

**NOTICE OF LA MARQUE  
BUILDING STANDARDS COMMISSION MEETING  
BY TELEPHONE AND VIDEO CONFERENCE**

In accordance with order of the Office of the Governor issued March 16, 2020, the Building Standards Commission of the City of La Marque will hold a Regular Meeting on **Tuesday, March 8, 2022 at 6:00 PM**, In the Council Chambers at 1109-B Bayou Road La Marque, Texas 77568 **as well as via telephone and video conference hosted through (ZOOM)**. In accordance with Section 551.127(b) of the Texas Government Code a quorum of the Building Standards Commission will be physically present at 1109-B Bayou Road La Marque, Texas. This location will be open to the public. This Notice, the meeting agenda, and the agenda packet can be found online at:

<https://ci.la-marque.tx.us/AgendaCenter>

The public will be permitted to offer public comments telephonically as provided below during the meeting. A recording of the telephonic meeting will be made and will be available to the public in accordance with the Open Meetings Act upon written request. You may submit comments in advance for this meeting by contacting the City Clerk's office.

THE PUBLIC TOLL-FREE DIAL-IN NUMBER TO PARTICIPATE IN THE MEETING IS:

**1 (346) 248-7799**

ONCE YOU ARE CONNECTED, YOU MUST ENTER THE FOLLOWING:

**Meeting ID: 928 8738 5489**

Press \*6 to mute or unmute your phone line. You may also connect to the meeting on your smartphone, tablet or computer by going to the following internet address:

<https://zoom.us/j/92887385489>

Once you are on the website, you may need to enter the following:

**Meeting ID: 928 8738 5489**

If you require accommodation to participate in this meeting, contact the City Clerk at 409-938-9259 or [cityclerk@cityoflamarque.org](mailto:cityclerk@cityoflamarque.org) at least 48 hours prior to the meeting start time.



1111 Bayou Rd.  
La Marque, Texas 77568  
409-938-9202

*Chairperson Billy Jefferson  
Commissioner Kaleb Smith  
Commissioner Delon Delafosse*

*Commissioner Maggie Manuel  
Commissioner Diane Winston  
Commissioner Daniel Brown*

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**Building Standards Commission  
Regular Meeting  
AGENDA  
of  
March 8, 2022**

Notice is hereby given that the City of La Marque Building Standards Commission will conduct a Regular Meeting on **Tuesday, March 8, 2022 at 6:00 p.m.** at 1109-B Bayou Road, La Marque, Texas **as well as via videoconference hosted through (ZOOM).** In accordance with Section 551.127(b) of the Texas Government Code a quorum of the Building Standards Commission will be physically present at 1109-B Bayou Road La Marque, Texas. This location will be open to the public. The commission will meet for purpose of considering the following agenda:

- (1) CALL MEETING TO ORDER**
- (2) ROLL CALL**
- (3) INVOCATION AND PLEDGE OF ALLEGIANCE**
- (4) APPROVAL OF MINUTES**  
Regular Meeting Minutes of February 8, 2022
- (5) CITIZEN’S PARTICIPATION**  
Comments from the Public - At this time, any person with Commission-related business who has signed up may speak to Building Standards Commission (limited to three (3) minutes). In compliance with Texas Open Meeting Act, the Building Standards Commission may not deliberate on comments. Personal attacks will not be allowed, and personnel matters should be addressed to the City Manager during normal business hours.
- (6) OLD BUSINESS**
  - 1. 1727 FM 519 (Gulf Breeze Apartments) Update
  - 2. 102 Edgar
  - 3. 707 Grafton

4. 1305 Main
5. 1308 Main
6. 1409 Ross
7. 2403 Boss

**(7) NEW BUSINESS**

1. 12 Richards Ct
2. 204 Albert
3. 918 Chestnut
4. 1525 Main
5. 1702 Kansas
6. 2206 Petroleum

