

**Austwell City Council Meeting March 29<sup>th</sup>2023 Regular Meeting / Public Hearing**

The Austwell City Council met for Regular Meeting and Public Hearing on March 29<sup>th</sup> 2023 at the Community Center 311 Bay Street @ 6:00 PM. Mayor Biery called the meeting to order and led the Pledge of Allegiance. Welcome and Announcements, No one signed in. Commissioner Ancira stated that she had the privilege to be part of the Board of Refugio County Development Foundation.

**Item # 5 Staff Reports:**

City Secretary Jodi Lerma presented report regarding bank accounts balances.

Commissioner Wolfshohl reported that there could be no charging for use of the Pier it will be open to everyone that is part of the Grant.

Rene's Water Operations, reported the amounts of water used and read the waste water report.

**Item # 6**

Copies of the Minutes for Feb 7<sup>th</sup> 2023 Public Hearing and Feb 21<sup>st</sup> 2023 Regular Meeting / Public Hearing minutes were provided to each council member. Council Member Torres made a motion to accept minutes as written Council Member Ancira seconded all ayes motion passes unanimously.

**Item # 7**

Mercer Control Water Level Indicator, Storage Tank. Rene explained the operation of the level indicator. Council Member Ancira made a motion to approve Water level Indicator. Council Member Torres seconded all ayes motion passes unanimously.

**Item # 8**

Hiring City Attorney, Mayor Biery introduces Simon McCloud. Council read over the contract. Council Member Ancira makes a motion to accept the contract as written Council Member Torres seconded all ayes motion passes unanimously.

**Item # 10**

Variance to RV Ordinance 705 Main Street. The request is to allow him to utilize city sewer for his RV while continues to remodel the old Methodist Church. Council Member Torres made a motion to accept the letter for variance to section 3. Council Member Ancira seconded all ayes motion passes unanimously.

**Item # 11**

Plans for Picnic Tables & Pavilions.

Council Member Ancira made a motion to Table.

Council Member Torres seconded

All ayes motion passes unanimously.

**Item # 12**

Update on 311 Proctor Street Remediation. The City Attorney took lien to file at courthouse.

**Item # 13**

UP2U Dumpster Service, Theresa Finch explains and this Service will begin on May 15<sup>th</sup>2023.

Council Member Torres make a motion to accept this service.

Council Member Ancira seconded

All ayes motion passes unanimously.

**Item # 14: Public Hearing for 506 Vandenberg Mrs. Cann present**

Mayor Biery explains these two portable buildings have had a second inspection on 21<sup>st</sup> of February. Based on the reinspection with council present, the original order has been rewritten as it was written before Ms. Cann.

Mayor Biery read the order, ordering the removal within 30 days

Council Member Ancira made a motion to accept the order as written.

Mayor Biery seconded the motion, motion passes.

Council Member Torres did not attend the second inspection.

**Item # 15: Public Hearing for 411 Main Street Owner not present**

Failed Inspection:

Substandard Structure Evaluation & Report -- Failed

1. Wooden material has rotted due to not being painted and exposed to the elements.
2. Glass windows broken.
3. Metal covering building is rusting and has holes at different areas throughout building.
4. PVC pipes not connected.
5. Building not secured from entry.

Mayor Biery read the order

Submit plans and request permits as required to remediate the noted deficiencies of the report dated 03/16/2023 within 60 days of the date of this letter. Work must be completed within 180 days of this order. If continued effort and progress is being made, extensions to these time frames may be requested, and can be granted under the ordinance.

It is noted that work has begun to remediate several of the items noted on the inspection report. All work must be accomplished in accordance with Building Ordinance and Wind Code Standards.

At completion of all work, a reinspection of these items is required to close this file.

Council Member Torres makes a motion to accept the letter

Council Member Ancira seconded

All ayes motion passes unanimously.

