

CITY OF FARMERSVILLE BUILDING & PROPERTY STANDARDS COMMISSION

September 22, 2016, 6:00 P.M. Council Chambers, City Hall 205 S. Main Street

I. PRELIMINARY MATTERS

Call to Order, Roll call, Prayer and Pledge of Allegiance

II. CONSENT AGENDA

Items in the Consent Agenda consist of non-controversial or "housekeeping" items required by law. Commission members may request prior to a motion and vote on the Consent Agenda that one or more Items be withdrawn from the Consent Agenda and considered individually. Following approval of the Consent Agenda, excepting the items requested to be removed, the Commission will consider and act on each item so withdrawn individually.

A. Minutes from the Building & Property Standards Commission Meeting held on August 25th, 2016

III. PUBLIC HEARING

A. Public hearing to consider, discuss, and act upon violations at 214 Woodard Street, Subdivision: Woodard, Blk 5, Lot 2b, 2a, 1d

IV. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

- A. Consider, discuss, and act upon violations at 309 Murchison Street
- B. Consider, discuss, and act upon violations at PR 100 #15
- C. Consider, discuss, and act upon violations at 140, 148, 150 South Main Street

V. <u>ADJOURNMENT</u>

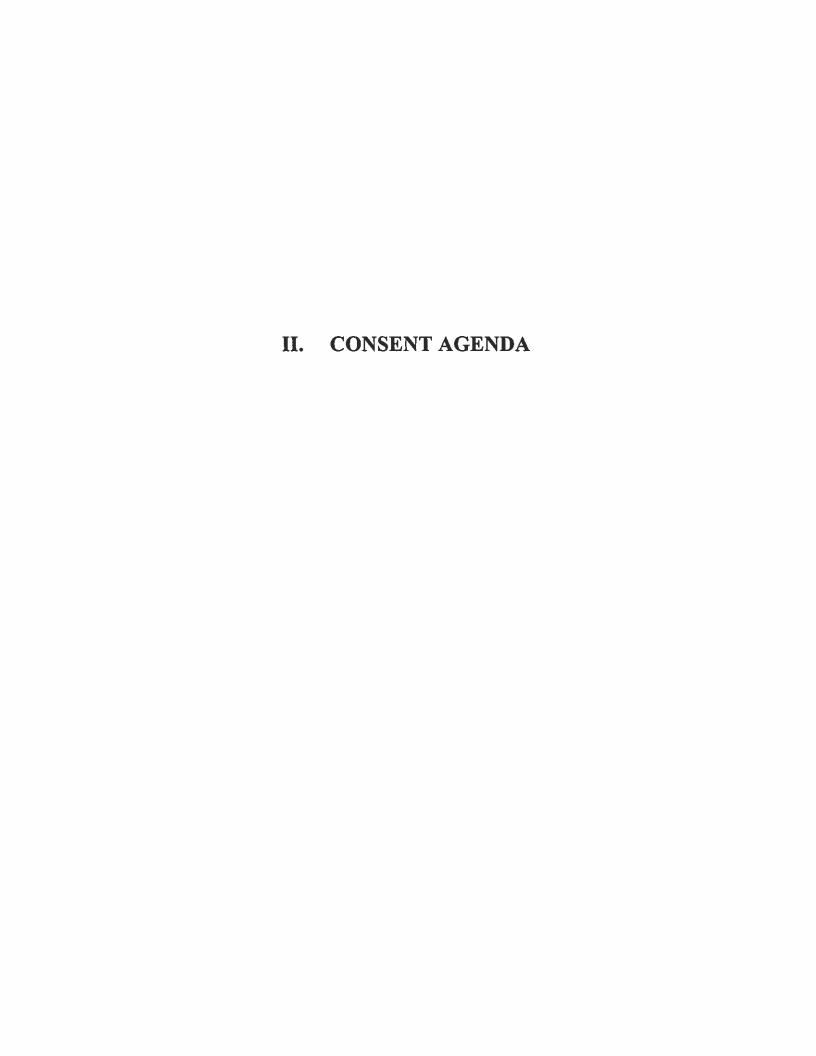
The Commission reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code, including, but not limited to, Section 551.071 (Consultation with Attorney).

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive service must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at 972/782-6151 or FAX 972/782-6604 for further information.

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the front window of the City Hall building for Farmersville, Texas, in a place and manner convenient and readily accessible to the general public at all times, and said Notice was posted on September 19, 2016, by 5:00 P.M. and remained so posted continuously at least 72 hours proceeding the scheduled time of said meeting.

Dated this the 19th day of September, 2016.

Mary Tate, City Secretary





CITY OF FARMERSVILLE BUILDING & PROPERTY STANDARDS COMMISSION

MINUTES for August 25, 2016, 6:00 P.M.

I. PRELIMINARY MATTERS

Chairman Anne Hall called the meeting to order at 6:01 pm. Commissioners Diane Jackson, Frank Delorantis, and Chris Calverley were present. Tiffany Hesse was not in attendance. Chris Calverley led the prayer, and Frank Delorantis led the pledges to the flags of the United States and Texas.

II. CONSENT AGENDA

- B. Minutes from the Building & Property Standards Commission Meeting on June 23, 2016
 - Motion to approve the minutes was made by Diane Jackson
 - 2nd to approve was made by Frank Delorantis
 - All commissioners were in favor thereby approving the minutes

III. PUBLIC HEARING

- B. Public hearing to consider, discuss, and act upon violations at 140, 148, and 150 South Main Street, Block D, Lots 16a, 17-18b, 18a, and 19c, City of Farmersville, Collin County, Texas
 - City Manager, Ben White, addressed the Commission stating that it had been several months since the fire on the property and said that the City would like to see it cleaned up before Old Time Saturday on October 1st.
 - No one came forward to speak for or against the status of the property. The property owner was not present.
 - Code Enforcement Officer, Karen Dixon, told the Commission that cleanup had started and was told that it should be complete in four days. Ms. Dixon stated that she thought it would take longer than that and proceeded to show detailed images of the extensive damage to the property. She also indicated that she believes the property is a safety hazard to the public.

