

Austwell City Council Meeting April 18th 2023 Regular Meeting/ Public Hearing.

The City of Austwell City Council met for Regular Meeting and Public Hearing on April 18th 2023 at the Community Center 311 Bay Street @ 6:00 PM. Mayor called the meeting to order and led the Pledge of Allegiance. Welcome and Announcements, Commissioner Torres was not able to attend council meeting on this day. Mayor Biery wanted to remind citizens of the May 15th to May 26th 2023 the UP2U dumpster will be available, placing in the last 3 spots at the will RV Park. No one signed for Public Comments.

Item # 5:

City Secretary Jodi Lerma presented reports regarding bank accounts
Rene's Water Operation Read his water usage report and waste water report.
Commissioner Wolfshohl gave his report on the Mit-Mod Grant drainage & street repair.
Commissioner Wolfshohl also reported that there was money left from the parking lot paving at bayfront and it will be used to pave the rest of the road leading into the bayfront he was not sure exactly what all would be paved.

Item # 6:

Copies of the Minutes for March 29th 2023 Regular Meeting/Public Hearing were provided to each council member.
Council Member Ancira made a motion to accept the minutes as written.
Mayor Biery seconded the motion.
All ayes motion passes unanimously.

Item # 7:

Solicitation of mowing bids.
Council Member Ancira made a motion to table this item.
Mayor Biery seconded the motion.
All ayes motion passes unanimously.

Item # 8

CBBEP Human Access Enhancements Plans for picnic tables & pavilions at bayfront.
Council Member Ancira made a motion to table this item.
Mayor Biery seconded the motion.
All ayes motion passes unanimously.

Council went into an executive session @ 6:29 pm
Council returned from executive session @ 6:34 pm

Item # 9 Public Hearing

601 Vandenberg Street - Owner was present for hearing.

Mrs. Flores told Mayor Biery she wants mobile home demolished was full of mold.

Mayor Biery read the order.

Be it ordered on this day 18th day of April 2023:

That the Re: Manufactured Home located at 601 Vandenberg

Legal Description: Lots 11 and 12, Block 12 of the City of Austwell

Legal Owner: Flores, Antonio I and Mary J

The manufactured home located on this property has been determined to be substandard and unsafe, as defined by amendment 851 of ordinance 121190 and constitutes a hazard and public nuisance.

The manufactured home located on this property is ordered to be removed within 30 days. On the 31st day after this order, the City of Austwell will exercise the Authority defined by this ordinance to remove the structure, and assess the property with a lien for the expense of removal, and administrative costs, and lien will be filed with the Clerk of Refugio County, incumbering the property until paid in full.

Council Member Ancira made a motion to accept removal of manufactured home.

Mayor Biery seconded the motion.

All ayes motion passes unanimously.

Item # 10 Public Hearing

411 McDowell Street – Owner was present with her attorney representing her.

Mrs. Morgan stated that the address was wrong for the MFH, that the address was for the shed.

Mayor Biery explained that the information was provided by the Property Tax records.

Correction on the address 409 McDowell Street is the address MFH

Mayor Biery clarifying that the packet Mr. Arriaga has handed out is for the manufactured home that was in discussion.

Council Member Ancira made a motion to continue this item for more investigation.

Mayor Biery seconded.

All ayes motion passes unanimously.

Item # 11 Public Hearing

507 Bay Street – Owner was not present

Mayor Biery read the order

Be it on this 18th day of April 2023

That the

Re: Building / Structure located at 507 Bay Street

Legal description: Lots 1 & 2, Block 33 of the City of Austwell

Legal Owner: Cutshall, Taylor and Joya Chandra

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

The owner of this building is ordered to submit plans and request permits to remediate deficiencies of report date 03/20/2023 by Bureau Veritas, or request a permit for demolition, within 60 days of date of this order. If repaired, work must commence within 90 days of the date of this order, and must be completed in 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.

Council Member Ancira made a motion to send order as written.

Mayor Biery seconded the motion.

All ayes motion passes unanimously.

Item # 12 Public Hearing

509 Vandenberg Street – Owner was not present

Council Member Ancira made a motion to continue.

Mayor Biery seconded the motion.

All ayes motion passes unanimously.

Item # 13 Public Hearing

105 Main Street – Owner not present

Mayor Biery read the order

Be it ordered on this 18th day of April 2023:

That the

Re: Manufactured Home located at 105 Main Street

Legal description: Lot 10 block 31 of the City of Austwell

Legal Owner: Reyes, Maria and Johnny Gutierrez

The Manufactured home located on this property has been determined to be substandard/unsafe, as defined by amendment 851 of Ordinance 121190, being windstorm and water damaged and deteriorated from its original design, as indicated by inspection report dated 3/05/2023.

Because this building is a manufactured home, and repair scheme must comply with standards of manufactured homes that are not listed in the IBC or IRC, which are the adopted standards for construction within the City of Austwell, repairs made to the roof, siding or structure of the manufactured home must begin with instructions/drawings bearing the stamp of a licensed professional engineer, following the guidance of TDHCA (Texas Department of Housing and Community Affairs) the regulating agency for manufactured housing in Texas.

The owner of this building is ordered to submit plans and request permits to remediate noted deficiencies of report dated 3/05/2023 by Bureau Veritas, within 60 days of date of this order, or remove the building from within the limits of the city of Austwell.

If Plans to repair are submitted, 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. Repairs must be equal to or greater than the provisions of Windstorm II standards, and/or result in the issuance of a windstorm certificate.

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.

Council Member made a motion to accept order as written

Mayor Biery seconded the motion.

All ayes motion passes unanimously.

Item # 14 Public Hearing

102 N. Dilworth Street – Owner not present

Mayor Biery read the order

Be it ordered on this 18th day of April 2023:

That the

Re: Building / Structure located at 102 N Dilworth Street

Legal description: Lot 6, block 31 of the City of Austwell

Legal Owner: Hernandez, Grace

The building / structure located on this property has been determined to be in Violation of the Ordinance governing the placement of Manufactured housing within the City of Austwell, bearing a placard that states: "This home has been equipped with Storm Shutters". The results of our inspection indicates that neither shutters nor manufacturers provisions for shutters are present, which is required by the placard following the manufacturers printed instructions when installed in a windstorm II environment.

The owner of this building is ordered to obtain manufacturer's instructions for the installation of provisions for shutters for all exterior openings, and install provisions in accordance with these instructions within 60 days of the date of this order.

Council Member Ancira made a motion to accept order as written

Mayor Biery seconded the motion.

All ayes motion passes unanimously.

Item # 15 Public Hearing

302 Mc Dowell Street – Owner was present

Council Member Ancira said a letter will be sent thanking Mr. Malek for his cooperation.

Item # 16 Public Hearing

601 Proctor Street – Owner was present

Mary Canales ask council for a continuance.

Council Member Ancira made a motion for a continuance for further investigation.

Mayor Biery seconded the motion.

All ayes motion passes unanimously.

Item # 17

Adjourn: 8:26 PM

Mayor Biery

Council Member Ancira

Council Member Torres