

CITY OF CONVERSE
BUILDING AND STANDARDS COMMISSION
MINUTES OF AUGUST 31, 2011
6:00 PM

The Building and Standards Commission of the City Of Converse met in a regular meeting at the City Hall Conference Room, 405 South Seguin Street on Wednesday, August 31, 2011 at 6:00 PM to discuss various items on the agenda. The following were present:

Ms. LuAnn Holden, Chair	Mr. Jim Lacarde, Member & Vice Chair
Mr. Carlos Baca, Member	Ms. Sydney Storment, Member
Ms. Gloria Weers, Member	Mr. John Shadron, Alternate Member
Mr. Randy Pannell, Council Liaison	Mr. Quintanilla, Assistant City Manager
Mr. Carlos Licea, Code Compliance Officer	Ms. Penny Hieronymus, City Secretary

1. Call Building and Standards Commission Meeting to Order

At approximately 6:00 PM, Chair Holden called the meeting to order.

2. Roll Call

Chair Holden stated all members are present.

3. Recognition of Visitors

Visitors: Mr. Richard Weers, Mr. Rick & Ms. Sue Duarte, Mr. Michael Stewart, Mr. Oscar & Ms. Monica Alvarado & Mr. Mark Mueller

4. Approve Building and Standards Minutes for July 27, 2011

Member Storment had a correction; she reviewed the old Ord. which they prepared & the new one which was submitted to the Council; she referred to bottom of Page 2 into top of Page 3, Section B – the sentence is correct as to what they said in the meeting but is incorrect according to the Ord. The Ord. says a penalty up to \$1,000 a day fine not \$2,000, the Ord. is approved by Council.

Mr. Quintanilla stated the minutes are correct as provided, but we need to amend the action taken regarding the \$2,000 a day fine & needs to reflect the \$1,000 a day fine as provided with the new Ord.

Member Lacarde made a motion to approve agenda item #4 but to amend the action taken regarding the \$2,000 a day fine & needs to reflect the \$1,000 a day fine as provided with the new Ord. Member Weers seconded the motion. Motion passed unanimously.

5. Discussion and Appropriate Action for the Election of a Vice Chair for the Building & Standards Commission

Chair Holden stated Member Lacarde had volunteered for this position. She stated we have a motion to nominate Member Lacarde as Vice Chair. Member Baca seconded the motion. It passed with 4 members (Holden, Baca, Storment & Weers) voting yes & 1 member (Lacarde) abstaining.

6. Discussion and Appropriate Action Regarding Residential or Commercial Structures Not in Compliance with Chapter 8, Article IV, of the Code of Ordinances, City of Converse, Texas

A. 9175 FM 78

Mr. Quintanilla stated the packets included documents mailed to Mr. Berlanga, the property owner. He had some photos taken on Aug. 24, the roof has been repaired, the facility is secured & the landscaping in control. He thinks the objective of the Commission has been met. Staff recommendation is no further action on this address until such time that the condition of the premises or facility warrants further review.

Member Storment made a motion to accept staff's recommendation on 9175 FM 78. Vice Chair Lacarde seconded the motion. Motion carried unanimously.

Mr. Quintanilla will send a letter to Mr. Berlanga notifying him of the Commission's action taken tonight.

B. 8038 Pioneer Oak

Mr. Quintanilla stated we had a meeting with some of the residents relating to Mr. William Dorak of 8038 Pioneer Oak on July 28. There is no HOA in this subdivision.

Mr. Mike Stewart of 8033 Pioneer Oak stated that Mr. Dorak, owner of 8038 Pioneer Oak, has lived there for about 8 years now & has been a nuisance from the first day he has moved in.

Officer Licea stated there is a law against obscene gestures. You can file a complaint with Municipal Court & the Investigators will check into this. Right now, the place is clean. If Officer Licea is not working he asked that they should feel free to call the Police Dept./Dispatch, 658-2322, open 24/7. They have to handle things justly.

Mr. & Ms. Alvarado of 8034 Pioneer Oak were present. Ms. Alvarado stated they have all been troubled & had many instances with Mr. Dorak. She went to TXDOT to get information on all of the vehicles; some of the vehicles are registered to Mr. Dorak but at different addresses, she had documentation/print outs where he has been buying antique license plates for vehicles & motorcycles.