- Chris Calverley asked if a temporary fence could be put up. Ben White said that
 from the City's point of view, the area should definitely be secured. Mr. Calverley
 supports any action needed to be taken by Ms. Dixon to get the area secured by
 September 22nd. Frank Delorantis also agreed citing safety as his primary
 concern.
- City Attorney, Alan Lathrom, advised that the Chairman continue with the public hearing prior to entertaining a motion. Chairman, Anne Hall, asked if anyone wanted to come forward after hearing the discussion. No one came forward. Ms. Hall closed the public hearing.
- Alan Lathrom reviewed the actions that the Commission may request of the property owner, such as, putting up a security fence while demo is going on, request covering the hole/pit in the foundation, and pull demo permits if not done so already.
- Chris Calverley reiterated that the property should be secured sooner rather than
 later to prevent any injury. Mr. Lathrom said there are other concerns to take into
 consideration as well, such as the walls and foundation, contamination of storm
 water, and removal of hazardous materials.
 - Motion made by Chris Calverley stating that a temporary fence with the proper signage be erected around site within 7 days and the hole/pit in the foundation be covered by September 22nd; hazardous materials, walls, and slab should be removed with the proper permits being pulled from the City.
 - o 2nd to approve was made by Frank Delorantis
 - o All commissioners were in favor thereby approving the motion
- C. Public hearing to consider, discuss, and act upon violations at PR 100 #15, in the W.B. Williams Survey, Abstract No. 952, Tract 109, City of Farmersville, Collin County, Texas
 - No one came forward to speak for or against the status of the property. The property owner was not present.
 - Code Enforcement Officer, Karen Dixon, presented images to the Commission and stated that the structure is unsafe.
 - Chris Calverley asked if the owner had communicated with Karen at all. Ms.
 Dixon said that Mr. Hendricks told her he would be rebuilding the trailer.
 However, Mrs. Hendricks had told Karen on the morning of August 25th that the trailer would be removed from the property. Ms. Dixon informed Mrs. Hendricks that it needed to be done by September 22nd.
 - Chairman, Anne Hall, asked if there were any other comments regarding the stricter at PR 100 #15. There were not any other comments. Ms. Hall stated she agreed that the trailer needed to be demolished or moved by the next meeting.
 - City Attorney, Alan Lathrom, noted that state permits will also have to be pulled if the trailer is going to be moved because it is an oversized load. He also stated that the trailer needs to be secured.
 - Motion was made by Chris Calverley to have the trailer secured by close of business on Monday, August 29th; in the event that the property owner is unable to secure the trailed, the Farmersville PD has the authority to

secure the structure; the trailer must be moved or demolished by the 22nd of September with all required permits being pulled from the City, and if necessary, the State.

- o 2nd to approve was made by Frank Delorantis
- o All commissioners were in favor thereby approving the motion

IV. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

- A. Consider, discuss, and act upon violations at 309 Murchison Street
 - Code Enforcement Officer, Karen Dixon informed the Commission that, to her knowledge, no permits for building or demolition had been pulled for the property. The property owner still has another 30 days to do so in accordance with the Order.
 - No motion, no action

V. ADJOURNMENT

• The meeting was adjourned at 6:46 p.m.

	APPROVE:
ATTEST:	Anne Hall, Chairman
Chris Calverley, Secretary	



A. Public hearing to consider, discuss, and act upon violations at 214 Woodard Street, Subdivision: Woodard, Blk 5, Lot 2b, 2a, 1d



134 North Washington Street Farmersville, Texas 75442 972-782-6141 Fax 972-782-7693 29 August 2016

SUBSTANDARD PROPERTY INSPECTION REPORT AND NOTICE OF HEARING

JUDY THOMAS 2351 COUNTY ROAD 1078 FARMERSVILLE TX 75442 VIOLATION ADDRESS: 214 WOODARD

PROPERTY ID: 1246734

LEGAL DESCRIPTION: Woodard, Blk 5, Lot 2b, 2a,

1d

Subdivision: WOODARD

Dear Ms. Thomas

On August 23, 2016, an inspection of the primary structure at 214 Woodard was conducted by the City of Farmersville's code enforcement officer Karen Dixon, and Bureau Veritas Inspector Alan Merritt. The following items demonstrate that the structure at 214 Woodard is a nuisance under the City of Farmersville Code of Ordinances, Chapter 14, Division 10, Section 14-269 Adoption of International Property Maintenance Code, 2006 Edition, Section 108 Unsafe Structures and Equipment 108.1.1 Unsafe Structures and Section 304 Exterior Structure, 304.4 Structural Members, 304.6 Exterior Walls. Therefore, the aforementioned structure does not meet the minimum standards for compliance with the City of Farmersville Ordinance. This situation may be cause for the Building Standards Commission of the City of Farmersville, Texas to declare the building substandard and order the building repaired and/or demolished. The following is a list of conditions in or of the structure at 214 Woodard which are in violation of the City of Farmersville Code of Ordinances, Chapter 14, Section 14-313

- 1. Rotting Siding at extensions
- 2. Pier & Beam foundation not level and resting on grade
- 3. Numerous rotten joist and subfloors
- 4. Back section of roof appears to be falling in
- 5. Ceiling falling in throughout house
- 6. Electrical service not up to code
- 7. No operable restroom facility

- 8. Carport rotting and falling in
- 9. This property is not habitable

While additional violations may be present on the Property, the above listed conditions constitute a violation of the following provisions of the International Property Maintenance Code:

Section 108 Unsafe Structures and Equipment

108.1.1 Unsafe Structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

Section 304 Exterior Structure

304.4 Structural members. All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

304.6 Exterior Walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

The City's code enforcement officer and burea veritas inspector have determined that the building is in need of immediate repair due to the danger of collapse. Therefore, A PUBLIC HEARING HAS BEEN SCHEDULED before the Building and Standards Commission to determine if the building at 214 Woodard constitutes a nuisance and is in violation of the City's minimum standards for maintenance, The hearing is Scheduled for 22 September 2016, a date at least ten (10) days after this Notice, The hearing will be held at the City of Farmersville City Hall, 205 S. Main, Farmersville, Texas 75442 at 6:00 p.m. During the hearing, you may present evidence on issues relevant to the determination of the condition of the building at 214 Woodard.

The City will vacate secure, remove, repair, or demolish the building and/or relocate the occupants of the building, at your expense, if the action ordered by the Building Standards Commission is not completed within the required time,

Failure to comply with this notice and order will result in further action by the City, including the abatement of said nuisance and the costs associated with the same, as provided for by Ordinance.

Thank you for your immediate attention to this matter. If you have any questions please contact me at (972) 782-6141.

Sincerely,

Public Service Officer City of Farmersville

AFFIDAVIT FOR ADMINISTRATIVE SEARCH WARRANT

THE STATE OF TEXAS	ş
	§
COUNTY OF COLLIN	ş

CAME UNTO me this day, Karen Dixon, a person known to me and upon oath swears as follows:

My name is Karen Dixon. I am over the age of 18, of sound mind, have personal knowledge of the facts asserted below, and am competent to testify to those fact

- 1. I am currently a Code Enforcement Officer for the City of Farmersville, Texas and have responsibility for code enforcement with the corporate City limits of the City of Farmersville, Collin County, Texas.
- 2. The property is located within the corporate City limits of the City of Farmersville, Collin County, Texas
- 3. The property's legal description is: Woodard, Blk 5, Lot 2b, 2a, 1d, in the City of Farmersville, Texas. It is further described as 214 Woodard (hereinafter "Property"). It is a single family dwelling, with a green and white wood exterior color.
- 4. Based upon information and belief, the Property is owned by James Mcdaniel and W.N. Mcdaniel, 2351 County Road 1078, Farmersville, TX 75442-8095, who has not provided the City with permission to perform an inspection.
- 5. Based upon this Affiant's personal knowledge and belief, Affiant observed, on or about 15 June 2016, what appears to be a dilapidated structure. This condition appears to violate provisions of the Codes adopted by the City of Farmersville, Texas, which were observed as follows: (1) Section 115.1 International Building Code property has existing structural deficiencies that are unsafe, unsanitary or deficient that are dangerous to human life or the public welfare; and (2) Section 108.1 International Property Maintenance Code Structure unsafe for human Occupancy.