**(8) CHAIRPERSON’S REPORT**

**(9) REQUESTS AND ANNOUNCEMENTS**

*Requests by Commissioners Members for items to be placed on future Building Standards Agendas and Announcements on city events/community interests TEX. GOV’T CODE 551.415. (b), “items of community interest” includes:*

- (1) Expressions of thanks, congratulations, or condolence;*
- (2) Information regarding holiday schedules;*
- (3) An honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person’s public office or public employment is not an honorary or salutary recognition for purposes of the subdivision;*
- (4) A reminder about an upcoming event organized or sponsored by the Governing body;*
- (5) Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality or county; and*
- (6) Announcements involving an imminent threat to the public health and safety of people in the municipality or county that has arisen after the posting of the agenda.*

**(10) ADJOURNMENT**

**CERTIFICATION:**

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas on or before **Friday, March 4, 2022 before 5:30 p.m.**

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Kierra K. Nance  
City Clerk

••••• This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Clerk’s office at (409) 938-9259, or Fax (409) 935-0401, or e-mail [cityclerk@cityoflamarque.org](mailto:cityclerk@cityoflamarque.org) for further information. •••••



1111 Bayou Rd.  
La Marque, Texas 77568  
409-938-9202

*Chairperson Billy Jefferson  
Commissioner Kaleb Smith  
Commissioner Delon Delafosse*

*Commissioner Maggie Manuel  
Commissioner Diane Winston  
Commissioner Daniel Brown*

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**Building Standards Commission  
Regular Meeting  
MINUTES  
of  
February 8, 2022**

**(1) CALL MEETING TO ORDER**

The meeting was called to order at 6:13 pm

**(2) ROLL CALL**

PRESENT

Chairperson Billy Jefferson  
Commissioner Maggie Manuel  
Commissioner Daniel Brown  
Commissioner Kaleb Smith (arrived 6:38)

ABSENT

Commissioner Delon Delafosse  
Commissioner Diane Winston

**OTHER OFFICIALS / STAFF PRESENT**

Councilmember Kimberley Yancy (via Zoom)  
Michael Phillips, Code Compliance Officer  
Lakiesha Stinson, Code Compliance Officer  
Cecilia Fields, Code Compliance Supervisor  
Elizabeth Childs, Code Compliance Administrative Asst.

**(3) INVOCATION AND PLEDGE OF ALLEGIANCE**

Chairperson Jefferson gave the invocation and Commissioner Manuel led the Pledge of Allegiance.

**(4) APPROVAL OF MINUTES**

1. Regular Meeting Minutes of November 9, 2021  
Commissioner Brown made a motion to accept the minutes, with Commissioner Manuel seconding the motion.
2. Regular Meeting Minutes of December 14, 2021  
Commissioner Manuel made a motion to accept the minutes and Commissioner Brown seconded.

### 3. Regular Meeting Minutes of January 11, 2022

Commissioner Brown made a motion to accept the minutes and Commissioner Manuel seconded the motion.

## (5) OLD BUSINESS

### 1. 1727 FM 519 (Gulf Breeze Apartments) Update

Code Compliance Officer Phillips explained that a meeting would be set up between the Development Services Director, Mayor and City Manager within the next week regarding how to move forward on the property.

### 2. 2403 Boss

CCO Phillips stated that the owner, Mr. Pratik Gandhi, was still having the same problem getting the water taps put in from the city, but it was scheduled to be done next week. He will be put back on the agenda for the March meeting. Commissioner Brown asked if CCO Phillips had visited the property, to which CCO Phillips responded that he visited it daily. He continued by stating that the exterior looks good and the issue of the hold up with the water has been the trouble of the last couple of weeks and that it is going to be resolved.

### 3. 2620 Boss

Code Compliance Officer Stinson stated that the property was sold, and that the new owner was not made aware that it was substandard when he purchased it. Code Compliance has given him some time to get his paperwork and inspections in order. She said that he has done this and will be issued his substandard permit to begin working on the home next week.