**Item # 16** Public Hearing for 516 Main Street Jeff Welch present

Failed Inspection:

Substandard Structure Evaluation & Report -- Failed

1. Wooden material on both structures are not painted and being exposed to the elements.
2. Trim missing on different areas of main structure.
3. Bottom sections of siding is damaged on main structure.
4. Trim has rotted around window on main structure.
5. Unpainted wood at covered porch being exposed to the elements, which will affect the integrity of the structural members.
6. Broken siding at several areas of main structure.
7. Roofing material on main structure does not show signs of damage.
8. Roofing on out building appears to have rust at the bottom ends, close to the eaves.
9. Wooden material on overhang of out building has water damage.

Mayor Biery read the order Mr. Welch was not present when order was read.

The building / structure located on this property has been determined to be substandard, being wind and exposure damaged a defined by amendment 851 Ordinance 121190

The owner of this building is ordered to submit plans and request permits as required to remediate the noted deficiencies of the report dated 03/16/2023 within 60 days of the date of this letter. Work must be completed within 180 days of this order. If continued effort and progress is being made, extensions to these time frames may be requested, and can be granted under the ordinance.

It is noted that work has begun to remediate several of the items noted on the inspection report. All work must be accomplished in accordance with Building Ordinance and Wind Code Standards.

At completion of all work, a reinspection of these items is required to close this file.

Council Member Ancira made a motion to send order as written

Council Member Torres seconded

All ayes motion passes unanimously

**Item # 17:** Public Hearing for 207 Proctor Street

Mayor Biery explains that property was sold he spoke with the new owner and he indicated that he intends to tear the building down in the next 30 days and build a new structure on the lot.

Council Member made a motion to Table this item

Council Member Ancira seconded

All ayes motion passes unanimously

**Item # 18:** Public Hearing for 811 Vandenberg owner not present

Failed Inspection:

Substandard Structure Evaluation & Report -- Failed

1. Wooden material on the exterior of the building is not painted and is being exposed to the elements.
2. Deflections exist on approximately 80% of the roof.
3. Roof covering appears to have been lifted/damaged by wind at the rear of the building.
4. The area around the air conditioners are missing siding or trim, which has possibly caused damage to the interior of the building.
5. Siding has been damaged due to having been exposed to the elements and is missing at several area of the building.
6. Metal frame under floor is not protected with a paint coating and has rust forming, which could potentially jeopardize the integrity of the frame that is supporting the building.
7. Wooden foundation edges have been exposed to the elements and has started showing signs of decaying of the wood.
8. The drip edge is missing at several areas of the fascia boards.

Mayor Biery read order

The building / structure located on this property has been determined to be substandard, being wind and exposure damaged a defined by amendment 851 Ordinance 121190

The owner of this building is being ordered to submit plans and request permits as required to remediate the noted deficiencies of the report dated 03/16/2023 within 60 days of the date of this letter. Work must be completed within 180 days of this order and receive a final inspection by Bureau Veritas confirming these repairs have been made. If continued effort and progress is being made, extensions to these timeframes may be requested, and can be granted under the ordinance.

If after 60 days, no plans are submitted for repair and permits requested, a new public hearing will be conducted, which may result in other remedies noted by ordinance.

Council Member Ancira made a motion to send order as written

Council Member Torres seconded

All ayes motion passes unanimously

**Item # 19:** Public Hearing for 605 Vandenberg Street owner not present

Failed Inspection:

1. Bottom sections of siding missing throughout structure.
2. Siding throughout structure is being exposed to the elements due to no longer being painted.
3. Rear corner of metal roof has been damaged, exposing the wooden material under roof to the elements.
4. Unable to inspect the interior of structure due to a No Trespassing sign being posted at entrance.

Mayor Biery read the order

The building / structure located on this property has been determined to be substandard, as defined by amendment 851 of Ordinance 121190, being wind damaged and deteriorated, and is qualified to be repaired.

The owner of this building is ordered to submit plans and request permits to remediate siding and roof deficiencies of report dated 3/02/2023 by Bureau Veritas, within 60 days of date of this order. Work must commence within 90 days of the date of this order, and must be completed within 180 days of the date of this order, and receive a final inspection by Bureau Veritas confirming these repairs have been made. If continual effort and progress is being made, extensions to these timeframes may be requested, and can be granted under the ordinance. All work must be accomplished according to current building and wind code standards.

