

MINUTES

On February 1, 2024, the Condemnation Appeals Commission met at 3:00 p.m. for a Regular meeting at City Hall, 601 S Buchanan St., in the City Council Chambers.

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD SINCE APPOINTMENT	NO. OF MEETINGS ATTENDED
Tom Roller, Chair	Yes	83	75
Frank O Willburn, Vice Chair	Yes	2	2
Richard Constancio Jr.	Yes	83	51
Jim Banes	Yes	61	46
Gary Ward	No	2	0
ALTERNATE MEMBER			
Ryan Huseman	No	31	7

Also in attendance were:

Johnny Scholl
Jacob Diaz
Courtney White
Gwen Gonzales
Sarah Ramon
Jerry Brinkley

BUILDING OFFICAL, CITY OF AMARILLO
CITY MARSHAL, CITY OF AMARILLO
ASSISTANT CITY ATTORNEY II, CITY OF AMARILLO
DANGEROUS STRUCTURE MANAGER, CITY OF AMARILLO
ADMINISTRATIVE SPECIALIST, CITY OF AMARILLO
CODE INVESTIGATOR, CITY OF AMARILLO

This meeting of the Condemnation Appeals Commission was called to order by Chairman Roller, established a quorum at 3:00p.m.

ITEM 1: Public Comments:

The Chairman, Commissioner Roller opened the floor for any public comments to speak to any item on the agenda that does not have a public hearing.

ITEM 2: Minutes:

Commissioner Banes made a motion to approve the minutes of the January 18, 2024, meeting, seconded by Commissioner Constancio, the motion passed with a 4:0 vote.

ITEM 3: Resolution-Calling a Public Hearing to determine whether certain conditions described herein constitute a Public Nuisance at the locations stated:

This resolution sets the date and time for a public hearing on March 21, 2024, at 3:00 p.m. to determine whether certain conditions of the properties located at 1200 N Monroe Street, 4702 Eagle Lane, 102 S Georgia Street, 4703 Hawk Lane, 2100 S Roberts Street, and 2101 S Roberts Street constitute dangerous structure and/or a public nuisance, and whether to order the removal of such. A copy of this resolution will be mailed to all interested parties providing ten (10) days' notice of public hearing. Commissioner Constancio made a motion to approve the resolution, seconded by Commissioner Banes, the motion passed with a 4:0 vote.

ITEM 4: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structures and solid waste accumulation located at 3500 Eula Drive.

Mr. Scholl, Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a manufactured home, an accessory structure, and solid waste accumulation. The structure was involved in a fire on November 23, 2022. This structure has been without water service since November 14, 2022. The Amarillo Police Department has been called out to this location 1 time since the structure became vacant. Building Safety and the City Marshal's Office has worked 2 cases since the property became vacant: an open structure case and this dangerous structure case. This property is located 6 blocks from an elementary school, and it borders a rail road right of way. These structures remain open. The structural integrity of manufactured home is severely compromised due to the fire and vagrant activity. There is evidence of the structure already collapsing. The trash has recently been cleaned up. Building Safety has had no

recent permit activity. However, the property owner has contacted the City Marshal's office. They have contacted Grant Construction to demolish the manufactured home. This property is an attractive nuisance, represents a hazard to the neighborhood, blight on the area and an unsafe environment. The Building Official's recommendation is demolition; Item II. There are taxes due, and there is no money owed to the City for any mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Scholl any questions. The Chairman asked if there was anyone present with a legal interest in the property. There was no one. The Chairman asked if there was anyone else who wished to speak concerning the property. There was no one. The Chairman closed the hearing. The Commissioners deliberated. Commissioner Willburn made a motion to approve the resolution for Option II, seconded by Commissioner Banes, the motion passed with a 4:0 vote.

ITEM 5: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of a substandard structure located at 514 N Pierce Street.

