

**REGULAR SESSION**

**AUGUST 15, 2011**

The Substandard Buildings Commission of the City of Athens, Texas met in Regular Session on **Monday, August 15, 2011 at 5:30** p.m. in the Council Chambers of the Athens City Hall Annex with the following members present to-wit:

Bruce Hinds, Chairman  
Monte Montgomery, Vice-Chairman  
Dr. Steven Helf  
Geneva Jaffa  
Tere Lawyer

Sheila Garrett, Code Enforcement Officer  
Gary Crecelius, Director of Planning and Development  
Pam Burton, City Administrator  
Ronnie Denton, Fire Marshall  
Buddy Hill, Police Chief

Others present: Mayor Pro-Tem Vaught, Council Member Carol Barton, and other interested persons

constituting a quorum at which time the following proceedings were enacted, to-wit:

The meeting was called to order by Chairman Hinds:

**DISCUSS/CONSIDER APPROVING MINUTES OF THE JULY 14, 2011 SPECIAL SESSION AND THE JULY 18, 2011 REGULAR SESSION.**

A motion was made by Vice-Chairman Montgomery, seconded by Member Jaffa, to accept the minutes of the July 14 Special Session and July 18, 2011 Regular Session. The motion passed unanimously.

**PUBLIC HEARING CONCERNING SUBSTANDARD STRUCTURE LOCATED AT 313 NORTH PRAIRIEVILLE, LOT 7A & 8A, BLOCK 22 - ORIGINAL TOWN SUBDIVISION  
OWNER GARLAND POOL JR. & DOLORES HOPSON HERRINGTON**

Sheila Garrett, Code Enforcement Officer, stated a dumpster was set beside the structure during the past week and it appears the debris from the collapsed roof was being removed. Ms. Garrett stated Mr. Pool is here tonight to submit his written scope of work on replacing the roof.

Garland Pool, property owner, addressed the Commission, stating the debris from the collapsed roof has been removed from inside of the structure. Mr. Pool stated he did not bring a written scope of work with him tonight due to miss-communication between him and Mrs. Herrington regarding who was to bring the written scope of work to the meeting. Mr. Pool stated he intends to set columns inside of the structure that would support the weight of the roof, fit the roof to the structure and slope the roof slightly towards the back to prevent leaking and holding water.

Vice-Chairman Montgomery questioned the remaining time-frame for the roof to be replaced and if Mr. Pool would need to have engineered plans. Ms. Garrett read aloud the Orders of the Substandard Building Commission from June which states Mr. Pool will have ninety (90) days to obtain certified engineered plans for the roof. Vice-Chairman Montgomery questioned Gary Crecelius, Director of Planning and Development if Mr. Pool could certify the plans himself since he is a civil engineer and Mr. Crecelius answered yes.

**DISCUSS/CONSIDER ACTION ON SUBSTANDARD STRUCTURE LOCATED AT 313 NORTH PRAIRIEVILLE, LOT 7A & 8A, BLOCK 22 - ORIGINAL TOWN SUBDIVISION  
OWNER GARLAND POOL JR. & DOLORES HOPSON HERRINGTON**

A motion was made by Vice-Chairman Montgomery, seconded by Member Helf to allow Mr. Pool three(3) days to submit his written scope of work to the Public Health and Safety department. The motion carried unanimously.

**PUBLIC HEARING CONCERNING SUBSTANDARD STRUCTURE LOCATED AT  
600 NORTH PINKERTON, LOT 5, C.B. JOHNSON SUBDIVISION  
OWNER CHARLES SHERMAN**

Ms. Garrett informed the Commission this structure has been vacant and without utilities since 1999. Mr. Sherman would like to renovate the structure. Mr. Crecelius has met with Mr. Sherman at the structure to discuss what work is needed to bring the structure up to code.

Mr. Crecelius stated he's inspected the building with Mr. Sherman and discussed with him the areas that need to be addressed. Mr. Crecelius feels the house can be renovated.

Mr. Sherman was present and stated he has people interested in renting the house. He is recently retired and will do the work himself. Mr. Sherman stated he will do his best to get the work done as soon as possible.

**DISCUSS/CONSIDER ACTION ON SUBSTANDARD STRUCTURE LOCATED AT  
600 NORTH PINKERTON, LOT 5, C.B. JOHNSON SUBDIVISION  
OWNER CHARLES SHERMAN**

A motion was made by Chairman Hinds, seconded by Vice-Chairman Montgomery to allow Mr. Sherman thirty (30) days to secure the structure and ninety (90) days to complete the renovations. The motion carried unanimously.