### 4. 902 Duroux

The property owner, Mr. Frank Hatton, stated that he has contacted several people to demolish the house, but they'd been very busy, so he's not pulled the permit yet. He's been given estimates, and the one that he's chosen has been told to contact the city. He's had the gas and electric removed from the property in the meantime. He's been working on cleaning the house had some difficulty getting his things out, so he may have to let it perish along with the house. Chairperson Jefferson asked if it was still his intention to demolish the building himself, to which Mr. Hatton responded that after calling several companies, he found one in Houston that is reasonably priced and decided to go with them since local companies are too expensive. He's waiting to hear back from the company in Houston, but they've been busy and would get back with him when they get the opportunity. CCO Phillips stated that they had a meeting with Mr. Hatton at the property on January 20, 2022, to sign the voluntary demo form, but he refused to do so at that time. He went on to state that the city needs a timeline for the building to be demolished, that the city could not let this continue for another six months in the condition that it's in since it's in danger of collapsing in on itself. Mr. Hatton stated that the structure is still strong and is not in danger of falling in, to which CCO Phillips asked if he would be willing to get a structural engineer's report stating that. Commissioner Brown asked what the cost would

be to the city if the city was to demolish the structure. CCO Phillips responded that there is not a set fee, that the city would have to find contractors and get estimates for individual structures. CCO Phillips asked if Mr. Hatton could get the house demolished in the next 60 days. Mr. Hatton replied that it was good. CCO Phillips suggested that the Commission give Mr. Hatton 60 days to demolish the structure, and if it was not completed in that time the city could then come in and demolish it. Chairperson Jefferson summed up the case, stating that Mr. Hatton has found a company in Houston to demolish the structure, no date has been set for the demolition yet, Mr. Hatton understands that whichever company he uses, they will have to come to the city to get the demolition permit and have the house demolished within 60 days. Commissioner Brown made a motion to allow 60 days to have the property demolished, Commissioner Manuel seconded the motion.

**MOTION PASSED**

**(6) NEW BUSINESS**

**1. 102 Edgar**

Laquita Daniels, the daughter of property owner Lornette Bradley, spoke on behalf of Ms. Bradley. She asked for clarification on the zoning, that if the house is demolished, the property would then be considered commercial instead of residential. She understood why it would be considered commercial if it faced FM 1765 instead of Edgar. CCO Phillips explained that the plot that the house sits on has been rezoned as commercial. Ms. Daniels asked when it was rezoned as commercial. CCO Phillips stated that zoning was instituted in the city of La Marque in 2008. Ms. Daniels asked for documentation stating the property was zoned as commercial in 2008. CCO Phillips explained that he didn't say that's when the house was zoned as commercial, 2008 was just when zoning started in the city. Ms. Daniels says the family never received anything stating that the property was going to be rezoned and that the property was grandfathered in as residential. CCO Phillips stated that in 2008, the city of La Marque adopted the zoning codes, and prior to 2008, if it was zoned as residential commercial, that might have been correct, but once no one was living in the residence for a specific amount of time, it became commercial. He went on to explain that they could keep the structure as it is and renovate it to be used as a small business, but if the building was to be demolished, only a commercial building could be built on the property. Ms. Daniels says that the family has agreed to demolish the building and would like to know what they needed to do once the structure was demolished. CCO Stinson stated that their only requirement after demolition is to keep the property mown and cleaned. She went on to explain that, effective June 21, 2021, the city rezoned the area their property sits at as commercial. Ms. Daniels how much time they would be given to get the structure demolished and asked for six months. Code Compliance Supervisor Cecilia Fields explained that the city could not allow that much time to get the structure demolished. CCO Phillips explained that they would have 30 days to find a contractor, hire them, and come back to the commission to let them know a contractor has been hired. Commissioner Manuel made a motion to allow the family 30 days to hire a

contractor and report back to the commission. Commissioner Brown seconded the motion.

