

BUILDING AND STANDARDS COMMISSION MEETING

The Edna Building and Standards Commission met in regular session on February 28, 2019 at 5:30 p.m. in council chambers.

CALL TO ORDER: The meeting was called to order by Commissioner Patrick Brzozowski. Commissioners James Lewis, Desmond Earls, Director of Public Works Brad Ryan and City Manager Don Doering were also present. Minutes were recorded by City Secretary Becky Miska.

APPROVE MINUTES OF THE BUILDING AND STANDARDS COMMISSION MEETING HELD APRIL 12, 2018:

Commissioner Lewis made the motion approve the minutes of the building and standards commission meeting that was held April 12, 2018. Commissioner Earls seconded the motion. All voted AYE. Motion carried.

ADMINISTER OATH OF OFFICE TO APPOINTED OFFICIALS: SONYA PROPER & SHELTON GRONA:

City Secretary Becky Miska administered Oath of Office to appointed official Sonya Proper. Shelton Grona was not present.

APPOINTMENT OF CHAIRPERSON AND VICE CHAIRPERSON:

Commissioner Lewis made the motion to appoint Patrick Brzozowski as Chairperson. Commissioner Earls seconded the motion. All voted AYE. Motion carried. Commissioner Earls made the motion to appoint James Lewis as Vice Chairperson. Commissioner Proper seconded the motion. All voted AYE. Motion carried.

VISITORS: Jake Srp-City Attorney, Clint Howard and Jeff Fuechec-First Financial Bank of El Campo (Lending Officer to Mr. Howard)

HEARING OF VISITORS:

“At this time, comments will be heard from the audience on any subject matter that is not on the agenda. In accordance, with the Open Meeting Act, the Board may not discuss or take action on any item which has not been posted on the agenda.” Please limit comments to two (2) minutes.

There were no comments.

DISCUSS AND TAKE APPROPRIATE ACTION TO VACATE THE PREVIOUS ORDER CONCERNING 202 BOIS D’ ARC STREET, 605 ED LINN STREET AND 607 ED LINN STREET, EDNA. LEGAL DESCRIPTION: SUNRISE, BLOCK 5, LOT 5, ACRES 0.14:

Chairperson Brzozowski noted that at the last meeting there was action taken by the Building & Standards Commission on this property. There had been discussion, after that the action taken, it was suggested that the official posting notice was not correct. Director of Public Works Brad Ryan stated that the address was not correct. Chairperson Brzozowski noted there was an error on the address of the house and the board needs to vacate the previous order. Mr. Brzozowski stated he would accept a motion from the board to vacate the previous order. Commissioner Lewis made the motion to vacate the previous order for 202 Bois D’ Arc Street and 605 Ed Linn Street & 607 Ed Linn Street. Commissioner Earls seconded the motion. All voted AYE. Motion carried.

DISCUSS AND TAKE APPROPRIATE ACTION ON UNSAFE BUILDINGS OWNED BY CLINT HOWARD. PROPERTY LOCATED AT 202 BOIS D’ ARC STREET, 605 ED LINN STREET AND 607 ED LINN STREET, EDNA. LEGAL DESCRIPTION: SUNRISE, BLOCK 5, LOT 5, ACRES 0.14:

Chairperson Brzowoski asked Director of Public Works Brad Ryan to give an update on the property. Mr. Ryan stated that this has been going on since 2015 at the least. There have been no actual improvements to the property until about a month ago. The property has been cleared off. There is a pile of brush and a small pile of debris that needs to be removed. Clint Howard stated that everything Mr. Ryan mentioned will be going in the dumpster that is on site.

Mr. Ryan stated that we've been able to look inside the building recently without all the debris and electrical hanging down that was in it. The building itself is solid but the electrical and plumbing is not. Both need to be replaced and brought up to code. It depends on what this board wants to do with the property now that it has gone this far. Mr. Ryan noted the new list of Findings of Fact. "If you notice we do not have the interior walls, foundation or supporting walls listed because they are very solid" stated Mr. Ryan.

Chairperson Brzozowski noted that the following have been checked on the Inspections Unsafe Buildings checklist: **4)** Parts of the structure are so attached that they may fall and injure occupants of the structure, members of the public or other property; **5)** The foundation and all supporting members are less than 25% damaged or deteriorated, and the non supporting walls, ceilings, roofs and floors are less than 50% damaged or deteriorated; **7)** Fire, wind, water, vandalism or other causes have damaged the structure to such an extent that it presents a danger to the health, safety and general welfare of the occupants of the structure, members of the public, or other property; **8)** The structure is dilapidated, decayed or unsanitary to such an extent that it constitutes a health or fire hazard to its occupants, members of the public, or other property; **9)** The cost of repairing the building to conform to the requirements of this code is more than the building's physical value before repair as determined by the current records of the county tax appraisal district.

Ryan also noted that a lot of the items checked on the checklist are because the building is unsecure. There is still a lot of sheet rock in it, but most of it has been taken out of the building now. Chairperson Brzozowski stated it was his understanding that when Code Enforcement Officer Sheila Miller gave notice that one of the things that was supposed to happen was the City was to receive a plan going forward. Mr. Ryan noted a site plan/remodeling plan. Chairperson Brzozowski questioned what was this plan to include. Does it need to be a written plan? What are you expecting and what are they needing to do? Mr. Ryan stated that a written plan of what they are going to be doing and a timeline is needed.

