

MINUTES

BUILDING AND STANDARDS COMMISSION

Wednesday, August 15, 1990

4:00 p.m.

Members present: Russell Duncan, Donna Doty, Whit Williams and Jan Russell.

Members absent: Lee Birkhead.

Staff present: Gene Cravens, Pat Payne, David Hall.

Visitors: None.

The first item of business on the agenda was the calling of the meeting to order at 4:00 p.m.

The second item on the agenda was consideration of minutes from the meeting of July 18, 1990. A motion was made by Whit Williams and seconded by Donna Doty to approve the minutes as presented. Motion carried by the following votes: Ayes: Duncan, Doty, Russell, and Williams. Nays: None. Absent: Birkhead.

The third item on the agenda was consideration of and action on determination of the Building Inspector's decision of the substandard condition of a structure located at 417 West California Street. Mr. Duncan asked who owned the property; Mr. Hall replied that the records [according to tax rolls] shows the owner to be James Ralph Bullard, J. C. Bullard, et al. He further explained that that information was all he found, according to a Last Will and Testament of Mr. Bullard [father]. The father willed his property to his wife, who in turn filed a disclaimer, at which time the property at 417 W. California Street was given to James Ralph Bullard and J. C. Bullard. Mr. Hall continued by saying that all three individuals received notice of the public hearing. Mr. Duncan said he noticed that all public hearing notices had been complied with.

Mr. Duncan asked if any progress had been made on the structure since Mr. Hall met with them [the Bullards] on August 2, 1990. Mr. Hall replied there had not. He continued by reviewing the events preceding the public hearing. On March 19, 1990, Ralph Bullard obtained a permit to demolish/tear down the structure and since that time there has been no progress in demolition of the house. Mr. Duncan asked Mr. Hall if there were any lien holders on the property; there are none, according to Mr. Hall.

Mr. Duncan said since Mr. Hall is the only person at the hearing giving testimony, he should be sworn in, at which time Mr. Duncan preceded to do so.

At that time, Mr. Hall explained the procedures allowing him to physically examine the property, which permission was given by Ralph Bullard. The City Attorney [Mack Barnhart] told Mr. Hall to document Mr. Bullard's consent. Mr. Bullard told him that it would be a long time before he would have the structure torn down, as he was doing it himself at his convenience. Mr. Hall also told Mr. Bullard he had the option of trying to remodel the house, but Mr. Bullard said he did not want to do that.

After permission was given by Mr. Bullard to examine the property, Mr. Hall, along with Don Blanton, Fire Marshal, went to the structure and inspected it; the date was August 1, 1990. Pictures [slides] were taken at that time. Mr. Hall warned Mr. Bullard of the possibilities of fire, per Mr. Blanton's opinions, since these types of structures were conducive to some type of drug activity which frequently goes on in abandon buildings. Mr. Williams asked if the structure is open so that children may enter it. Mr. Hall said it is. The windows are open and broken glass is all over the property.

At that time Mr. Cravens gave a slide presentation of the structure while Mr. Hall narrated.

Mr. Williams said that according to his observation, it looked like to him that Mr. Bullard intended to "just let it fall down.", since there had been no viable effort to proceed with dismantling the structure. His recommendation was to have the house removed; he also stated that the property will increase in value once it is cleared off.

Mr. Duncan asked Mr. Hall what time frame is allowed for removal of the structure. Mr. Hall said that, according to the ordinance [The Substandard Structure Ordinance], it is sixty days maximum (Section 5.5), which section also outlines fines, if applicable.

Mr. Cravens said that from all observations of activity by Mr. Bullard in tearing down and removing the dilapidated structure, he doesn't feel that Mr. Bullard will adhere to a time limit for clearing the property. The Board can set any length of time under sixty days. Mr. Cravens said that if the sixty day limit is set, that will take the procedure into the Fall Cleanup.

Ms. Russell said she thinks the Board should take a stand on the matter.

Ms. Doty agreed. She said that the owner, by purchasing a Demolition Permit, has shown his intent to clear the property. He should therefore be given all grace in pursuing the intent. It will [the sixty days] be to the advantage of the City anyway.

Mr. Duncan asked what expense the City will incur in tearing down the house. Mr. Cravens replied that it would be two or three hundred dollars. He also said that Mr. Bullard has said from time to time that he would even move the house off the lot, but that too has not happened.

Mr. Duncan called for a motion, culminating all discussion, and proceeding with the issue.

A motion was made by Whit Williams to declare that the structure is substandard; is in violation of the Code and many other provisions of the Ordinance (Code), as documented. The motion was seconded by Jan Russell. Motion carried by the following vote: Ayes: Williams, Doty, Duncan and Russell. Nays: None. Absent: Birkhead.

A second motion was made by Whit Williams that the owners be given sixty (60) days to demolish and/or remove the building and if not demolished or removed by the end of that period of time, the City will demolish or remove same and expenses be charged against the owners and/or property. Motion was seconded by Donna Doty. Motion carried by the following votes: Ayes: Williams, Doty, Duncan and Russell. Nays: None. Absent: Birkhead.

The Board continued to discuss different substandard structures throughout the City that need to be addressed.

After no further discussion, the meeting adjourned at 5:00 p.m.