**MOTION PASSED**

2. 707 Grafton

Mr. Nathan Hale of 35 N. Omega in La Marque came to speak regarding 707 Grafton. He stated that they were about 90% done with the project and had an employee lock them out of email, therefore they didn't receive anything going to that email. He accepted all blame for that but stated that the property is pretty much ready to go, and they would like to be able to finish the property and get it on the market. CCO Phillips explained why the stop work orders were place. He said that the roofers did not pull proper permits. He went on to explain that while doing the paperwork for the stop work order, he noticed that the contractors had not called for inspections, that the inspection that had been done on the hvac was not approved. That the electric inspection had been failed in September of last year, but no one had called back for a reinspection. CCO Phillips asked that the board allow him to pull a 30-day substandard permit so that the inspections can be completed and passed. Commissioner Smith made a motion for a 30-day substandard permit to allow them to finish work on the house, Commissioner Brown seconded the motion.

**MOTION PASSED**

3. 1305 Main

Mr. Billy Goebel, Owner of 1305 Main, said that he had no intention of demolishing the building. He stated that there are only two bad parts on that building, a hole in the roof, and that the building had tar paper all around it until a recent windstorm came through and tore it all off. He said this is part of his tractor business. He said that the house on the property is not lived in, it is used as a warehouse only. He said that it only looks bad because it is the dead of winter. That there is nothing wrong with it, except that it needs siding on it. He says the foundation is good, gutters need to be replaced, the roof needs to be fixed. CCO Phillips asked how long the building has looked like this. Mrs. Goebel stated that the side that has no siding has been like this for five to seven years. She said that it has not been exposed, that it had tar paper on it. Chairperson Jefferson said that he drove by the property earlier in the day and noticed that it was bad. He understands that Mr. Goebel says that he would fix it, but in order to meet the requirements of the commission, the owner would need to submit structural engineering report, as well as possibly plumbing and electrical reports, the contractor must submit a scope of work noting all the repairs that must be performed in order to comply with city codes and ordinances and a timeline not to exceed 90 days. Mr. Goebel explained that no one has lived in the house since the 1970's. That since that time, all the electricity and plumbing has been pulled from the house, that the meters have been pulled, as well. Commissioner Manuel asked how long the property has been like this. She noted that it has been like this a long time. Councilmember Yancy also asked how long the property has been like this. CCO Phillips stated that according to Mr. & Mrs. Goebel, it has been in

this condition roughly ten years. Councilmember Yancy then asked if the house had been tagged in the past, to which CCO Phillips replied in the affirmative. He explained that a case had been opened in 2019, but the department had been asked to put it on hold and this is the first opportunity to bring it to the Building Standards Commission since that time. CCO Phillips reiterated that the property is zoned commercial, and Commissioner Smith asked if that meant that even if the house was at 100%, since it has been unoccupied for roughly ten years, nobody would be able to live in it since it's zoned commercial, to which CCO Phillips replied yes. CCO Phillips suggested tearing down the current structure and building an actual warehouse for storage. CCO Phillips then explained to Mr. Goebel that since he did not want to tear down the house, he would need to get a structural engineer's report and a scope of work and a timeline. That the structural engineer's report would let him know what needed to be done from the foundation through to the roof. He went on to say that he would need to get an electrician's report, to which Mr. Goebel stated that he did not need electricity in the building since he had windows. Commissioner Smith made a motion give them 30 days to get a structural engineer's report and a timeline for fixing what needs to be fixed per the report, return to Building Standards, and let them know what's been decided. Commissioner Brown seconded the motion.