Some complaints included: Parking in front of neighbor's mail boxes, flips off the women in the neighborhood, driven cars across people's lawns when he has not had enough room in his driveway to make it to his back yard, used Mr. Stewart's driveway when he was away from home, keeps things in disarray, tire rims, his driveway is covered in oil stains, buys cars off of Craigslist that are broken-takes them home & repairs them & then puts them on Craigslist to sell them-uses the street as a means to stock his inventory, now he has gotten into motorcycle repairs, has a garage full of motorcycle tires,

had print outs of Craigslist on repairs from his house, William has figured out many loop holes, parks in front of neighbor's homes doing diagnostics on vehicles, he is running a business out of his home & makes the neighbors look messy, is running a boarding house out of his house-renting room by room & an ad was included-which is against an R-1 code (single-family dwelling), many photos & ads were presented, no Ord. against how many vehicles you can have, etc. – all very annoying, hopes the City will come down on him because it has been 8 years of this & they are just tired of this. Everyone has to be treated fairly by the law. The vehicles not registered in William's name are a civil matter.

Mr. Quintanilla stated the B&S will be looking at the operation of the businesses in the home. We will write Mr. Dorak a letter stating we are providing our evidence, make a case that he is operating an illegal business, give him 10 days to cease the business; after the 11th day he will be faced with a \$1,000 a day fine. After the 11th day & thereafter, we can check Craigslist & identify if he is still operating a business, that will be means of identifying that, we can accept any information people may get.

There was discussion that this had been discussed last year, May 27, 2010 & last year Mr. Dorak was given an opportunity & told him if this happened again he would be forfeiting his 10 day notice & this is on record.

Vice Chair Lacarde stated he thought we were being a little too light on giving 10 days; Mr. Dorak was ordered at the last time he was here to remove all vehicles, all junk vehicles & cease transporting additional junk vehicles & he has not done that. We will send him a letter, we have the proof (see attached), you are doing this which is a violation of the Commission's orders from the last time you were before us, he gets no warning & have 2-3 days to get rid of all of the property. This injunction against transporting additional vehicles & storage of used automotive parts on the property – we need more immediate action.

They discussed the tires in the garage, which are not visible unless the garage door is open.

Mr. Quintanilla stated our Ord. identifies/establishes the criteria for junk vehicles & our Police Dept. has actively made sure he has met that. We suspect Mr. Dorak will request another public hearing on the action we are taking tonight & he will try to pursue us to change the Commission's decision or provide additional time. We will send him a certified letter & give him until Wed. Sept. 7. We will need to send 2 separate letters for his 2 separate businesses (selling vehicles/motorcycles & 1 for renting his rooms out).

Member Storment made a motion to send 1 letter for the 2 businesses that we know of starting a fine of \$1,000 a day for all of his businesses starting Sept. 8, 2011. Member Baca seconded the motion. Motion passed unanimously.

7. Report by the City Council Representative on Council Action

Council member Pannell reported:

- Been working diligently to get the budget completed, have had 2 public hearings & recommendation of City staff was to raise the taxes to \$.572931
- NIOC begins Thurs. Sept. 29- Sun. Oct. 2; Sun. there will be a \$5 entrance fee featuring "Sunny Saucedá"
- Fire Dept. busy working grass fires (1 on Loop 1604) & a house fire on Seventh Street
- Passed final plat for Lott's Landing #2

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- CVLGC – on track & going well
- Sent 8 people to AACOG training for parks for planning & zone
- Ave B – being delayed right now, but should be finished in Sept.
- Had a briefing last week on flood control from Bx. Co. regarding the Cimarron Subdivision (Flatland Trail)
- Most likely we are going to be going into water Stage 3 shortly

Member Storment commented on the water flyer that went out to the citizens: normal circumstances the base rate if using 0-9,000 gallons of water is \$11.35, then 9,001 gallons of water it goes up.

8. Report by the City Staff on Future Building and Standards Actions

Mr. Quintanilla reported:

- Update on 8038 Pioneer Oak
- Discussion/Update from City Attorney Mr. Ortiz on Building & Standards Commission duties

9. Next Building and Standards Commission Meeting to be Determined

The next meeting is scheduled for Wednesday, October 26, 2011 at 6:00 PM.

10. Adjournment

At approximately 7:40 PM, Chair Holden adjourned the meeting.