

MINUTES

On May 2, 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	87	79
Frank O Willburn, Vice Chair	Yes	6	6
Richard Constancio Jr.	No	87	54
Jim Banes	Yes	65	50
Vacant			
ALTERNATE MEMBER			
Ryan Huseman	No	35	7

Also in attendance were:

Jacob Diaz
Bryan McWilliams
Gwen Gonzales
Cory Gilford
Jerry Brinkley

CITY MARSHAL, CITY OF AMARILLO
CITY ATTORNEY, CITY OF AMARILLO
DANGEROUS STRUCTURE MANAGER, CITY OF AMARILLO
CODE INVESTIGATOR, 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 3:00 p.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. Laird Kinnier, 402 N Monroe St, approached the podium. Mr. Kinnier wanted a "little bit of insight on the condemnation process." Mr. Kinnier asked if after the condemnation process, once it gets to the demolition process, is it an eminent domain process? Chairman Roller replied: "No." Chairman Roller briefly explained the process and informed Mr. Kinnier, that the City does not take over the property. Mr. Kinnier interest is in a community land trust and these vacant structures are "the City's endowment" and torn down and does not get built back. Especially on the north side. Any of the structures that are repairable, why can we not find a tool or an instrument to salvage these structures because these are the City's endowment. Chairman Roller explained that they do not have that authority. Mr. Kinnier, again, brought up eminent domain. Bryan McWilliam, City Attorney, explained what eminent domain is and the concept Mr. Kinnier was discussing is not eminent domain. Chairman Roller stated that Mr. Kinnier would need to bring that up to the City Council and that this Commission does not have that authority.

ITEM 2: Minutes:

Commissioner Willburn made a motion to approve the minutes of the April 4, 2024, meeting, seconded by Commissioner Banes, the motion passed with a 3:0 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 June 6, 2024, at 3:00 p.m. to determine whether certain conditions of the properties located at 4319 SE 15th Avenue, 1011 SW 48th Avenue, 6007 Ethan Lane, 109 S Florida Street, 4617 S Hughes Street, and 2306 Spruce 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 Banes made a motion to approve the resolution, seconded by Commissioner Willburn, the motion passed with a 3:0 vote.

ITEM 4: 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 June 6, 2024, at 3:00 p.m. to determine whether certain conditions of the properties located at 2611 NW 14th Avenue, 1919 S Harrison Street, 702 S Prospect Street, 508 N Van

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1. RESEARCH AND DEVELOPMENT
 2. MANUFACTURING
 3. SALES AND MARKETING
 4. FINANCIAL
 5. GENERAL ADMINISTRATION

2017-01-01 to 2017-01-01. The data is for the year 2017.

1. The first of these is the fact that the Commission has not yet received any information from the Government of the United Kingdom regarding the progress of its investigation into the alleged activities of the British Security Establishment in the United States. This is a matter of great importance, as the Commission is required to report on the progress of its investigation by the end of the year.

10. The following information is being furnished to you for your information only. It is not intended to be used for any other purpose.

1. The first of these is the fact that the United States has a large and growing population of people who are not citizens of the United States. This is a result of the large number of people who have immigrated to the United States in recent years, and the fact that many of these people are not citizens of the United States. This is a problem for the United States, as it means that there are a large number of people who are not subject to the laws of the United States, and who are not eligible for the rights and benefits of citizenship. This is a problem for the United States, as it means that there are a large number of people who are not subject to the laws of the United States, and who are not eligible for the rights and benefits of citizenship.

1. The first step in the process of identifying a problem is to define the problem. This involves identifying the symptoms of the problem and determining the scope of the problem. Once the problem has been defined, the next step is to identify the causes of the problem. This involves identifying the factors that are contributing to the problem and determining the underlying causes of the problem. Once the causes of the problem have been identified, the next step is to develop a plan to address the problem. This involves identifying the actions that need to be taken to address the problem and determining the resources that are needed to implement the plan. Once a plan has been developed, the next step is to implement the plan. This involves taking the actions that are outlined in the plan and monitoring the progress of the plan. Finally, the last step in the process is to evaluate the results of the plan. This involves determining whether the plan has been successful in addressing the problem and identifying any lessons learned from the process.

Buren Street, and 3221 S Western 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 Banes made a motion to approve the resolution, seconded by Commissioner Willburn, the motion passed with a 3:0 vote.