If after 60 days, no plans are submitted for repair and permits requested, a new public hearing will be conducted, which may result in other remedies noted by ordinance.

Council Member Ancira made a motion to send order as written

Council Member Torres seconded the motion

All ayes motion passes unanimously

**Item # 20:** Public Hearing for 507 Mc Dowell owner not present

Failed Inspection:

1. Wooden material needs painting due to being exposed to the elements.
2. Siding is missing at front gable.
3. Trim missing around door/s and windows.

4. Siding missing at soffit area and different areas of house.

\*\* Unable to inspect rear of property due to a No Trespassing sign being posted on property and unable to inspect interior of home.

Mayor Biery read the order

The building / structure located on this property has been determined to be substandard, as defined by amendment 851 of Ordinance 121190, being wind damaged and deteriorated, and is qualified to be repaired.

The owner of this building is ordered to submit plans and request permits to remediate siding deficiencies of report dated 3/05/2023 by Bureau Veritas, within 60 days of date of this order. Work must commence within 90 days of the date of this order, and must be completed within 180 days of the date of this order, and receive a final inspection by Bureau Veritas confirming these repairs have been made. If continual effort and progress is being made, extensions to these timeframes may be requested, and can be granted under the ordinance. All work must be accomplished according to current building and wind code standards.

If after 60 days, no plans are submitted for repair and permits requested, a new public hearing will be conducted, which may result in other remedies noted by ordinance.

Council Member Torres made a motion to send order as written

Council Member Ancira seconded

All ayes motion passes unanimously.

**Item # 21:** Public Hearing for 311 McDowell Street, Mr. Yaklin was present

Failed Inspection:

1. Trim around windows are deteriorated.
2. Wall appears to be sinking, causing them to sag on half of the building.
3. Siding needs painting due to being exposed to the elements.
4. Bottom section of siding has rotted.
5. Perimeter studs making contact with the ground, causing the studs to rot.
6. Structure needs to be leveled to be able to reroof structure.

Mayor Biery read the order

The building / structure located on this property has been determined to be substandard, as defined by amendment 851 of Ordinance 121190, being wind damaged and deteriorated, and is qualified to be repaired.

The city has received your engineering report, and agrees with your proposed repairs.

The owner of this building is ordered to submit plans and request permits to remediate siding, structure and roof deficiencies of report dated 3/05/2023 by Bureau Veritas, within 60 days of date of this order. Work must commence within 90 days of the date of this order, and must be completed within 180 days of the date of this order, and receive a final inspection by Bureau Veritas confirming these repairs have been made. If continual effort and progress is being made, extensions to these timeframes may be requested, and can be granted under the ordinance. All work must be accomplished according to current building and wind code standards.

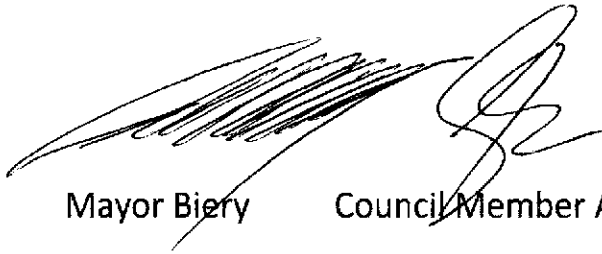
If after 60 days, no plans are submitted for repair and permits requested, a new public hearing will be conducted, which may result in an order to remove or demolish, or other remedies noted by ordinance.

Council Member Ancira made a motion to move forward sending the letter to Mr. Yaklin with knowledge that Mr. Yaklin provided council with engineering plans.

Council Member Torres seconded

All ayes motion passes unanimously.

**Item # 22:** Adjourned 8:10 PM

The image shows three handwritten signatures in black ink. The first signature on the left is a dense, scribbled signature. The second signature in the middle is a more fluid, cursive signature. The third signature on the right is a simple, stylized signature.

Mayor Biery

Council Member Ancira

Council Member Torres