TO ANY PEACE OFFICER OF THE STATE OF TEXAS - GREETINGS:

THE STATE OF TEXAS to any Fire Marshal, Health Officer, or Code Enforcement Official (of the State of Texas) (of Collin County, Texas) (of the City of Farmersville, Collin County, Texas), who has responsibility for the inspection of any specified premises to determine the presence of a fire or health hazard or unsafe building condition or a violation of any fire, health, or building regulation, statute, or ordinance in the territorial limits of the City of Farmersville, Texas:

WHEREAS, the affiant whose signature is affixed to the affidavit supporting the issuance of this warrant is a (Fire Marshal) (Health Officer) (Code Enforcement Official) under the laws of the State of Texas and did therefore this day subscribe and swear to said affidavit before me, which affidavit is attached hereto and incorporated herein by reference for all purposes, and whereas I find that the verified facts and information contained therein and stated by affiant are sufficient to establish probable cause for the issuance of this warrant.

NOW THEREFORE, you are hereby commanded to enter upon and search the suspected place and premises described in said affidavit and to their determine the presence of fire or health hazards, unsafe building conditions or violations of any fire, health, or building regulation, statute, or ordinance of the City of Farmersville, Texas or the State of Texas, and in particular, to determine the presence of City Ordinance Violations i.e. dilapidated structure in violation of said regulation, statute, or ordinance, and if you find that for which you are directed to search you will seize the same and declare same to be held in the custody and control of the court in accordance with Article 18.05, Code of Criminal Procedure, until further notice of the court.

Herein fail not, but have you then and there execute this warrant within three (3) days, exclusive of the day of issuance and exclusive of the day of execution, with your return showing how you executed same.
ISSUED at 8.52 o'clock (a.m.) (p.m.), on this 23 day of 4. 20/6to certify which witness my hand and seal this day.
OFFICER'S RETURN
Came to hand the 33 day of Ovg ,20 11, at 1/01 o'clock(a,m) (p.m.) and executed on the 33 day of Ovg ,20 16 at 1/03 o'clock(a,m) (p.m.) by Narron Divon i Gilen Mercett.
(Fire Marshal) (Health Officer) (Code Enforcement Official)

INSPECTION REPORT

PROJECT ADDRESS & CITY PROJECT NUMBER armersu 214 Woodard 6-13913 SUBDIVISION/PROJECT NAME BUILDING **PLUMBING** Status Status **ELECTRICAL** MECHANICAL Status Status **ENERGY** Status Form Survey Rough ☐ T-Pole Rough ☐ Pre-Insulation ☐ Pier / Footing ☐ Water Service Underground ☐ Fireplace ☐ Insulation ☐ Foundation ☐ Yard Sewer ☐ Rough ☐ Type I Duct ☐ Duct ☐ Flatwork ☐ Gas Underground Const. Meter Type I Hood ☐ Electric ☐ Framing ☐ Gas Rough ☐ Final ☐ Type II Duct Plumbing ☐ Veneer / Wall Tie ☐ Top Out Pool Belly Bond ☐ Type II Hood ☐ Final ☐ Term. Letter ☐ Gas Final / Release Pool Deck Bond Final Above Ceiling □ ROW Tag ☐ Final ☐ Above Ceiling ☐ Above Ceiling ☐ Final ☐ Grease Trap ☐ Pool Final Pool P-Trap ☐ co Backflow Code Compt \Box Status: P = Pass / PP = Partial Pass / F = Failed (reinspection required) / NA = Not Applicable / C = Cancelled COMMENTS Consultation foundat 10 (est

	/			
PERMIT NUMBER	INSPECTOR		INSPECTOR'S PHONE	DATE
	1	m	469-853-2256	8/23/16
Inspections are based solely on visual about	amediantal and	222222		

e based solely on visual observation(s) and assessment(s) of the construction or specified items at the time of inspection. The inspection shall not be held to permit or be an approval of a violation of any applicable codes and/or standards nor relieve the owner, design professional of record or contractor of compliance with any applicable codes and/or standards. Inspection shall not be relied upon by others as acceptance of work, nor shall it in any manner relieve any owner, contractor, or any other party, from their obligations and responsibilities.

> INSPECTION REQUEST TOLL FREE: (877) 837-8775 FAX: (877) 837-8859

E-MAIL: inspectionstx@us.bureauveritas.com

Offense / Incident Report

GENERAL OFFENSE INFORMATION

Report Type: Initial Report

Agency FARMERSVILLE POLICE DEPT

Location 214 WOODARD STREET

Case # 16-001371 **FARMERSVILLE TEXAS 75442**

File # Description

16-001371

INSPECT FOR ORDINANCE VIOLATIONS-TALL, ROOF IS SAGGING

Incident Status

REFERRED TO PROPERTY BOARD

06/14/2016 00:00 From Date/Time

To Date/Time

Report Date

06/14/2016 00:00

Reporting Officer DIXON, K

Initial Rep. Date

06/14/2016 00:00

Entered By	DIXON, K	**
Officer	DIXON, K	
Supervisor		

Offense / Incident Report

GENERAL OFFENSE INFORMATION

Report Type:

Supplement

Agency FARMERSVILLE POLICE DEPT

Location 214 WOODARD STREET FARMERSVILLE TEXAS 75442

Case # File # 16-001371 (1) 16-001371

Reporting Officer DIXON, K

Description

UPDATE ON PROPERTY

Incident Status

REFERRED TO PROPERTY BOARD

From Date/Time

06/14/2016 00:00

To Date/Time

Report Date

07/07/2016 00:00

Initial Rep. Date

06/14/2016 00:00

Entered By	DIXON, K	
Officer	DIXON, K	
Supervisor		

Tuesday, Aug 23 2016

13:49

DIXON, K

Page 1 of 2

Offense / Incident Report

GENERAL OFFENSE INFORMATION

Report Type: Supplement

FARMERSVILLE POLICE DEPT Agency

214 WOODARD STREET Location

Case # 16-001371 (2) **FARMERSVILLE TEXAS 75442**

File#

16-001371

Description

ORDINANCE VIOLATION-DELAPIDATED STRUCTURE

Incident Status

REFERRED TO PROPERTY BOARD

06/14/2016 00:00 From Date/Time

To Date/Time

Report Date

08/09/2016 00:00

DIXON, K Reporting Officer

Initial Rep. Date

06/14/2016 00:00

Entered By DIXON, K

Officer

DIXON, K

Supervisor

Tuesday, Aug 23 2016

13:50

DIXON, K

of 2 Page 1

Offense / Incident Report

Agency Case # File # Descripti	16-00137 16-00137		Location	214 WOODARD FARMERSVILLE	
Incident		REFERRED TO PROPERTY BOARD		From Date/Time	06/14/2016 00:00
Reportin	g Officer	DIXON, K		Report Date nitia! Rep. Date	08/12/2016 00:00 06/14/2016 00:00
керогип	g Onicer	DIAON, K		mitar Rep. Date	00/14/2010 00:00
Entered B	y DIXON	.к			
		, K			

Supervisor

Tuesday, Aug 23 2016 13:50 DIXON, K Page 1 of 2

Offense / Incident Report

Agency FARMERSVILLE POLICE DEPT Location 214 WOODARD STREET **FARMERSVILLE TEXAS 75442** Case # 16-001371 (4) 16-001371 File# SEARCH WARRANT EXECUTED Description REFERRED TO PROPERTY BOARD **Incident Status** 06/14/2016 00:00 From Date/Time To Date/Time 08/23/2016 00:00 Report Date Reporting Officer DIXON, K Initial Rep. Date 06/14/2016 00:00 Entered By DIXON, K Officer DIXON, K Supervisor

Tuesday, Aug 23 2016 13:50 DIXON, K Page 1 of 2



134 North Washington Street Farmersville, Texas 75442 972-782-6141 Fax 972-782-7693

15 June 2016

James & W.N. McDaniel C/O Judy Thomas 2351 CR 1078 Farmersville TX 75442

Mr McDaniel

You own property located at 214 Woodard Street, Farmersville, Collin County, Texas. This property desperately needs the grass cut. The roof and car port require attention also. If you could contact me at (972-782-6141 to discuss this property and your plans for said property I would appreciate it.