**PUBLIC HEARING CONCERNING SUBSTANDARD STRUCTURE LOCATED AT 312  
COLORADO, LOTS 4 & 5, BLOCK 3 - COLLEGE VIEW SUBDIVISION  
OWNER TRINITY VALLEY COMMUNITY COLLEGE**

Ms. Garrett reported to the Commission that the structure has been demolished by property owners and the clean up will be completed by the end of the week.

**DISCUSS/CONSIDER ACTION ON SUBSTANDARD STRUCTURE LOCATED AT 312  
COLORADO, LOTS 4 & 5, BLOCK 3 - COLLEGE VIEW SUBDIVISION  
OWNER TRINITY VALLEY COMMUNITY COLLEGE**

No action necessary. +

**PUBLIC HEARING CONCERNING SUBSTANDARD STRUCTURE LOCATED AT 108  
MATTHEWS, (GARAGE) LOT 1D, BLOCK A - MATTHEWS SUBDIVISION  
OWNER LARRY LATIMER**

Ms. Garrett reported to the Commission that this structure is a free standing garage that is leaning, and half the siding on the north side of the garage is missing. Ms. Garrett stated that Drew Douglas, business partner of Larry Latimer's, had contacted her stating he would look at the structure to see what the best solution would be in regards to either demolition or renovation. Mr. Douglas had indicated he would be at the meeting with the written scope of work, but is not present.

Mr. Crecelius stated the only renovation for this structure is demolition and rebuilding a garage.

**DISCUSS/CONSIDER ACTION ON SUBSTANDARD STRUCTURE LOCATED AT  
108 MATTHEWS, (GARAGE) LOT 1D, BLOCK A - MATTHEWS SUBDIVISION  
OWNER LARRY LATIMER**

A motion was made by Member Jaffa, seconded by Member Helf, to condemn the structure. The motion passed unanimously.

**PUBLIC HEARING CONCERNING SUBSTANDARD STRUCTURE LOCATED AT 401  
ST. JOSEPH, LOT 22, BLOCK 1 - FAIRVIEW SUBDIVISION  
OWNER NELLIE B. BROWN**

Ms. Garrett informed the Commission the structure has been vacant since 2008, and without utilities. George Brown was present and is requesting ninety (90) days to board and secure the structure. This property belonged to his mother who is now deceased.

Mr. Crecelius stated this house could be renovated with a little time and money. The roof is straight, the porch needs to be repaired due to it is leaning, and some boards around the bottom sills that need replaced due to rotting. The house needs to be painted, but is still in good shape.

**DISCUSS/CONSIDER ACTION ON SUBSTANDARD STRUCTURE LOCATED AT 401  
ST. JOSEPH, LOT 22, BLOCK 1 - FAIRVIEW SUBDIVISION  
OWNER NELLIE B. BROWN**

A motion was made by Chairman Hinds, seconded by Member Helf to allow Mr. Brown thirty (30) days to secure the structure and ninety (90) days to complete the renovations. The motion carried unanimously.

**PUBLIC HEARING CONCERNING SUBSTANDARD STRUCTURE LOCATED AT 723  
NORTH HAMLETT, LOT 17, BLOCK 113 - ORIGINAL TOWN SUBDIVISION  
OWNER BETTE JACKSON C/O O.T. JACKSON**

Ms. Garrett informed the Commission that Mr. Jackson, who lives out of state, contacted her requesting that no action be taken against the structure tonight. He can be in state next month and attend the meeting. He stated he would like a chance to look at the structure before deciding if he will have the structure torn down or if he could put the money into it for revocations. He has family in Athens, that would live in the house if he decides to renovate.

**DISCUSS/CONSIDER ACTION ON SUBSTANDARD STRUCTURE LOCATED AT 723  
HAMLETT, LOT 17, BLOCK 113 - ORIGINAL TOWN SUBDIVISION  
OWNER BETTE JACKSON C/O O.T. JACKSON**

A motion was made by Member Lawyer, seconded by Member Montgomery to place item on next month's agenda. The motion carried unanimously.

**PUBLIC HEARING CONCERNING SUBSTANDARD STRUCTURE LOCATED AT  
405 LINDSEY LANE, TRACT 254 - T. PARMER SURVEY  
OWNER BABIT, LLC**

Ms. Garrett reported the Commission that this structure (former Henderson County Memorial Hospital) has been vacant for over twenty (20) years, the City has had numerous complaints regarding the condition of the property, the structure has become an attraction for children, teens, vagrants, and criminals. Ms. Garrett read the Inspection reports from Fire Marshall Ronnie Denton, and Director of Planning and Development Gary Crecelius. Ms. Garrett also read aloud items #10 & #18 of Section 9 Application of Standards of the Securing of Vacant and Substandard Structures Ordinance 0-12-11 in which the structure is in violation of. A written report from Police Chief Buddy Hill was presented to the Commission which references the numerous calls the police department has responded to over the years, including criminal trespassing, burglary, vandalism and a fatality.