ITEM 5: 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 July 18, 2024, at 3:00 p.m. to determine whether certain conditions of the properties located at 1311 Columbine Street, 803 S Florida Street, 516 W Hastings Avenue, 2924 N Hill Street, 721 N Roberts Street, and 2608 NW 5th Avenue 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 Willburn made a motion to approve the resolution, seconded by Commissioner Banes, the motion passed with a 3:0 vote.

ITEM 6: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structures located at 0 NE 3rd Avenue (aka S of 2400 NE 3rd Avenue).

Mr. Diaz, City Marshal, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a gain elevator and solid waste accumulation. The property has been without water service for an undetermined number of years. The Amarillo Police Department has been called out to this location 15 times since the structure became vacant. Building Safety and the City Marshal's Office have worked 1 case in the last 10 years: this dangerous structure case. This property is located along a railroad junction. There are multiple openings to this structure, unsecure doors and windows, access to underground rooms, and multiple stories. The concrete walkways on the 2nd floor are deteriorating and could collapse. The structure has been tagged with graffiti and there is evidence of vagrant activity. Building Safety has had no recent permit activity. This property is a nuisance, it is a hazard to the neighborhood, and creates an unsafe environment; therefore, demolition is recommended: Item II. There are no 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. Diaz any questions. The Chairman asked if there was anyone present with a legal interest in the property. Leonor Guerra, 501 N Johnson St, and Adam Villareal, son of owner, approached the podium. Mr. Villareal translated for Ms. Guerra. Ms. Guerra bought the property at an auction in 2021 and thought she was purchasing the vacant lot next to this property. Ms. Guerra had a couple of people interested in purchasing the property, however, they also thought it was the vacant lot next to it and are not interested in this property. Ms. Guerra wants to know what she needs to do. The Chairman asked if the City Marshal had any other comment for Ms. Guerra. Mr. Diaz said that the City's intention is to secure the building. Ms. Guerra would be responsible for any fees associated with that. The Chairman admitted her information into the record. 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 Banes, the motion passed with a 3:0 vote.

ITEM 7: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of a substandard structure a located at 804 N Arapahoe St (aka 802 N Arapahoe St).

Mr. Diaz, City Marshal, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a fire damaged residential structure with an attached garage. This structure was involved in 3 fires on April 21, 2019, February 27, 2023, and June 22, 2023. This structure has been without water service since May 4, 2006. The Amarillo Police Department has been called out to this location 4 times since the structure became vacant. Building Safety and the City Marshal's Office have worked 20 cases since the structure became vacant: weeds, junk and debris, zoning violation, open structure, and this dangerous structure case. This property is located 2 blocks from a head start school, 6 blocks from an elementary school, and less than 1/2 block from a major road: Amarillo Boulevard. The structure has been demolished without water and sewer taps being capped off, or a demolition permit being issued. The attached garage was not demolished, however, the north side of the structure (which was the side attached to the residence) still has fire damage, it is unsecure, and portions of the exterior wall could collapse. Building Safety has had no recent permit activity. This property is a nuisance, it is a hazard to the neighborhood and creates an unsafe environment therefore demolition is recommended: Items II. 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. Diaz any questions. The Chairman asked if there was anyone present with a legal interest in the property. Joseph Kautchick, son of owner, 365 Sage Circle, Panhandle TX, approached the podium. Mr. Kautchick said they didn't have the capability to tear down the structure. They hired a contractor to demolish the house.

Mr. Kautchick was unaware that the contractor did not obtain permits. He said that they have spent \$18,500.00 to have that portion removed. Mr. Kautchick mentioned that the homeless keep kicking in the boards when they have tried boarding it up. His dad wants to try to maintain the steel building, however, he doesn't have the resources right now. The Chairman admitted his information into the record. 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 III, seconded by Commissioner Willburn, the motion passed with a 3:0 vote.

ITEM 8: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of solid waste accumulation located at 4437 Crockett St.