You have 10 days to get the grass cut and weed eat the property.

Your assistance with this matter is appreciated.

Sincerely

		LAUU
SENDER: COMPLETE THIS SECTION Complete Items 1, 2, and 3. Print your name and address on the reverse so that we calculate turn the card to you. Attach this the factor of the mailpiece, 1. Article Addressed to.	A. Signature A. Signature A. Signature Agent Addressee Received by (Printed Name) D. Is delivery address different from Item 1? If YES, enter delivery address below:	U.S. Postal Service" CERTIFIED MAIL® REC Domestic Mail Only For delivery information, visit our website
1. Article Addressed to. James & W. N. McDaniel Jours & W. McDaniel Jour	3. Service Type □ Adult Signature □ Adult Signature Restricted Delivery □ Certified Mail® □ Signature Confirmation □ Signature Confirmation □ Signature Confirmation □ Signature Confirmation	at www.
7015 1520 0002 6471 006 PS Form 3811, April 2015 PSN 7530-02-000-9053		

7.25.16 NO RESPONSE



FARMERSVILLE POLICE DEPARTMENT

134 North Washington Street Farmersville, Texas 75442 972-782-6141 Fax 972-782-7693

16-001371

14 July 2016

James & W.N. McDaniel C/O Judy Thomas 2351 CR 1078 Farmersville TX 75442

Mr McDaniel

I sent you a letter on 6/15/16 about your property located at 214 Woodard. I appreciate you mowing the grass, I asked that you call me about the shape the property is in and what your plans were. I never received a call. This property is in disrepair and needs work. I ask that you please contact me or my next step will be to obtain an Administrative Search Warrant and call in a building inspector.

. . . L for an Administrative Search If I do not hear from you within 10 days I have no choice by 7014 2120 0004 4353 7780 Warrant. If you have any questions please call me at (972) 782-6141
Sincerely

PUBLIC SERVICE OFFICER

Street & Apt. No., or PO Box No. City, State, ZIP+4 Return Receipt Fee Endorsement Required) Total Postage & Fees Certified Fee 69 MAIL® RECEIPT See Reverse for Instructions

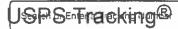
English

Customer Service

USPS Mobile

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■USPS.COM*





Customer Service > Have questions? We're here to help.



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Tracking Number: 70142120000443537780

Product & Tracking Information

Postal Product:

Features:

Certified Mail™

DATE & TIME

STATUS OF ITEM

LOCATION

Schedule Redelivery

Available Actions

Text Updates

July 20, 2016 , 11:52 am

Notice Left (No Authorized Recipient Available)

FARMERSVILLE, TX 75442

Email Updates

July 19, 2016, 4 47 pm

Departed USPS Facility

NORTH TEXAS PROCESSING AND DISTRIBUTION CENTER

July 18 2016 ; 9 22 pm

Arrived at USPS Facility

NORTH TEXAS
PROCESSING AND
DISTRIBUTION CENTER

Track Another Package

Tracking (or receipt) number

Track It

Manage Incoming Packages

Track all your packages from a dashboard No tracking numbers necessary

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134 North Washington Street Farmersville, Texas 75442

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James ; w.N. McDaniel % Judy Thomes 2351 CR 1078