**MOTION PASSED**

4. 1308 Main

Mr. Billy Goebel, owner of 1308 Main, stated that the address should actually be 1304 Main, not 1308 Main. There was some discussion about whether the correct address is 1304 or 1308, to which CCO Phillips explained that the address registered with the county appraisal district for the property is 1308 Main. Mr. Goebel stated that he has no problem with the building being torn down and, in the past, he had spoken with Director Kathleen Van Stavern about some sort of government program to help him get it torn down since he didn't have the money to do it himself. He states that she told him, "As soon as something is available, we'll get you on the list." He has spoken with others, as well, about help getting it torn down. He has also spoken with Phillip Nunn about helping him tear it down. He stated that he does not deny that the building needs to come down, but he just does not have the money to do that. He says that his business relates to tractors, and that the tractor business in Galveston County is dead due to Covid and the weather. Chairperson Jefferson asked if Mr. Goebel would be willing to sign a voluntary demolition order for the structure. Mr. Goebel said that he would need the same amount of time that everyone else needed. He said that he had to get some cash flow or get on a program for help. CCO Phillips there is another issue that needs to be addressed, and that was that the area where his property lies is zoned commercial and once the residence is demolished, he would not be able to put another residence on the property. Commissioner Manuel expressed her concern about someone trespassing on the property, going in the building, and getting hurt. She stated that the property owners could then get sued by the trespasser for getting hurt. Mr. Goebel said that he understands that but has not had any issues with trespassers until CCO Phillips put the notices on the house.

CCO Phillips asked if the commission could ask Mr. Goebel to sign a voluntary demolition form. Commissioner Manuel stated she would not suggest giving him more than 30 days to have the property demolished. Commissioner Brown asked if they could give him 90 days to have it taken care of but have him come back in 30 days to let them know what he is going to do. CCO Phillips said that it was up to what the commission decides. Commissioner Brown made a motion to allow 30 days to come back and provide documentation of what they decide they're going to do and return to the Building Standards Commission to let them know. At that time, they can sign a voluntary demolition order. Commissioner Manuel seconded the motion.

**MOTION PASSED**

5. 1409 Ross

Ms. Ollie Niederhofer, owner of 1409 Ross, came to speak regarding her property. Chairperson Jefferson explained that the reason she was called to the commission was because the property in question was determined to be substandard. That this meeting was to determine whether she had intentions of bringing the property up to 2018 standards or whether she was going to have the building demolished. Ms. Niederhofer asked if she could get a copy of the pictures being shown and CCO Phillips said that she would need to fill out an open records request for them first, and we would be happy to supply them at that point. Chairperson Jefferson asked if Ms. Niederhofer intended to renovate the building, to which she replied in the negative. Chairperson Jefferson then asked if it was her intention to demolish the building. Ms. Niederhofer stated that it is her intention to understand the process, and that she has some questions. She said the letter she had received talked about the garage and that she wanted to be sure what the scope is. She asked if the scope was the garage that faces Palm St., which CCO Phillips replied in the affirmative. She clarified that it was only the garage and the two-story garage apartment that faces Ross, to which CCO Phillips again stated that she was correct. Ms. Niederhofer stated that she wanted to be perfectly clear as to what was being discussed since she'd been down this road with the commission before. She asked what the documented process was that the city has for how a resident goes through the process. She stated that, while talking with the previous city manager, he had mentioned that there was a process that was being developed to document the progress so that the citizens knew what they needed to do. Commissioner Brown asked for clarification of who the city manager was that she is referring to, and she replied that it was Charles "Tink" Jackson. CCO Phillips explained that we have a substandard packet that we give to property owners if they want to renovate the structure. Ms. Niederhofer stated that she was not interested in renovation, she was interested in information for the demolition. CCO Phillips stated that if it was her intention to demolish the structures, she would be supplied with a voluntary demolition form for her to sign, it would be signed and notarized, she would hire her own contractor, making sure that the contractor is registered with the city, she or her contractor would then pull the demolition permit from Code Compliance and once the permit is pulled, they would have 30 days to complete the demolition. Ms.