Mr. Scholl, Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a residential structure. This structure has been without water service since January 26, 2021. The Amarillo Police Department has been called out to this location 7 times since the structure became vacant. Building Safety and the City Marshal's Office have worked 4 cases since the structure became vacant: weeds-junk & debris, and this dangerous structure case. This property is located 1 block from a middle school and park, 3 blocks from a 6th grade campus, 3 blocks from a public park and 4 blocks from a major road: Amarillo Boulevard. The structure remains unsecured with broken windows, holes in the foundation, an open in-ground storm cellar, and there is trash scattered on the property. There is evidence of vagrant activity. Justin Cherry came into the City Marshal's office on Monday, January 29, 2024, stating he purchased the property on Friday, January 26, 2024. The Dangerous Structure case was explained to him. Building Safety has had no recent permit activity. This property is an attractive nuisance, it represents a hazard to the neighborhood, blight on the area and an unsafe environment therefore demolition is recommended: Item II. Commissioner Constancio asked if there were any interior pictures. Jerry Brinkley, Code Investigator, approached the podium. Mr. Brinkley explained that when he was at the residence yesterday, he approached the door, he heard noises and did not go in. Mr. Scholl stated that was evidence of vagrant activity and he explained that due to vagrant activity, it is unsafe for our inspectors to enter. There are taxes due and there is money owed to the City for any prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Scholl any questions. The Chairman asked if there was anyone present with a legal interest in the property. Justin Cherry, 6600 Paloma Dr, approached the podium. Mr. Cherry stated he had just purchased the property. Chairman Roller asked if he was prepared to obtain the required permits. Mr. Cherry said yes. The Chairman asked Mr. Scholl if Option III would be a better option. Mr. Scholl said yes. The Chairman asked if there was anyone else who wished to speak concerning the property. There was no one. The Chairman closed the hearing. The Commissioners deliberated. Commissioner Willburn made a motion to approve the resolution for Option III, seconded by Commissioner Constancio, the motion passed with a 4:0 vote.

ITEM 6: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of a substandard structure located at 516 N Pierce Street.

Mr. Scholl, Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property is next door to the property we just discussed at 514 N Pierce Street. This property consists of a fire damaged duplex. The structure was involved in a fire on July 20, 2023. This structure has been without water service since October 13, 2017. The Amarillo Police Department has been called out to this location 5 times since the structure became vacant. Building Safety and the City Marshal's Office have worked 12 cases since the structure became vacant: weeds/junk and debris, open structure violation, a dangerous structure case on the burned rear apartment, and this dangerous structure case. This property is located 1 block from a middle school and park, 3 blocks from a 6th grade campus, 3 blocks from a public park and 4 blocks from a major road: Amarillo Boulevard. The structure remains unsecure, there are holes in the roof, broken windows and doors, and evidence of vagrant activity. Building Safety has had no recent permit activity. This property is an attractive nuisance, it represents a hazard to the neighborhood, blight on the area and an unsafe environment therefore demolition is recommended: Item II. There are taxes due and money owed to the City for prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Scholl any questions. The Chairman asked if there was anyone present with a legal interest in the property. There was no one. The Chairman asked if there was anyone else who wished to speak concerning the property. There was no one. The Chairman closed the hearing. The Commissioners deliberated. Commissioner Banes made a motion to approve the resolution for Option II, seconded by Commissioner Constancio, the motion passed with a 4:0 vote.

ITEM 7: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of solid waste accumulation located at 3111 SW 7th Avenue.

Mr. Scholl, Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a residential structure and solid waste accumulation. Only the solid waste accumulation is being considered. The definition of trash as per the Amarillo Municipal Code, Section 4-3-2, is included in the agenda packet. This structure has been without water service since November 2, 2023. The Amarillo Police Department has not been called out to this location since the start of this solid waste accumulation case started. Building Safety and the City Marshal's Office have worked 2 cases in the last 2 years: a zoning violation, and this solid waste condemnation case. This property is located 3 blocks from a private school and 4 blocks from an elementary school. The solid waste accumulation is a place for harborage of vermin. The accumulations also create a hazard for any first responders if ever there is an emergency. They would be unable to navigate the property to locate people or fight a fire. Building Safety has had no recent permit activity. This property is an attractive nuisance, it represents a hazard to the neighborhood, blight on the area and an unsafe environment therefore cleanup is recommended: Item V. There are no taxes due and there is nothing owed to the City for any prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Scholl any questions. The Chairman asked if there was anyone present with a legal interest in the property. Eddie Hubbard, 3111 SW 7th Avenue, approached the podium. He stated he has been cleaning it up. He has fixed the fence and has someone to help haul off some of the items. The Chairman explained that obtaining a permit will give him 60 days to finish cleaning it up. The Commissioners asked Mr. Hubbard a couple more questions. The Chairman asked if there was anyone else who wished to speak concerning the property. Jessica York, 1114 Alta Vista Street, approached the podium. She discussed how the items were placed there after removing them from a storage house and that is why there is so much there. She said he has been working on it. The Chairman asked if there was anyone else who wished to speak concerning the property. There was no one. The Chairman closed the hearing. The Commissioners deliberated. Commissioner Banes made a motion to approve the resolution for Option V, seconded by Commissioner Constancio, the motion passed with a 4:0 vote.

