary M Brown of 302 Holleman Drive E #76, College Station advised his client agrees that the structure needs to be demolished, but they are requesting for more time, since an asbestos survey will be needed.

Responding to a question from the Commission, Mr. Greg Cox, Chief Building Official, advised the Commission that they would need an asbestos survey due to this was a commercial structure.

Responding to a question from the Commission, Mr. Brown advised his client would like 90 days to demolish the structure.

Chairperson Massey closed the public hearing.

Commissioner Ravey moved to accept staff's recommendation with modification that this building is unsafe and that the Commission issue an order to the owner, lienholder, or mortgagee to secure the structures from unauthorized entry within 30 days, and demolish the structure and removed all the debris within 90 days. Commissioner Ravey seconded the motion.

Chairperson Massey asked if there was any discussion.

There was none

The motion passed with a unanimous vote.

- a. **Case# 2122 – 1106 N. Bryan Avenue**
Owner: Zuniga Antonio et. ux.
City of Bryan Townsite, Block 129, Lot 4

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Ms. Irma Zuniga of 1304 N Sims, Bryan ,Texas, advised the Commission that she had a construction timeline and bids to hand out. Ms. Zuniga stated that no one is occupying the structure, and it is secured.

Responding to a question from the Commission Mr. Cox advised the Commission that the first floor is not secured.

Ms. Zuniga advised she didn't know that it needed to be secured, but she would close it up

Responding to a question from the Commission, Ms. Zuniga advised that the cracks in the cinder wall are in part of the bid.

Responding to a question from the Commission, Mr. Cox advised that Ms. Zuniga would need a licensed engineer due to there are concerns with the first floor being able to handle the load.

Chairperson Massey closed the public hearing.

Chairperson Massey 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 vacate the structures in 30 days, secure the building from unauthorized entry within 30 days, and to demolish the building and removed all the debris within 30 days Commissioner Winn seconded the motion.

Chairperson Massey asked if there was any discussion.

Commission discussed the estimates given are 100% of the value of the home, and that is not secured.

The Commission also discussed that her timeline is seven months.

The motion passed with a unanimous vote.

- e. **Case# 2127 – 212 N. Bryan Avenue**
Owner: Richbour Horace & Carolyn
City of Bryan Townsite, Block 120, Lot 4 & pt of 3

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Mr. James Murr of 4003 Manchester Lane, College Station, advised the Commission that he was under contract to buy the structure, and handed out a plan of the structure. Mr. Murr stated that the structure is secured. Mr. Murr also advised that after this last rain there were no leaks, just a little bit of moisture. Mr. Murr advised his plan is to gut the interior.

Responding to a question from the Commission, Mr. Murr stated the estimate time to submit plans would be 120 days.

Responding to a question from the Commission, Mr. Cox stated that downtown buildings, everyone shares a wall, Mr. Cox also stated that there is rotten roof decking, interior needs demolished, and the appraised value is 1.45 million as of now.

Responding to a question from the Commission, Mr. Cox stated that he would be willing to amend his recommendation to allow 180 days to submit preliminary plans, and all permits pulled and work started. Mr. Cox also stated that he would advise giving 30 days to have engineers report submitted to protect the neighbors in the meantime.

Mr. Murr stated that he didn't feel an engineer's plan was necessary due to after this last rain there were no leaks.

Mr. Keith Richbourg of 220 Settlers Creek Trail, Waco, Texas, advised the Commission that he is the previous owner, and he is willing to put up plastic at the North East corner to provide protection of any water leaks to the business next store. Mr. Richbourg also advised he doesn't feel an engineer's report is needed for this.

Chairperson Massey closed the public hearing.

Commissioner Winn moved to accept staff recommendation that this building is unsafe and that the Commission issue an order to the owner, lienholder, or mortgagee to have preliminary plans, all permits pulled and work started within 180 days, and appear before the Commission during its regularly scheduled meeting in April 2016 to demonstrate compliance with the repair schedule. Chairperson Massey seconded the motion.

Chairperson Massey asked if there was any discussion.

The Commission discussed if an engineer's report would be necessary.

The motion passed with a unanimous vote.