Niederhofer reiterated her question regarding where the documented process the city had so that citizens knew what the work process is. Councilmember Yancy asked if the process is documented in the demolition packet that is provided to property owners. Ms. Childs explained that the city does have a process that is written down and provided, along with the demolition permit application. She stated that it explains everything that needs to be taken care of including having the sewer capped, utilities removed, water meter removed. She stated that it does list everything that needs to be done before a demolition permit is approved. Ms. Niederhofer stated that this is the first time that she has ever been told that the instructions are included in the demolition package. She then asked where the current list of approved contractors is located since that seems to change. CCO Phillips said that the list of contractors the city used has been narrowed down to one person since other contractors have gone out of business due to Covid. Commissioner Brown stated that she could choose her own contractor to do any kind of work. It was clarified that the contractor would need to be registered with the city, so that they could provide proof of their liability insurance, so that in case anything should happen, she and the city would be covered. Ms. Niederhofer questioned why the city would need to be covered if the work is being done on her property. Commissioner Smith clarified that the contractors have insurance so that if they get hurt, they cannot say that they were working in the City of La Marque, and something happened. Commissioner Brown further explained that it's like so many other things, they need to be licensed, bonded, insured, so that if anything happens, they cannot sue somebody else, like the city, for anything that happens on her property. Ms. Niederhofer then asked that if she chose to demolish it herself, she would just have to follow the instructions included in the packet, to which CCO Phillips replied yes. She then asked if once it is down, she just needed to have the debris hauled off. CCO Phillips said yes, and that whatever contractors she hired should be doing that for her, that it shouldn't be two separate things. Ms. Niederhofer then stated that her comment was, "myself, if I physically do it myself. Not contract it out." CCO Phillips said that the house is not homesteaded, so she would not be able to do it herself. That she would have to hire a contractor to do it herself. Chairperson Jefferson asked, as a point of clarification, what she meant by do it for herself. Ms. Niederhofer said that she meant that she was going to do it herself, not hire someone to do it. She then asked about the timing for the demolition, since others had been given 30 days to decide what was going to happen, she would like the same consideration. CCO Phillips stated, that to be clear, Ms. Niederhofer would like to voluntarily demolish the structures herself. Ms. Niederhofer said that, yes, this is what she would like to do. Stating that when she says herself, she means that she will physically get out there and do the work herself. CCO Phillips explained, again, that she cannot physically do it herself since it's not a homestead, it's not where she currently resides. That she would have to hire a contractor. Ms. Niederhofer then said, "what you're telling me is that that option is not an option." CCO Phillips stated that when he says voluntary demo, he's saying that she would hire a contractor to do it for her, so that she would not have to worry about a lien being placed on her property. He then asked her if

that was what she would like to do. Ms. Niederhofer stated that is what she would consider doing. Commissioner Brown said that they could give her 30 days to come up with a plan or solution, to which Ms. Niederhofer countered with 90 days. Commissioner Smith explained that 90 days is the maximum that the law would allow, and they could give her 30 days to make a plan and come back, and they are only allowed by law to allot her 90 days maximum. Ms. Niederhofer said that she would prefer not to come back, so she would prefer 90 days and not have to come back. Commissioner Smith said that she could get the 30 days, tear it down in two, and not have to come back. Ms. Niederhofer said she would still have to go through the “whole song and dance everybody else has to go through” of finding a vendor and getting it torn down, to which Commissioner Smith replied that they would “give her the whole song and dance they gave everybody else.” He then made a motion to give her 30 days to come back with a plan in place, contractor, and ready to go. Commissioner Brown seconded the motion. Chairperson Jefferson summed up the motion as she is given 30 days to select a contractor for demolition, get with Code Compliance to give them whatever documentation is needed and get the paperwork, and come back to the commission in 30 days to report back with what she is going to do.

**MOTION PASSED**

- (7) **CHAIRPERSON’S REPORT**  
No report given
- (8) **REQUESTS AND ANNOUNCEMENTS**  
No requests or announcements
- (9) **ADJOURNMENT**  
Meeting was adjourned at 8:05 pm

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Billy Jefferson  
Chairperson