Buell Crawford, Delbert Crawford and Jason Crawford, partners of Babit, LLC, were present and Buell Crawford addressed the Commission stating they've had a contract to sell the structure for over a year, but the person wanting to purchase the structure is having problems with the financing. They want to secure the structure, they have received prices for repairing the roofs. They have considered taking the copper roof off and replacing it with a metal roof. Mr. Crawford questioned whether a fence could be placed around the property to prevent entry into the structure. Mr. Crawford asks if he would be allowed to park an R.V. at the property while the repairs were being made on the structure.

Mr. Crecelius stated that there is nothing in the ordinance that would prevent a fence from being placed around the property as long as the proper set back requirements were met.

Vice-Chairman Montgomery asks Mr. Crawford if he had a written scope of work including the time frame of the work to be done. Mr. Crawford stated he did not have a written plan, first he wanted to find out what exactly they could do and what the Commission wanted them to do.

Member Lawyer asks if the asbestos has been removed from the structure and Delbert Crawford stated yes, it had been removed by the County before they bought the structure and they have a certificate which states that.

Member Lawyer stated she did not feel a fence would solve the problem of the substandard building. Member Lawyer stated the structure is an eyesore and questioned the property owners of their intentions on resolving the issue of the structure being substandard. Buell Crawford stated they are prepared to board and secure the structure and they are getting bids on repairing the roofs. Member Lawyer stated the boards are to be cut to fit the openings and are to be painted to match the exterior.

Mr. Crecelius questioned the condition of the interior of the structure and the ceiling truss. Buell Crawford stated it was solid brick interior. Jason Crawford stated it's their intentions to cooperate with the Commission. Jason Crawford ask if a caretaker could live on the property and Mr. Crecelius stated the current zoning would not allow anyone living on the premise and a R.V. would not be allowed on the property as living quarters.

Vice-Chairman Montgomery informed the property owners that there is a limited amount of time they will be allowed and advised that they should begin work immediately.

Chairman Hinds ask if there is anyone in the audience who would like to speak.

Declan Phelan addressed the Commission stating that he and his wife are the owners of Missy's Professional Hair Care which is located adjacent to the structure. Mr. Phelan stated he is against the fence around the property because it would not solve the problem, it would continue to be an eyesore. Mr. Phelan stated he feels if it was secured properly a fence would not be needed. He stated the building is a beautiful building, but when something looks derelict, it will be treated derelict. Missy Bason, owner of Missy's Professional Hair Care addressed the Commission stating the electricity had been on at the structure for a long time and people would stay in the structure. She stated that she and her employees do not feel safe leaving work after dark. She also stated that she is tired of this problem and if the owners are not going to do something nice with the building they should tear it down.

Pat Wallace spoke stating that there are other adjacent property owners present and support the statements made by Delcan Phelan and Missy Bason, including Dr. Woodruff, Shane Wilcher and Michael Martin whose father is a patient at Park Highland Nursing Home. Connie Allen spoke stating she is a twenty-year employee of Missy's Professional Hair Care and that she often works late and doesn't feel safe leaving after dark.

Jason Crawford, spoke again apologizing that anyone has felt in danger due to the condition of this structure. Jason Crawford requested ninety (90) days to secure the structure from public access and to clean up around the structure.

**DISCUSS/CONSIDER ACTION ON SUBSTANDARD STRUCTURE LOCATED AT  
405 LINDSEY, TRACT 254 - T PARMER SURVEY  
OWNER BABIT, LLC**

After a discussion, a motion was made by Member Lawyer, seconded by Member Jaffa that Babbit, LLC is to have in seven (7) days a written scope of work to be submitted to the Public Health and Safety department; in thirty (30) days to have security lighting installed around the property; windows and doors secured in accordance with Section 4 Securing Vacant Structures of Ordinance #0-12-11 and No Trespassing signs posted on the property; in sixty (60) days the trim and boards must be painted to match exterior of structure and all graffiti must be removed and in ninety (90) days the roofs replaced or repaired. The motion carried by the following votes: Ayes: Member Lawyer, Member Jaffa, Member Helf and Vice- Chairman Montgomery. Chairman Hinds abstained.

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**OPPORTUNITY FOR CITIZENS TO EXPRESS ITEMS OF CONCERN**

(Citizens appearing during this item will be allowed to present their concern, however, members of the substandard building commission are prohibited from entering into deliberation and the item may be referred to a future agenda for discussion.)

There was no discussion and the meeting was adjourned.

**PASSED AND APPROVED THIS THE 19<sup>th</sup> DAY OF SEPTEMBER, 2011**

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BRUCE HINDS, CHAIRMAN

ATTEST:

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SHEILA GARRETT