ITEM 8: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of a substandard structure and solid waste accumulation located at 2641 NW 11th Avenue.

Mr. Scholl, Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a residential structure and solid waste accumulation. This property has been without water service since January 11, 2023. The Amarillo Police Department has been called out to this location 3 times since the water service has been turned off. Building Safety and the City Marshal's Office have worked 5 cases in the last 2 years: weeds-junk and debris, zoning violation, and this dangerous structure case. This property is located 3 blocks from an elementary school, 2 blocks from a railroad, and 3 blocks from a major road: Amarillo Boulevard. The structure remains unsecure, with broken doors and windows, the siding is falling off in areas, and there is evidence of vagrant activity. There, also, is an accumulation of solid waste on the property. Building Safety has had no recent permit activity. This property is an attractive nuisance, it represents a hazard to the neighborhood, a blight on the area and an unsafe environment therefore, demolition is recommended; Item II & V. The Commissioners discussed the pictures. Jerry Brinkley, Code Investigator, stated that there were 6 people at the property when he was there. He would not go inside the structure for safety reasons. There are taxes due, however, there is nothing owed to the City for any prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Scholl any questions. The Chairman asked if there was anyone present with a legal interest in the property. There was no one. The Chairman asked if there was anyone else who wished to speak concerning the property. There was no one. The Chairman closed the hearing. The Commissioners deliberated. Commissioner Constancio made a motion to approve the resolution for Option II & V, seconded by Commissioner Banes, the motion passed with a 4:0 vote.

ITEM 9: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structures located at 8108 E Amarillo Boulevard.

Mr. Scholl, Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a manufactured home, two accessory structures, and solid waste accumulation. This structure has been without water service since June 1, 2023; however, the last consumption was February 11, 2022. The Amarillo Police Department has not been called out to this location 7 times since the beginning date of this case. Building Safety and the City Marshal's Office have worked 4 cases since the property became vacant: weeds-junk and debris, zoning violations, and this

dangerous structure case. This property is located 1 1/2 miles from an elementary school and park, it is on a major road: Amarillo Boulevard and it is 1 block from another major highway: Loop 335. The manufactured home has broken windows and doors. The ceiling is collapsing and shows signs of water damage. There is evidence of vagrant activity. The accessory structures are collapsing. There is also an accumulation of solid waste on the property. Building Safety has had no recent permit activity. This property is an attractive nuisance, it represents a hazard to the neighborhood, blight on the area and an unsafe environment therefore demolition is recommended; Item II & V. The Commissioners discussed the pictures. Jerry Brinkley, Code Investigator, stated that there was evidence of vagrant activity. He would not go inside the structure for safety reasons. Mr. Brinkley also spoke with the neighbor while at the property. There are taxes due, and there is money owed to the City for any prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Scholl any questions. The Chairman asked if there was anyone present with a legal interest in the property. There was no one. The Chairman asked if there was anyone else who wished to speak concerning the property. Reney Hainer-Palsey, her brothers own 8110 through 8114 E Amarillo Boulevard. The owner is deceased. There have been numerous occasions when they have called the police to remove people from the property who were putting up tents. There are many vagrants on the property. The Chairman closed the hearing. The Commissioners deliberated. Commissioner Banes made a motion to approve the resolution for Option II & V, seconded by Commissioner Willburn, the motion passed with a 4:0 vote.

Adjournment:

Chairman Roller asked if there was any further business. There was none. Chairman Roller concluded the meeting. The meeting was adjourned at 4:10 p.m. This meeting was recorded, and all comments are on file with the Department of Building Safety.



Tom Roller, Chairman

ATTEST:



Gwen Gonzales, Dangerous Structure Manager