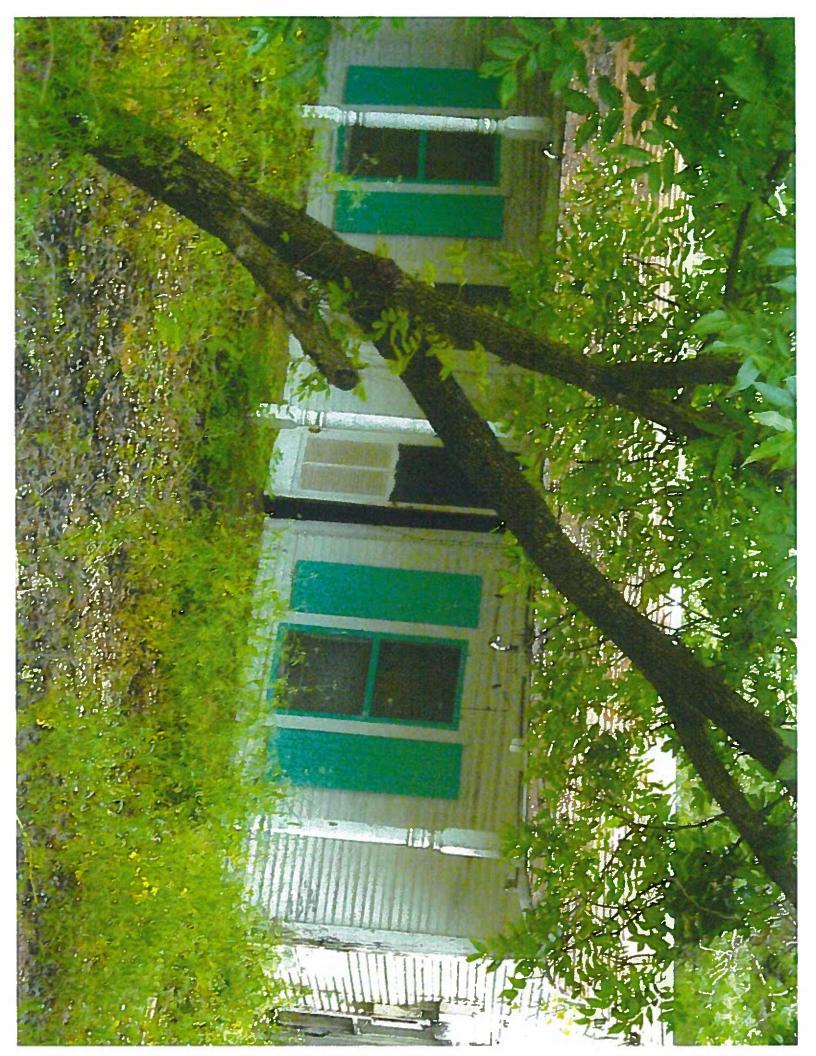
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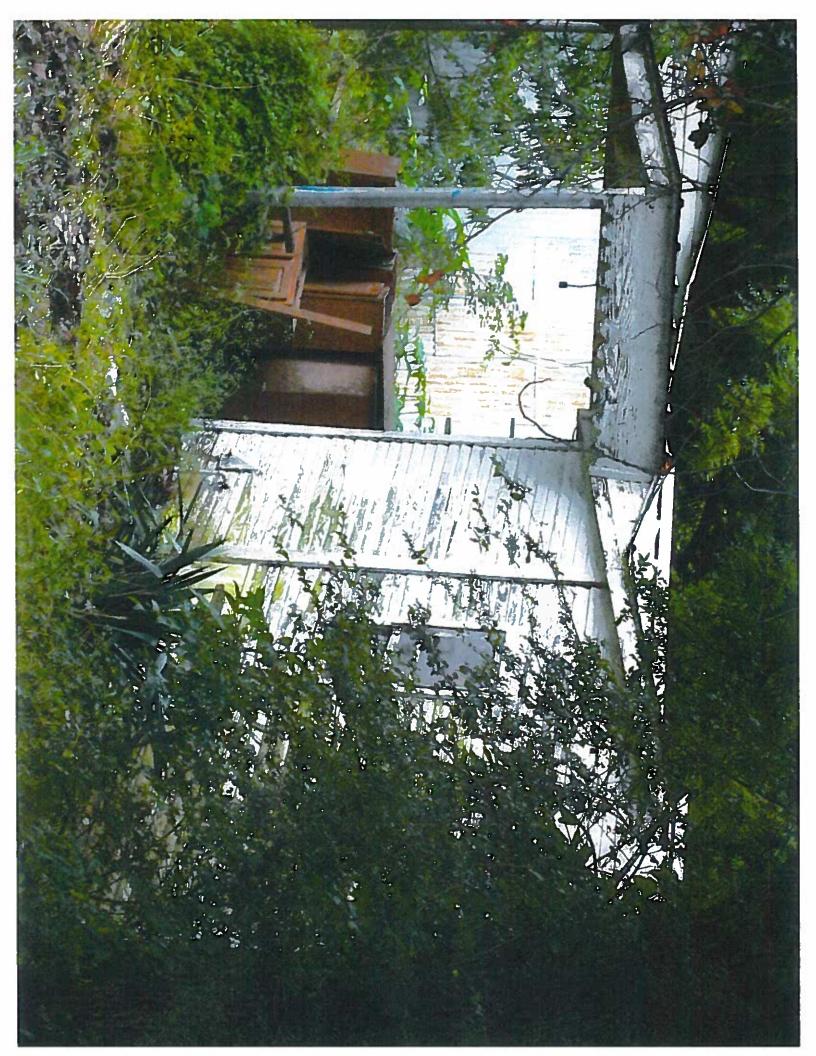
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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
Complete items 1, 2, and 3.	A. Signature	
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 Attach this card to the back of the malipiece, or on the front if space permits. 	B. Received by (Printed Name) C. Date of Delivery	
1. Article Addressed to:	D. Is delivery address different from Item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
40 Judy 1 homes 335 CP 1078		
Farmasville TX 75442		
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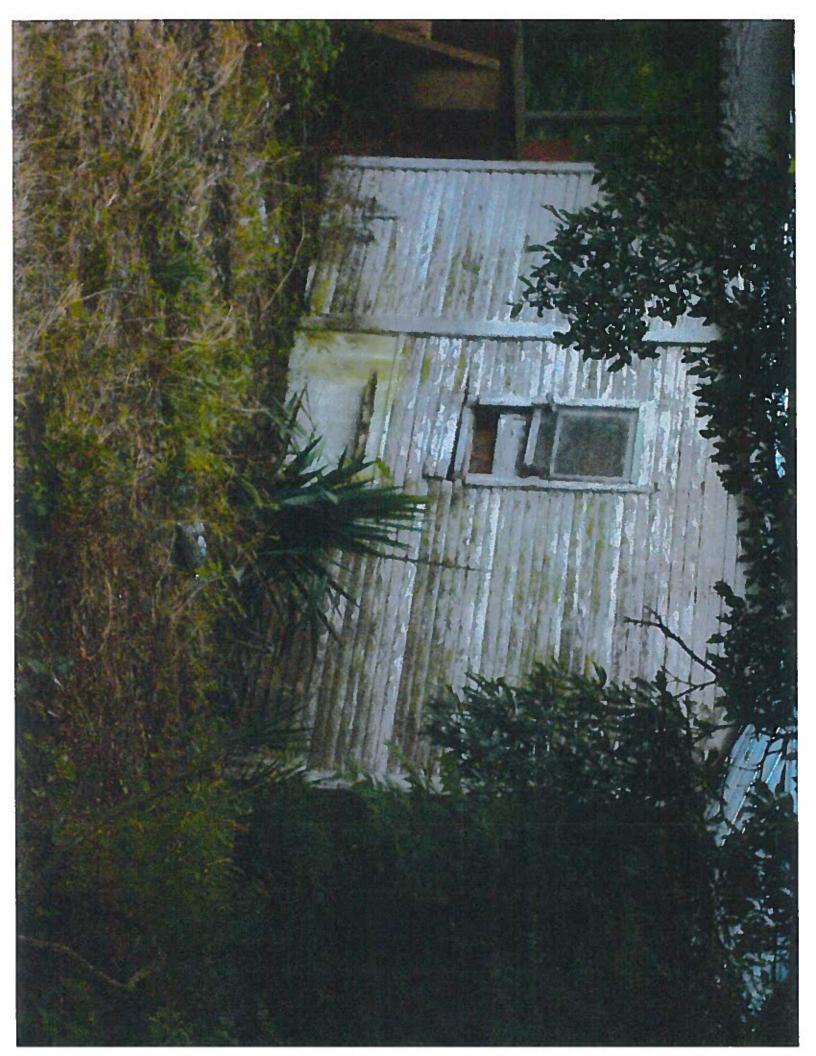