Clint Howard stated he has a crew ready to get started and renovate the property. He has contractors that need to get into the property to give bids. But he doesn't want to get the contractors, electricians and plumbers onto the property to give bids or waste their time if he isn't going to be approved for remodel.

Chairperson Brzozowski stated that the property looks 100% better with the buildings removed that were there that had been ordered to be removed last time along with most of the brush removed and being cleared. With the information being presented on the inspection today, at least makes him feel that there's some hope and some value. Mr. Ryan stated "that the only comment he would still like to make and that he has nothing against Clint but that every single time the City has gone through this with him it has not happened. This time he has mowed and cleaned up the property. The actual building I feel better about after seeing inside again."

If we didn't have any intention of getting the building fixed up we wouldn't be in the position we are in now stated Howard. We tore down the two other structures and are motivated to renovate the remaining. Howard noted that he was 100% agreeable with the demo of the other structures. But this third structure is structurally sound. Mr. Ryan agreed that the third structure is sound. Again, Clint Howard stated that they are motivated right now to get in there and get it renovated.

Commissioner Lewis added the property does look the best that he has seen it in a long time with all the progress made lately. Mr. Lewis added he would like to see the progress continue and not go into a stalemate again. Progress has been made so let's keep it going. I think we need some kind of timeline to show when the contractors are starting. Howard stated there are a couple of properties that he will be pulling permits on as well for remodels.

Chairperson Brzozowski commented that he didn't know how or when the request was made for Mr. Howard to present a plan. Mr. Ryan said the first notification went out in 2015. Brzozowski stated that he was referring to the most recent request. When I spoke to Code Enforcement Sheila Miller today, it was stated that the City was waiting on a written plan. When the board met in April 2018, they didn't give an

order an order for a written plan it was an order for demolition. Mr. Brzozowski added it was his understanding that when the notice for this meeting went out there was a request for a plan to be presented. Mr. Howard was questioned on how long it would take to assemble a plan that could be presented to the City of how he will go forward with this project?

Mr. Howard responded that the timeframe would hopefully be within the next two weeks. Local plumbers and electricians will be contacted and depending on their schedules will be how soon they can get over there. That whole structure has always ran off of one electrical meter and one water meter. That's going to have to be split. It is a duplex, upstairs/downstairs.

Mr. Brzozowski noted he understood the plan would be to create a duplex out of the structure within the proper guidelines and with proper meters.

Commissioner Earls questioned Mr. Howard on the crews that are ready to go to work. What type of crews? Mr. Howard noted $\frac{3}{4}$ of the structure has been gutted. The crews will continue with the demolition of the interior and clean up. Then they will start doing things that you can visibly see on the outside.

Chairperson Brzozowski stated that the question had been brought up as to as to how often can the board meet? The board can meet as often as needed to take care of business for the City. An agenda just has to be posted 72 hours in advance. So if we give Mr. Howard a certain amount of time to come up with a plan to present to the city to be approved by the city then we can meet again. My personal feeling is giving the condition that the property is in today, with the work that has been done over the last 45 days and because of the progress that has not been done. I recommend that since there has been progress made that we postpone any type action today. If we do take any action it is that we give Mr. Howard 30 days to develop and submit a plan that can be approved by the city. It might be a negotiated plan between both of you (Howard and the City) but you will both have to agree to a comprehensive plan that will meet the city's guidelines, a re-marketable plan, a duplex, a rentable, habitable, safe piece of property in our community. With that being said Brzosowski asked what are thought of the other members on the board. Commissioner Lewis added that he believes that Mr. Howard does deserve a timeline to go ahead and continue on with the progress of the property. Lewis added that he believes that 30 days is an excellent timeframe to get bids in, finish demolition in a few days and get contractors bids to present to Brad and the city. Commissioner Earls agreed with Mr. Lewis. Mr. Howard was agreeable.

Chairperson Brzozowski stated that we want people to invest in our community. We want the right investments, we want our community to look good, our habitations to be safe and not become a hazard or obstacles to the neighbors that have to contend with these things in the neighborhood. As I said at the last meeting, there is a church across the street, a school next door and residents that live right there. I don't think it's fair to anyone in that neighborhood to contend with that. If you're willing to do those things to bring it back we invite you to do those things. But if has to be done appropriately. If you are willing to work down this path sounds like we are willing to work with you.

Vice Chairperson Lewis made the motion to give Mr. Howard the opportunity to come up with a comprehensive plan to present to the city within 30 days for their approval. Commissioner Proper seconded the motion. All voted AYE. Motion carried.

Mr. Howard thanked the Building & Standards Commission Board for an additional 30 days. Chairperson Brzozowski said that he looks forward to good things and that's all we ask as a community. Mr. Jeff Fuechec, Lending Officer with First Financial Bank of El Campo, asked if this agreement be binding or is this just kind of a plan. Brzozowski replied that after Mr. Howard brings in the fresh bids and plans that they will be binding between the Mr. Howard and the city. The board is going to call a meeting after the 30 day period.

ADJOURN:

Before the meeting was adjourned the next meeting was set for April 4, 2019. Commissioner Earls made the motion to adjourn the meeting. Commissioner Lewis seconded the motion. All voted AYE. Motion carried.

APPROVED: _____
Patrick Brzozowski, Chairperson

ATTEST: _____
Becky Miska, City Secretary