

MINUTES

CITY OF DICKINSON BUILDING STANDARDS COMMISSION Regular Meeting

March 10, 2010

A Regular Meeting of the Building Standards Commission of the City of Dickinson, Texas was held on **March 10, 2010 at 6:30 p.m.** at City Hall, 4403 Hwy 3, for the purpose of considering the following items:

ITEM 1) CALL TO ORDER

Lee Gana called the meeting to order at 6:31 p.m.

Board members present were Lee Gana, Donald Smith, James Ayers, Ira Alexander and Larry Kindel. City staff present was Code Enforcement Officer Cynthia Smith and Community Development Assistant Jennifer Fisk. Louis Gill was also in attendance. Ira Alexander gave the Invocation and Donald Smith led the Pledge of Allegiance.

ITEM 2) SWEARING IN OF NEW BOARD MEMBER:

Mr. Louis Gill was sworn in by Mr. Gana. Mr. Ayers and Mr. Kindel were opposed to Mr. Gana swearing-in Mr. Gill as a new commission member. Mr. Ayers asserted that the City Bylaws require board members be sworn in by City Officials. Mr. Gana argued that as the Chairman of the Building Standards Commission, he is an acting City Official and performing within his capacity. City Staff advised the matter would be researched and clarification would be given at the next meeting.

ITEM 3) CONSIDERATION AND POSSIBLE ACTION CONCERNING:

Donald Smith made a motion to approve the minutes for the November 11, 2009 Building Standards Commission meeting. Larry Kindel seconded the motion. **MOTION PASSED UNANIMOUSLY.**

OLD BUSINESS

ITEM 4) BRIEFING AND DISCUSSION CONCERNING THE COMMUNICATION BETWEEN STAFF AND BOARD MEMBERS:

Commission members Lee Gana, Larry Kindel, Donald Smith, James Ayers, Ira Alexander and Louis Gill asserted that the Building Standards Commission should meeting every month. Mr. Gana further contended

officer elections for the Building Standards Commission should be on next month's agenda.

Mr. Kindel was concerned that the Commission isn't conducted a monthly meeting and asked why they were not being held every month. Cynthia Smith stated that according to the Building Official and City Administrator, the Building Standards Commission is considered a quasi judicial board and should not meet unless there is action to be taken on a property. Mr. Kindel stated several properties from January's meeting still needed to be discussed.

Ms. Smith addressed Mr. Kindel's concerns by explaining none of the properties from the previous meeting required further action from the Building Standards Commission except the property located at 4826 E. 35th Street, which was tabled until an inspection of the property could be performed by the Building Official. Further, Staff informed Mr. Kindel that the property was on this evening Agenda as items 7 and 8.

Mr. Gana asserted the City Administrator has no jurisdiction over the Building Standards Commission and that staff should add more properties to the Agenda every month. Additionally, he commented that the Commission should meet every month even if there is nothing on the Agenda and the meeting lasts only ten minutes. Mr. Gana continued by saying citizens has the right to attend the Building Standards meetings to bring blighted properties to the attention of the Commission and requested a new Agenda item be added for that purpose. Further, he stated citizens have told him they want the Commission to meet every month. Finally, Mr. Gana expressed to staff that the Board wants the Building Official to attend all of the Building Standards meetings and in the event he is unable to make a meeting, they would be notified immediately.

Ira Alexander mentioned that he came to City Hall last month because he had not been notified that the Commission was not going to have a meeting.

Mr. Gana said he wants Cynthia Smith's phone number so he can contact her anytime of the day, that he did not want an office number that went to a recording. Further, Mr. Gana asked that someone be assigned as the contact person for the Commission.

Ms. Smith reiterated the Board's statements and concluded by assuring the members that their concerns would be conveyed to Kevin Byal so that the items could be addressed at the next Building Standards Commission meeting.

ITEM 5) BRIEFING AND DISCUSSION CONCERNING THE STATUS OF THE FOLLOWING PROPERTIES: 3608 Oak Drive, 2605 24th Street, 1605 Oleander, 4806 E 30th St.

Cynthia Smith provided the Commission Members with a brief history and update regarding **3608 Oak Drive, 2605 24th Street and 4806 E 30th St.** Ms. Smith informed the Board that the demolition and clearing services bid for all three properties was awarded by City Council to AAR, Inc. during the March 10, 2010, City Council Meeting.

In regards to 1605 Oleander, Ms. Smith provided a brief case history and informed the Commission that the bridge repairs have been completed and staff has initiated the notification process to bring the property into compliance.

Mr. Gill also expressed he was happy to be back as a member of the Building Standards Commission. Everyone thanked Mr. Gill for joining the Commission once again.

ITEM 6) Public Comments:

No residents and or property owners were in attendance.

NEW BUSINESS

ITEM 7) PUBLIC HEARING – 4826 E 35th St

Mr. Gana opened the public hearing at 7:05 p.m.

Cynthia Smith informed the Commission that the property was inspected by the Building Official, Kevin Byal, and that his findings were outlined in the memorandum which was passed out at the beginning of the meeting. Staff explained that the location is vacant rental property owned by Richard L. Pfirman and that the owner was made aware of the condition of the property. Staff also informed the Commission that the property owner was properly notified of the Building Standards Commission hearing and advised to attend.

Lee Gana closed the public hearing at 7:16 p.m.

ITEM 8) CONSIDERATION AND POSSIBLE ACTION CONCERNING – 7826 E 35th St This request is for the property located at **4826 E 35th Street** (Abst 78 Page 4 N 70 Ft of Lot 12 & N 70 Ft of E ½ of Lot 11 (11-1) Blk 279 Nicholstone).

Mr. Kindel made a motion to declare the structure unsafe and Mr. Smith seconded the motion. Mr. Kindel then made a motion to have the

structure demolished and Mr. Smith seconded that motion. **MOTION PASSED UNANIMOUSLY.**

ITEM 9) ADJOURNMENT

Motion made by Donald Smith to adjourn the meeting. Larry Kindel seconded the motion. **MOTION PASSED UNANIMOUSLY.**

Lee Gana adjourned the meeting at 7:17 p.m.

A handwritten signature in cursive script, appearing to read "Lee Gana", is written above a horizontal line.

Chairman