



CITY OF BELLAIRE TEXAS
BUILDING AND STANDARDS COMMISSION
JUNE 28, 2017

Council Chamber

Regular Session

7:00 PM

**7008 S. RICE AVENUE
BELLAIRE, TX 77401**

I. REGULAR SESSION

A. Call to Order

Chairman Thurmond called the meeting to order at 7:02 PM.

B. Announcement of Quorum

Chairman Thurmond announced that a quorum was present, consisting of the following members:

Attendee Name	Title	Status	Arrived
Laura Thurmond	Chair	Present	
Paul Katz	Commissioner	Present	
Burt Martin	Commissioner	Absent	
Mike Baker	Commissioner	Present	
Danny Spencer	Vice Chair	Present	
Lee Hampton	Commissioner	Present	
Charles Formica	Commissioner	Present	
William Davidson	Building Official	Present	
Ashley Parcus	Secretary	Present	
David R. Montague	Council Member	Present	

C. Rules for Public Comment

- 1. Sign up forms will be available at all Regular and Special meetings for registering the names of members of the Public who wish to either: i) speak on an agenda item, provided such items have not been the subject of a prior public hearing; or ii) make a general comment related to the Commission business. These forms will be given to the Secretary prior to the start of the meeting so that the person's name can be called to address the Commission at the appropriate time.**
- 2. Public Comments on agenda items will be made at the time an agenda item appears in the Order of Business and before the Commission's consideration of that item.**
- 3. Public Comments of a general nature shall be made at the time designated by the Order of Business.**
- 4. All public comments shall be limited to six (6) minutes per speaker with extensions of two (2) minute increments as approved by a majority vote of Commission members present.**

5. Public Comment at Workshop meetings will be allowed at the discretion of the Chair. Any comments will be limited as described in Article IV Sec 8.

Chairman Thurmond mentioned that the Rules for Public Comment were listed on the agenda.

D. Approval or Correction of the Minutes

1. Building and Standards Commission - Regular Session - Apr 26, 2017 7:00 PM

Commissioner Formica mentioned one minor scrivener's error.

RESULT:	APPROVED AS CORRECTED [UNANIMOUS]
MOVER:	Mike Baker, Commissioner
SECONDER:	Charles Formica, Commissioner
AYES:	Thurmond, Katz, Baker, Spencer, Hampton, Formica
ABSENT:	Martin

E. Public Comment

There was no public comment.

F. Report from Building Official

Mr. Davidson informed the Commission that approximately 15 new residential home permits were applied for in May. He also mentioned that a response to the Commission's letter regarding the Storm Water Pollution Prevention Plan (SWPPP) was prepared by Mr. McDonald and was provided to each of the Commissioners.

Vice Chairman Spencer stated that the letter mentions a number for residents to call to report and violations, or any questions that they may have. He asked what happens to those calls after business hours.

Mr. Davidson explained that all calls to his work phone automatically go to his cell. He added that although he may not answer the call after hours he is checking voicemails frequently in order to properly address those concerns, based on the level of importance. Mr. Davidson mentioned that he is also working with police dispatch to make sure that they know to direct calls of this nature to either himself or the Public Works Department.

G. Reports of Committees and Communications

1. Communications to Commission members outside of posted meetings

There were no communications to report.

2. Committee Reports

There were no committee reports.

3. Reports from Staff other than the Building Official

There were no reports from staff other than the Building Official.

H. Old Business

There was no Old Business.

I. New Business

1. Consideration of a proposed addition to Chapter 9, Buildings, Article II-A, Flood Damage Prevention, to include a definition of "Base Flood Elevation" within Division 2, Section 9-70.5, Definitions.

Mr. Davidson explained that although there are references to "base flood elevation" throughout the Code of Ordinances, there is no definition of the term within the Code. He added that ChaVonne Sampson, the Development Services Manager, has asked that the Commission vote to include a definition of "base flood elevation" within Chapter 9, Buildings, Article II-A, Flood Damage Prevention.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Charles Formica, Commissioner
SECONDER:	Mike Baker, Commissioner
AYES:	Thurmond, Katz, Baker, Spencer, Hampton, Formica
ABSENT:	Martin

2. **The Chair shall recognize any Commissioner who wishes to bring New Business to the attention of the Commission. Consideration of New Business shall be for the limited purpose of determining whether the matter is appropriate for inclusion on a future agenda of the Commission or referral to Staff for investigation.**

Commissioner Formica asked if there had been any further definition on sidewalks.

Council Member Montague stated that he didn't believe there were any updates.

Vice Chairman Spencer mentioned that the only thing that was undetermined was the width of sidewalk that would be required. He added that it had gone back and forth between 36 inches and 42 inches.

Mr. Davidson stated that as far as he knows, the 4 foot vs 5 foot debate is still on-going with the City Engineer. He mentioned that he believed that all public projects would require 5 foot sidewalks.

Commissioner Formica asked what the residential home builders are currently required to install.