Mr. Diaz, City Marshal, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of solid waste accumulation. There are active utilities at this location. The Amarillo Police Department has not been called out to this location since the start of this case. Building Safety and the City Marshal's Office have worked 2 cases in the last 2 years: weeds, junk and debris, zoning violation, and this solid waste condemnation case. This property is located 2 blocks from a middle school, 2 blocks from an elementary school, and 2 blocks from a park. The front yard has some accumulation; however, the majority of the accumulation is in the back yard. Solid waste accumulation is a refuge for vermin, rodents & disease. It also creates a hazard for first responders during emergencies by obstructing access and increased fuel loads. Building Safety has had no recent permit activity. This property is a nuisance, it is a hazard to the neighborhood and creates an unsafe environment therefore cleanup is recommended: Item V. There are taxes due, however, there is no money owed to the City for mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Diaz any questions. The Chairman asked if there was anyone present with a legal interest in the property. Tim Steiner, 4437 Crockett St, approached the podium. Mr. Steiner said that people started dropping things off there because he doesn't work. He stated he has most of it cleaned up. He can have it cleaned up in a week or two. Chairman Roller asked when the presentation pictures were taken. Mr. Diaz stated they were taken yesterday. The Chairman admitted his information into the record. The Chairman asked if there was anyone else who wished to speak concerning the property. Mr. Irion, 4435 Crockett St, approached the podium. Mr. Irion is the neighbor, and he is requesting that he be given more time. Mr. Steiner is a good neighbor, and he helps others. The Chairman admitted his information into the record. 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 V, seconded by Commissioner Banes, the motion passed with a 3:0 vote.

ITEM 9: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structures located at 2602 Olive St.

Mr. Diaz, City Marshal, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a residential structure. This property has been without water service since February 16, 2010. The Amarillo Police Department has not been called out to this location since the structure became vacant. Building Safety and the City Marshal's Office have worked 17 cases since the structure became vacant: weeds, junk and debris, open structure, and this dangerous structure case. This property is located 7 blocks from an elementary school, and 3 blocks from a railroad. The structure has been boarded up, however, access to the structure can be gained from a hole in the foundation. The foundation has major cracks causing the structure to shift. Building Safety has had no recent permit activity. This property is a nuisance, it is a hazard to the neighborhood and creates an unsafe environment therefore demolition is recommended: Items II. There are no taxes due, however, there is money owed to the City for a prior mowing and cleanup job. The Commissioners then had the opportunity to ask Mr. Diaz any questions. The Chairman asked if there was anyone present with a legal interest in the property. Marisela Salazar, 1417 S Pierce St, approached the podium. The owner of the property is Ms. Salazar's nephew. He was unable to get off work to come. Ms. Salazar has been working on the property since they bought the property. They have put up new siding and a new electric meter box. They didn't know there was a condemnation on the property when they purchased it. Ms. Salazar said she was working with Gwen to get permits. There was a year of her trying to get permits. She thought that they could do the work a little cheaper, however, contractors are being required. After a year, they stopped for a while. She has a couple of buyers interested in the property. The Commission discussed options with Ms. Salazar. The Chairman admitted her information into the record. 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 III, seconded by Commissioner Willburn, the motion passed with a 3:0 vote.

ITEM 10: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structures located at 1315 Skyline Dr.

Mr. Diaz, City Marshal, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a residential structure and 2 accessory structures. This property has been without water service for several years. The Amarillo Police Department has not been called out to this location since the structure became vacant. Building Safety and the City Marshal's Office have worked 6 cases in the last 2 years: weeds, junk and debris, open structure, and this dangerous structure case. This property is located 7 blocks from an elementary school, 4 blocks from a park, and it is 1 block from a major roadway: Loop 335. The structures remain unsecure, with broken windows and open windows, varying levels of dilapidation, and there is evidence of vagrant activity. Building Safety has had no recent permit activity. This property is a nuisance, it is a hazard to the neighborhood and creates an unsafe environment therefore demolition is recommended: Items II. There are taxes due, and there is money owed to the City for a prior mowing and cleanup job. The Commissioners then had the opportunity to ask Mr. Diaz any questions. The Chairman asked if there was anyone present with a legal interest in the property. 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 3:0 vote.

Adjournment:

Chairman Roller asked if there was any further business. There was none. Chairman Roller concluded the meeting. The meeting was adjourned at 4:29 p.m. This meeting was recorded, and all comments are on file with the City Marshal's Office.



Tom Roller, Chairman

ATTEST:



Gwen Gonzales, Dangerous Structure Manager
Sarah Ramon, Administrative Specialist