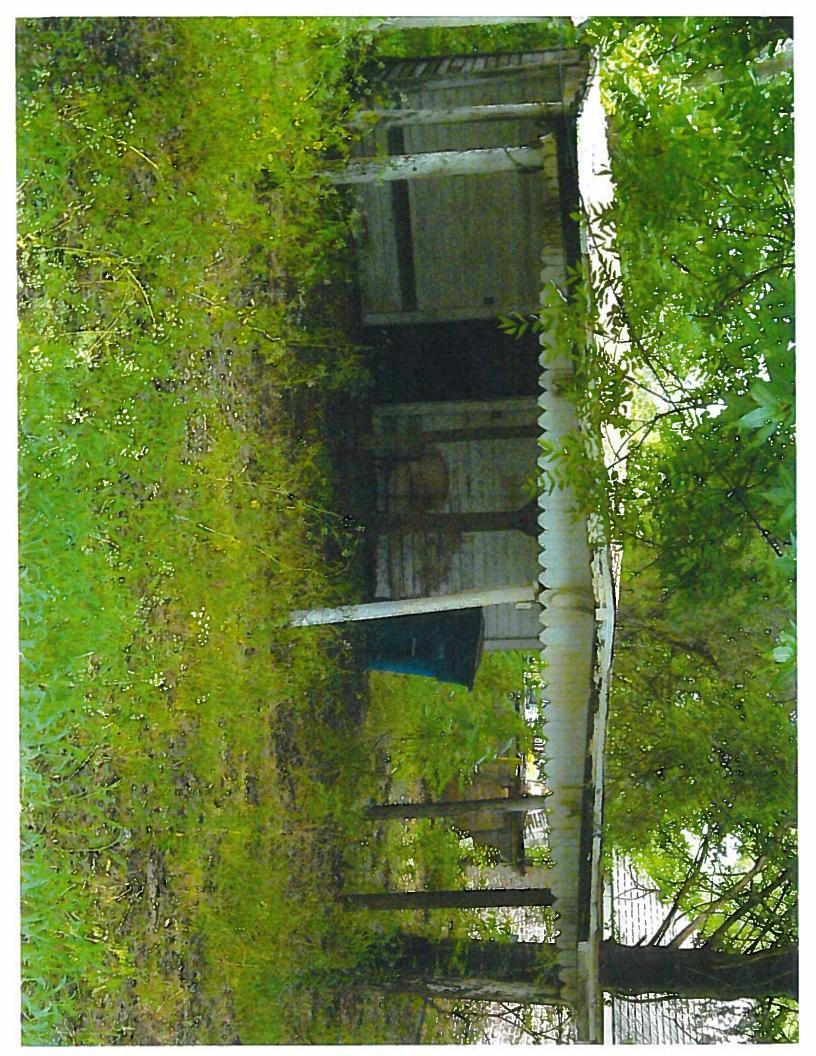






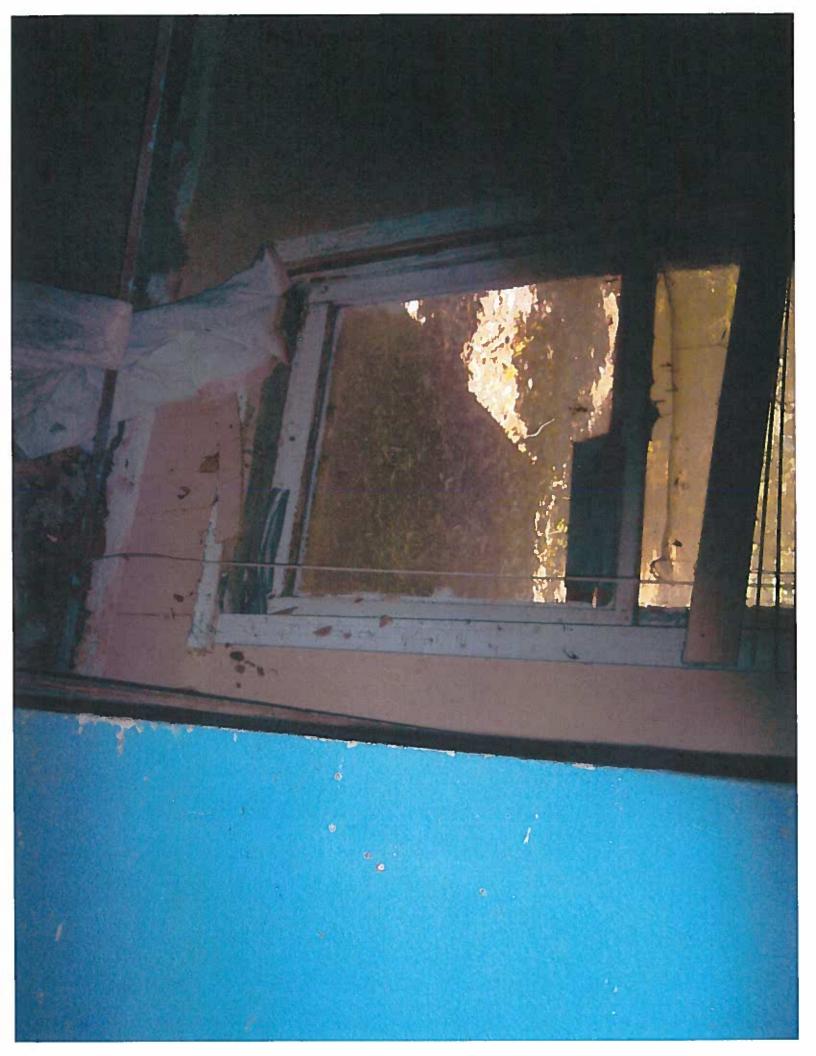


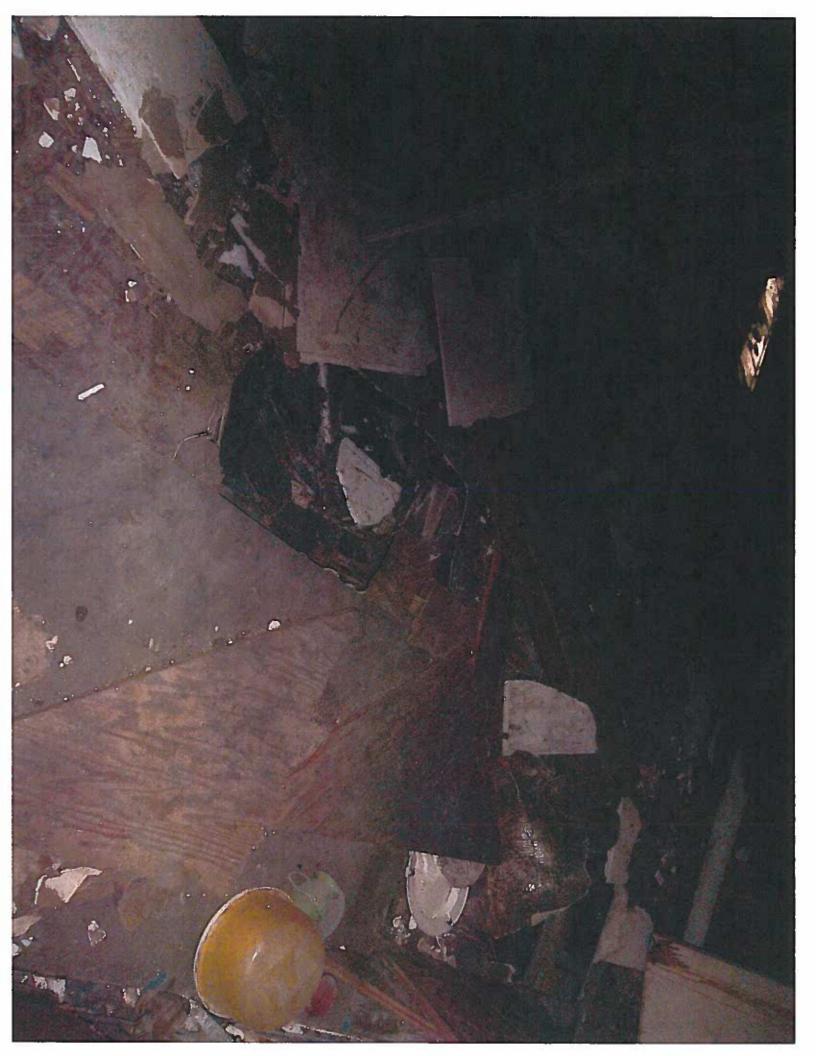




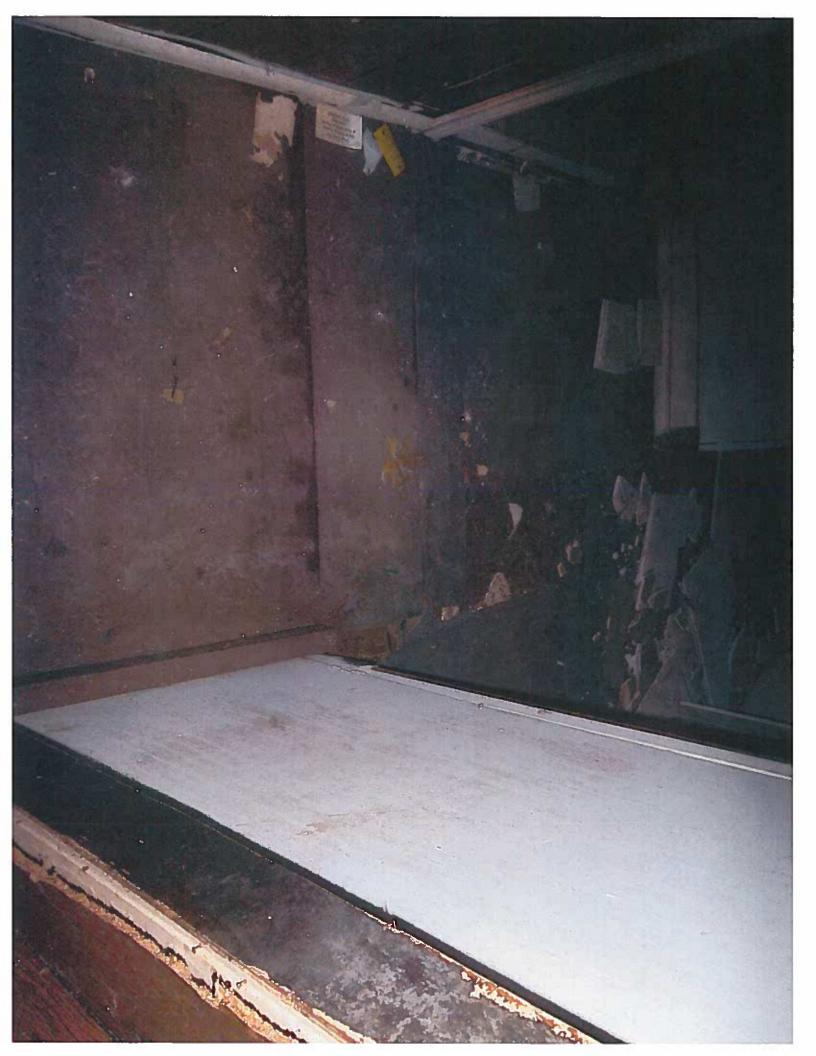




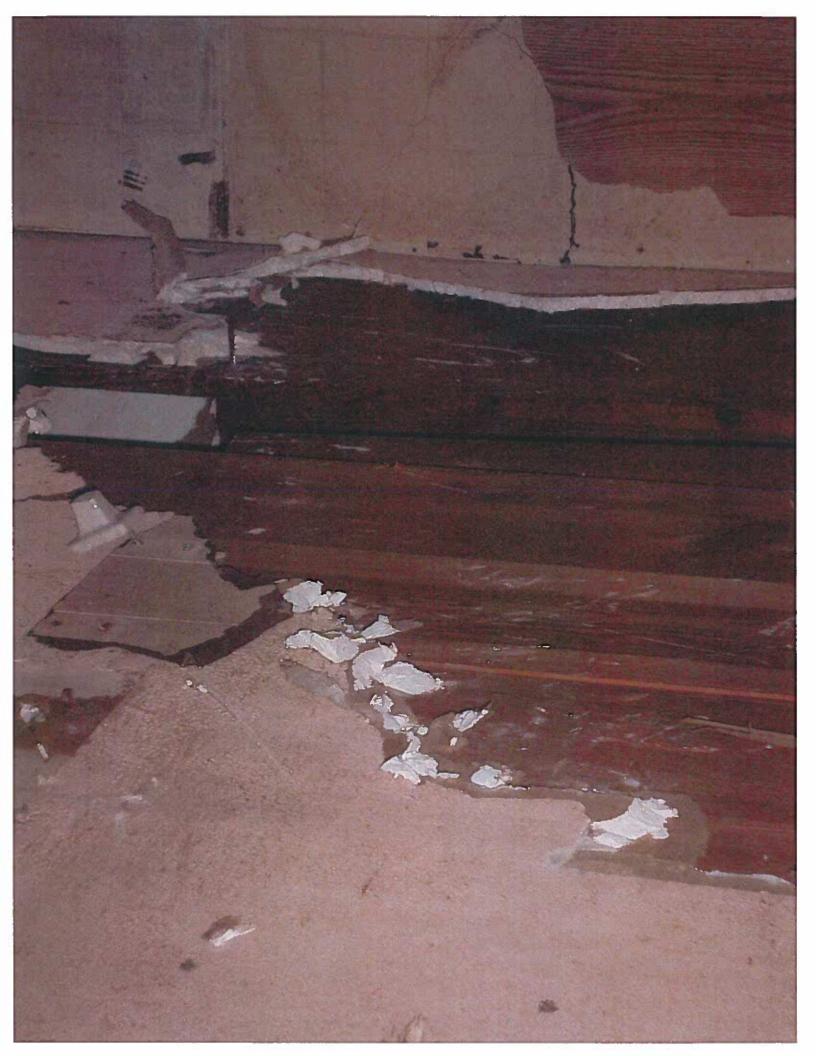