- i. **Case# 2078 – 609 E. Martin Luther King Jr. Street**
Owner: Jackson Tamara R
City of Bryan Townsite, Block 77, Lot 6 & 7 (pts of)

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Ms. Tamara Jackson of 1000 Henderson, Bryan Texas, advised that her son has done a lot of work. Ms. Jackson handed out pictures, and also advised that the porch has been replaced and leveled.

Mr. Cox advised that building permits have been issued.

Responding to a question from the Commission, Mr Cox advised there have been no inspections called in, and the walls still need to be leveled.

Responding to a question from the Commission, Ms. Jackson advised that the apartment shouldn't take much longer, maybe two months.

Responding to a question from the Commission, Mr. Cox stated they have received the asbestos survey from the commercial side.

Commissioner Free left the meeting at 6:34pm, a quorum of the Commission still being present.

Commissioner Cain was seated on the dias.

Responding to a question from the Commission, Ms. Jackson stated that they want to get the commercial side done first, and then they will worry about the zoning issue.

Responding to a question from the Commission, Mr. Cox stated that there are two electrical services, the N Polk address and the 609 E Martin Luther King.

Responding to a question from the Commission, Ms. Jackson stated that Mr. Felder is a busy man, and that's why the temp pole is not connected.

Mr. Cox stated that all Mr. Felder has to do is call BTU, Mr Cox also advised that an inspection is needed because the walls are not plumb, and to make sure we are all on the same page.

Commissioner Jones left the meeting at 6:50pm., a quorum of the Commission still being present.

Commissioner Free was seated on the dias.

Chairperson Massey closed the public hearing

Chairperson Massey made a motion to discuss the property, Commissioner Winn seconded the motion, and the motion passed with unanimous vote.

Commission spoke about the length of time it is taking to get temp pole on, and that they are not using power tools.

Chairperson Massey opened the public hearing

Mr. William Taylor, Deputy Fire Marshall, advised the Commission that they could use a generator for the tools, and that this has been going on too long.

Ms. Jackson stated that Mr. Cox can come out anytime.

Chairperson Massey closed the public hearing

Commissioner Winn moved to accept staff's recommendation with modification that this building is unsafe and that the Commission issue an order to the owner, lienholder or mortgagee to extend the repair order 90 days and the owner is to appear back before the Commission at the January 25, 2016 regular meeting to show compliance with the order.

Chairperson Massey asked if there was any discussion.

Chairperson Massey opened the public hearing

Responding to a question from the Commission, Ms. Jackson advised that her goal is to restore structure.

Chairperson Massey closed the public hearing.

The motion passed with a 4 in favor and 1 in opposition, with Chairperson Massey casting the vote in opposition.

- b. Case# 2123 – 2502 Beck Street**
Owner: Torres Felix Jr
SFA #9, Block 32, Lot 3
- c. Case# 2125 – 609 W. 26th Street**
Owner: Contreras Adrian G & Blanca G Reyes
City of Bryan Townsite, Block 193, Lot 9 & 10
- d. Case#2107 – 1111 W. 18th Street**
Owner: Escalante Monica Nicole Torres
Bryan's 3rd, Block4, Lot 20
- f. Case# 2130 – 1304 E. 21st Street**
Owner: Ellis Shelia Marie Trustee
Austin, Block 5, Lot 16
- g. Case# 2131 – 818 Cole Street**
Owner: Cortez Henry Sr.
Ursuline, Lot 22 & 23

Chairperson Massey moved to accept the staff's recommendations for agenda items 6.b., 6.c., 6.d., 6.f., and 6.g. and Commissioner Winn 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).

Mr. Zimmerman went over the following with the Commission:

- a. **Overview of Building and Standards Commission activity in FY 2015.**
- b. **Proposed regular meeting dates for 2016.**
- c. **The next regular meeting is scheduled for 5:30p.m. on Monday, November 23, 2015 in Council Chambers, Bryan Municipal Office Building, 300 S. Texas Avenue.**

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).

No future agenda items were requested.

9. ADJOURN.

Without objection, Chairperson Massey adjourned the meeting at 7:30pm.

These minutes shall serve as the official findings of the City of Bryan Building and Standards Commission, as approved on this the **23th day of November, 2015.**

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

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