

**MINUTES  
CITY OF ELGIN BUILDING STANDARDS COMMISSION  
SPECIAL MEETING  
THURSDAY, SEPTEMBER 15, 2022**

**I. CALL TO ORDER – ROLL CALL:** The Chair called the meeting to order at 6:00 P.M. at the Chamber of Commerce, Board Room located at 114 Central Ave., Elgin, TX U.S.A.

**COMMISSION PRESENT:** Chair Brian Lundgren, Vice-Chair David Lanford, & Regan Dumbeck.

**COMMISSION ABSENT:** None.

**STAFF PRESENT:** David Harrell, Development Services Director; Melissa Lipiec, Secretary; David Rodriguez, Watkins Consulting (3<sup>rd</sup> Party Fire Inspector); Dondi Atwell, ATS Engineers (3<sup>rd</sup> Party Building Inspector); & Tyler Stevens, Sheets & Crossfield (3<sup>rd</sup> party City Attorney).

**II. CONSENT AGENDA**

1. August 18, 2022, Minutes.

David Lanford moved that the Commission approve the consent agenda, Regan Dumbeck seconded the motion. The motion passed unanimously with a vote of three (3) for and zero (0) against.

**III. NEW BUSINESS**

1. Case #: 20220020: Designation Of Unsafe Buildings Under Chapter 6-57, City Code For Property Owned By Elgin LLC (Puckett, BLOCK 1, Lot 1 & LOT 1, BLOCK 2, ACRES 2.050; Puckett, BLOCK 1, Lots 2 - FR & 3, ACRES 0.396; Puckett, BLOCK 1, Lots 2 - FR & 3, ACRES 0.396; Puckett, BLOCK 1, Lot 4; Elgin City, BLOCK 39, Lot 1 - 10, BLOCK 40, LOTS7-11 FR'S, 12 & 13 AND PT OF N AVE D, ACRES 0.8300; Elgin City, BLOCK 40, Lot 14 - 16, ACRES 0.200) And Action To Be Taken By The Commission To Rule On The Case.
  - A. Staff Presentation – David Harrell conducted a presentation of the staff report.
  - B. Property Owner Presentation – Jimmy Nassour, property owner, was present and conducted a presentation. He indicated that the site was going through a planning stage when COVID-19 hit, and they decided what buildings were going to be demolished and what were to be saved. He was working with the tenant in one building to move the business out of that location before power can be shut off. He indicated the demolition company has met Mr. Harrell at the site where they intend to remove everything south of First St. and preserve everything north of First St., except for the building with the tenant business in it.
  - C. Open Public Hearing – The public hearing was opened at 6:26 P.M. with one member of the public desiring to comment:
    - i. Tiger Flores, 202 E. 1<sup>st</sup> St, had questions regarding the electricity and his desire to have a timeline to vacate the premises if the Commission decided to declare his leased building to be unsafe, preferably a timeframe allowing until the end of the month.
  - D. Close Public Hearing – The public hearing was closed at 6:29 P.M.

### III. NEW BUSINESS (Cont.)

- E. Discussion – There was discussion between the Commission and Staff regarding the recommendations in the Staff report, what the demolition permit covers and doesn't cover on the site, delay in action on the site by the applicant, building encroachments into City right-of-way, capping off utilities, administrative search warrant,
- F. Action – Regan Dumbeck made a motion to declare the buildings as unsafe and condition the following actions to be taken to remedy the situation:
  - i. All buildings and ground openings are to be secured to the satisfaction of the Development Services Director as acting Building Official within thirty (30) calendar days. Failure to meet timeframe will result in the City securing the facilities and a lien placed on the property.
  - ii. All vacant buildings are to have utilities disconnected and capped off within thirty (30) calendar days to the satisfaction of the Development Services Director as acting Building Official. Failure to meet timeframe will result in the City doing the work and a lien placed on the property.
  - iii. All buildings are to have any combustible materials, including cotton, removed within thirty (30) calendar days to the satisfaction of the Development Services Director as acting Building Official. Failure to meet timeframe will result in the City removing the materials and a lien placed on the property.
  - iv. On Building B5, Area A2, the roof is to be repaired in accordance with City adopted Codes and procedures. A building permit is to be filed with the City for the repair or demolition permit filed for removal of the building within thirty (30) calendar days and permit work to begin within sixty (60) calendar days. Failure to meet timeframes will result in either the City either securing the property or demolishing it and a lien placed on the property.
  - v. On Building B2, Area A3, a State licensed structural engineer must evaluate the safety of this building within thirty (30) calendar days or a demolition permit be filed within thirty (30) calendar days removing the building. If a demolition permit is filed, work must begin in sixty (60) calendar days. If the building is not being demolished, a building permit be filed within sixty (60) calendar days for any noted repairs from the structural engineer with permit work to begin in ninety (90) calendar days. Failure to meet timeframes will result in either the City either securing the property or demolishing it and a lien placed on the property.

This motion to approve an action, with conditions, was seconded by David Lanford. The motion passed unanimously by a vote of three (3) to zero (0).

Regan Dumbeck made a motion to amend the previous approval to make the following additional conditions:

- i. On Building B2, Area A3, tenant has forty-five (45) calendar days to vacate the building.

This amended motion with conditions was seconded by David Lanford. The amended motion passed unanimously by a vote of three (3) to zero (0).

**IV. ANNOUNCEMENTS**

David Harrell announced that a future meeting will be necessary sometime in November to approve tonight's Minutes and to expect an email soon to set up a date for this meeting. Also, he announced that vacancies should be filled on the Commission sometime in October and that the new candidates would be receiving the training like their August training at that time.

**V. ADJOURNMENT**

The meeting was adjourned by the Chair at 6:51 P.M.

ATTEST: David Harrell  
David Harrell, Acting Secretary

Brian Lundgren  
Brian Lundgren, Chair

On a motion by BRIAN LANFORD, seconded by REGAN DUMBECK  
the foregoing instrument was passed and approved on this 1<sup>st</sup> day of December 2022.