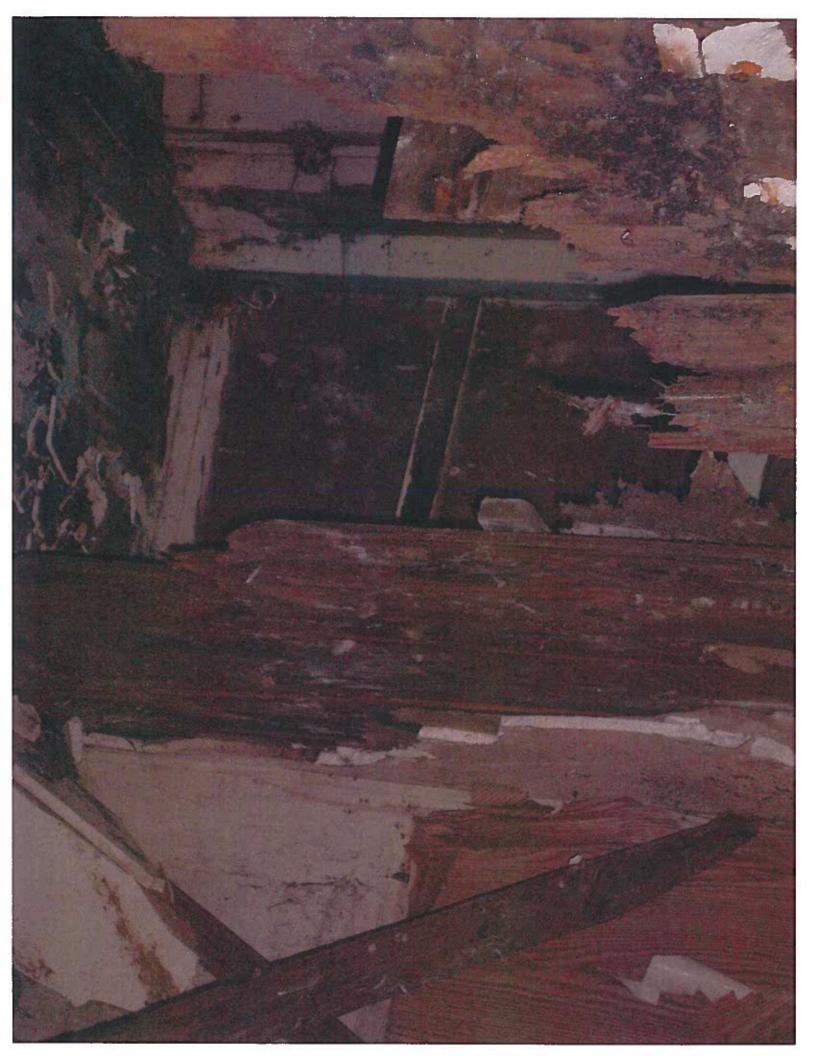




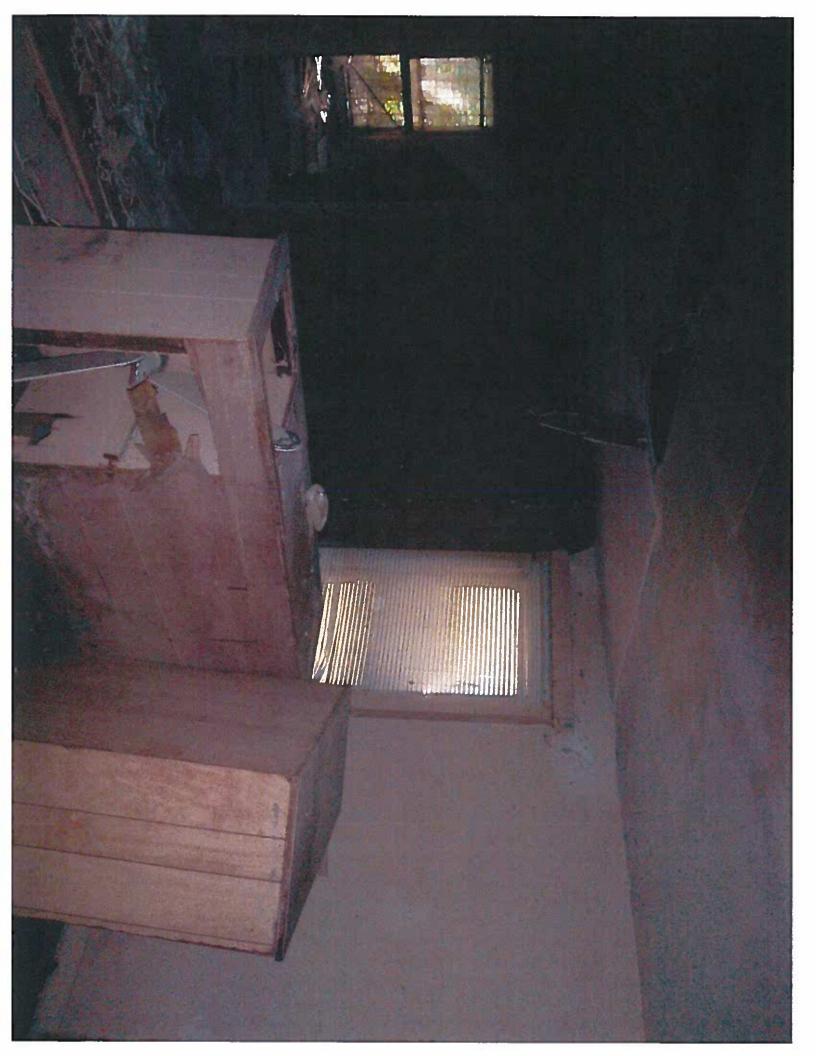




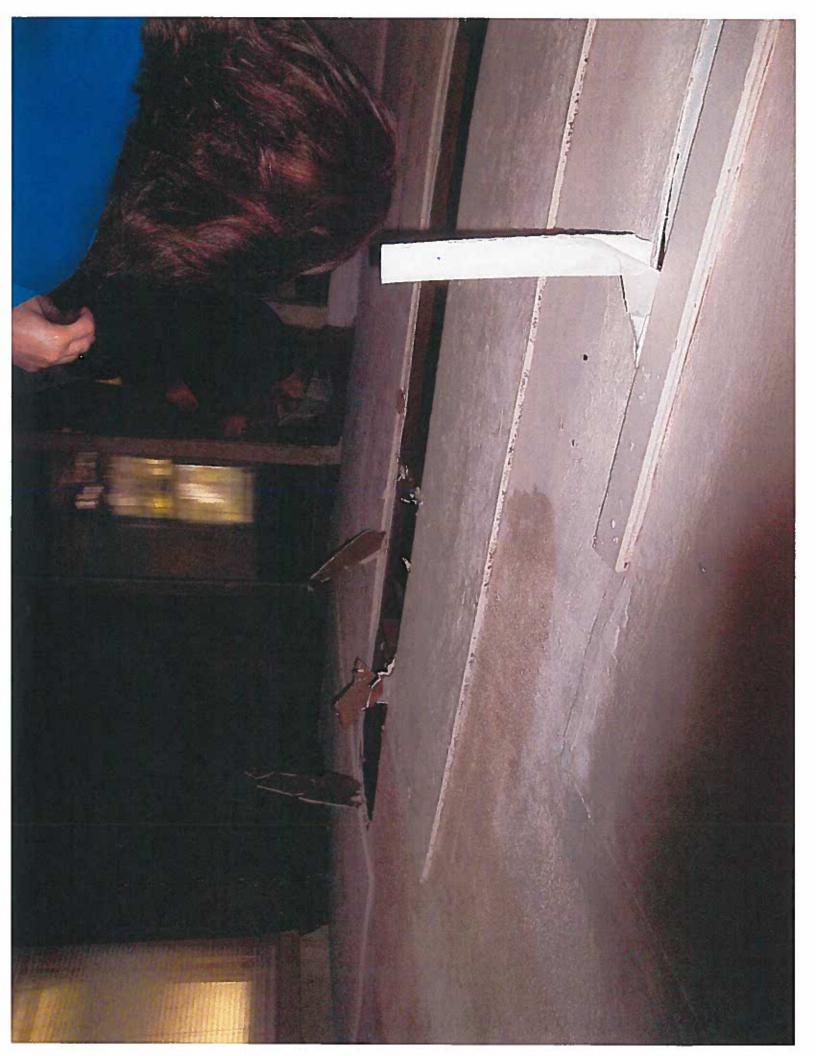












TX 7	ITEMS FOD F	NECLICSION	NID BOCCIDI	E A CTION
IV.	ITEMS FOR D	DISCUSSION A	ND POSSIBL	E ACTION

A. Consider, discuss, and act upon violations at 309 Murchison Street



C. Consider, disc	cuss, and act upo	n violations at	140, 148, 150	South Main S	Street