Mr. Davidson explained that the spec that is being provided to the builders shows a sidewalk with a width of 4 feet.

Vice Chairman Spencer mentioned that a lot of streets within Bellaire already have some sidewalks installed. He asked if the City is requiring that new sidewalks match the size of the ones already in existence.

Mr. Davidson stated that he did not feel qualified to answer that question, and that Public Works would be the department in charge of that.

Vice Chairman Spencer mentioned that the Commission could help to determine that if staff wished for them to do so.

Council Member Montague asked if it would be appropriate for the Commission to become involved in the determination of sidewalk regulations, or if it would fall on the Public Works Department, or the City Manager.

Mr. Davidson explained that he honestly doesn't know who is ultimately responsible for making these decisions, but that his understanding is that the City Engineer will soon be providing the definitive spec on sidewalks, which will be the guideline that the City follows.

Chairman Thurmond mentioned that she feels as though the question is more related to whether or not this would be within the Commission's purview.

Mr. Davidson stated that he believes that the section of the code dealing with sidewalks is located within Chapter 9, and if that is the case, then it would fall under the Commission's purview.

Chairman Thurmond stated that she would think, at the bare minimum, the Commission would be able to submit to Council their opinion and/or recommendation regarding sidewalks. She mentioned that requiring a sidewalk with a width of 5 feet on residential property is pretty significant, taking into account the amount of real estate that is available.

Mr. Davidson pointed out that the sidewalk is installed within the City's right-of-way, and that some concerns have been expressed to him by residents regarding the size of that right-of-way. He reiterated that as an advisory body he believes that this would be within the purview of the Commission. Mr. Davidson added that he cannot speak to whether it would have any impact on the decision, as he is at the mercy of the Public Works Department and the City Engineer.

Council Member Montague mentioned that it is the current City Council's belief that for public safety reasons, there should be an adequate sidewalk system throughout Bellaire, which would tie into the Community Pathways Project and the existing sidewalks. He added that during that discussion, Council Member Pollard asked Mr. Hofmann if those would be 5 foot sidewalks and his response was that they would be. Council Member Montague stated that without putting words in the City Manager's mouth, his understanding was that Mr. Hofmann would like to move forward with 5 foot sidewalks as a result of what the City of Houston is requiring, as well as ADA and premiere city requirements. He then mentioned that he had personally written a letter to the City Manager, as well as the Mayor stating that he felt as though 4 foot sidewalks were adequate, to which the City Manager responded that they were headed in the direction of 5 foot sidewalks. Council Member Montague added that he had since spoken with James Andrews, the City Engineer, who informed him that he had been instructed to design 5 foot sidewalks, which in his opinion, were not required in order to be ADA compliant. Council Member Montague added that he has not yet sat down with Mr. Hofmann to address his concerns. He stated that he appreciated the Commission's discussion because he also did not know whose responsibility it is to make these decisions.

Vice Chairman Spencer mentioned that the current spec is for a 4 foot sidewalk and the City is contemplating increasing that requirement to 5 feet. He added that a change in a building standard should be discussed by the Building and Standards Commission.

Chairman Thurmond asked that this topic be included as an agenda item for the next meeting.

Commissioner Hampton asked Council Member Montague if he was aware of why the City of Houston went to 5 foot sidewalks.

He stated that he was not.

Chairman Thurmond speculated that it is because of the fact that most sidewalks installed in the City of Houston are located within commercial areas. She added that the sidewalk regulations within the residential areas are determined by the deed restrictions.

Council Member Montague mentioned that, in his opinion, the bigger question that the Commission should consider visiting is whether design standards should be created for sidewalks within the City. He added that both the Mayor and the City Manager have voiced desires to have some sort of design standards in place. Council Member Montague explained that the Council has not approved a budget item for that, but he believes that the City Manager plans to propose it in the upcoming budget.

Commissioner Formica felt that coming up with those standards would be within the Commission's purview. He added that there could be separate standards for commercial and residential sidewalks.

Chairman Thurmond asked when Public Works plans to go to Council with the ordinance changes.

Mr. Davidson stated that he does not know, but that he would find out. He also mentioned that there may not even be any changes made to the language within the ordinance, it could just be an administrative regulation.

J. Public Hearings

There were no public hearings.

K. Announcements & Comments by Commissioners

Commissioner Baker stated that this would be his final meeting after 7 years of being on the Commission. He added that it has been an honor and a pleasure to serve the Commission and the City.

Chairman Thurmond thanked Commissioner Baker for his service.

The Commission then invited a member of the audience to come up and speak. He stated that his name was Ryan and that he came to the meeting in order to get credit for "citizenship in the community" in order to get his merit badge in scouting. Ryan said that he learned a lot and took notes.

L. Adjournment

Motion: a motion was made by Commissioner Baker and seconded by Commissioner Formica to adjourn the Regular Meeting.

Vote: the motion was carried by a unanimous vote of 6-0.

The meeting adjourned at 7:39 PM.