

MINUTES

On July 18, 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	89	81
Frank O Willburn, Vice Chair	Yes	6	6
Richard Constancio Jr.	Yes	89	56
Jim Banes	Yes	67	52
Russ Glaze	No	2	0
ALTERNATE MEMBER			
Ryan Huseman	No	37	8

Also in attendance were:

Jacob Diaz
Johnny Scholl
Bryan McWilliams
Gwen Gonzales
Jerry Brinkley

CITY MARSHAL, CITY OF AMARILLO
BUILDING OFFICIAL, CITY OF AMARILLO
CITY ATTORNEY, CITY OF AMARILLO
DANGEROUS STRUCTURE MANAGER, 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 3:01 p.m.

ITEM 1: Public Comments:

Chairman 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 Willburn made a motion to approve the minutes of the June 6, 2024, meeting, seconded by Commissioner Banes, 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 September 5, 2024, at 3:00 p.m. to determine whether certain conditions of the properties located at 925 N Cleveland Street, 400 S Forest Street, 1402 N Polk Street, 1404 N Polk Street, 501 N Tyler Street, and 3819 S Van Buren 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 solid waste accumulation located at 4617 S Hughes Street.

Mr. Diaz, City Marshal, presented the case with a PowerPoint presentation describing the conditions of the property. This case was initially heard by the Condemnation Appeals Commission on June 6, 2024. The Commissioners tabled the ruling for this July 18, 2024, meeting. Only the solid waste accumulation is being considered on this resolution. The property has an active water account. The Amarillo Police Department has been called out to this location 13 times in the last 2 years. Building Safety and the City Marshal's Office have worked 6 cases in the last 2 years: weeds, junk & debris, junk vehicles, and this solid waste accumulation case. This property is located 6 blocks from an elementary school, 9 blocks from a middle school, and 8 blocks from a major road: Interstate 40. The front yard has some accumulation; however, most of the accumulation is in the back yard. Solid waste accumulation is a refuge for vermin, rodents and diseases. It also creates a hazard for first responders during emergencies by obstructing access and increasing 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, clean-up is recommended: Item V. There are taxes owed, and there is money owed to the City for any prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Diaz any questions. Commissioner Constancio asked if there were pictures from the previous hearing. Mr. Diaz said those pictures were in the file. 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. The owner of an adjacent property approached the podium. He attended the last hearing concerning this property. He said there hasn't been progress made and he has called the cops recently. It has been this way for years. He also talked about the condition of the house. The Chairman admitted his information into the record. The Chairman asked if there was anyone else who wished to speak. There was none. 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 5: Resolution - Public Hearing:

This item was pulled from the agenda.

ITEM 6: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structures and solid waste accumulation located at 803 S Florida Street.

Mr. Diaz, City Marshal, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a residence, an accessory structure, and solid waste accumulation. The residential structure was involved in a fire on March 12, 2024. This structure has been vacant since February 24, 2021. The Amarillo Police Department has been called out to this location 13 times since the structure became vacant. Building Safety and the City Marshal's Office have worked 6 cases in the last 2 years: weeds, junk & debris, open structure, and this dangerous structure case. This property is located 8 blocks from a private school, and 9 blocks from an elementary school. The structure is unsecure, and the fire engulfed most of the structure. 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 & V. There are taxes owed, however, 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. There was none. 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 Options II & V, 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 substandard structures located at 2924 N Hill Street.

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 two accessory structures. The structure has been without water service since May 2017. 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 have worked 7 cases since the structure became vacant: weeds, junk & debris, and this dangerous structure case. This property is located 2 blocks from an elementary school and park. The structure is unsecure, it has been tagged with graffiti, and there is evidence of vagrant activity. 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: Item II. There are no taxes owed, however, there is money owed to the City for mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Diaz any questions. Commissioner Constancio asked if we were able to get into the structure to take the interior pictures. Mr. Diaz said the interior picture presented was from October 2023, and the inspector did not go inside yesterday while taking the current pictures. Commissioner Banes asked if the interior picture was taken during the fire? The photo was taken when the case was initiated when we were able to gain access. The Chairman asked if there was anyone present with a legal interest in the property. William Bass and Michael Lang approached the podium. Mr. Bass is the surviving son of the owner. I have 2 sisters, one has passed. A couple years ago he said he gave his stepson an opportunity to buy the property for the back taxes. For the last two years, he's been working on getting the title into his name. He discussed who were the heirs and what needed to be done to get a title. Mr. Michael Lang also spoke about obtaining the required documents to get the title transferred to himself. Chairman Roller asked if Mr. Lang was ready to do what is necessary to obtain a permit and do the work. Mr. Lang

said yes, he has been working on getting bids. Mr. Lang said that the structure was sound, and the fire was confined to a small area. The 2 broken windows have been boarded up from the inside. The vagrants in the sheds are gone. Chairman Roller asked how long does he anticipate the repairs to take. Mr. Lang replied 3 or 4 months. Mr. Lang said he had some pictures, and could he submit them electronically? Chairman Roller said that was ok. Commissioner Constancio asked Mr. Lang if he considered himself the owner now. Mr. Lang said he will be the owner once the paperwork is completed. Commissioner Banes asked if the structure was boarded up so no vagrants could get in. Mr. Lang said the one broken window is boarded up and the other has a crack. The Chairman admitted their information into the record. The Chairman asked if there was anyone else who wished to speak concerning the property. Kathy Gilmore, daughter of a neighbor, approached the podium. She has been taking care of her mother and she is afraid for her mother's safety. Ms. Gilmore has called the police 2 times because of the vagrants in the sheds. The window with the board opens and closes when they go into the house. The weeds were just mowed over the weekend; however, they were as tall as the fence. She is afraid of the vagrants going to her mother's property. The Chairman admitted her information into the record. The Chairman asked if the City Marshal had any other comments. Mr. Diaz asked the property owner again, what time frame they are needing. Mr. Lang said he would need 3 to 4 months. They are waiting on an electrician. He said he hadn't invested in the property because he didn't have control of it yet. Once the title is his, he is ready to start. Mr. Diaz asked if he would secure the residence and the sheds from vagrant activity. 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 4:0 vote.

ITEM 8: Resolution - Public Hearing:

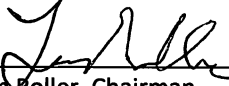
This resolution conducts a public hearing on and considers ordering the removal of substandard structures located at 721 N Roberts Street.

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 an accessory. The residential structure was involved in a fire on December 9, 2021. This property has been without water service since April 2022. The Amarillo Police Department has been called out to this location 7 times since the fire date. Building Safety and the City Marshal's Office have worked 3 cases in the last 2 years: weeds, junk and debris, and this dangerous structure case. This property is located 3 blocks from an elementary school, 8 blocks from a 6th grade campus, 9 blocks from a middle school, and it is 1 ½ blocks from a major roadway: Amarillo Boulevard. The structure has been boarded up; however, minimal progress has been made to rehabilitate or demolish the structure. The property owner has gone to both the City Marshal's office and the Building Safety Department to inquire about demolition permits, however, 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 nothing owed to the City for any 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. Jose Perez and Alfredo Perez, 714 N Roberts Street, approached the podium. (Mr. Jose Perez translated for Alfredo Perez). They have been trying to save up the money to fix the house. They haven't had time to get any work done. They have enough money to repair the roof, the siding, and windows. The Chairman asked how much time they are anticipating they need. They want 6 months to repair the roof, siding and windows. They do not have enough money for the electrical or everything else. The Chairman asked Mr. Diaz if he had any other questions or comments. Mr. Diaz asked the owners about the overall time frame and what they would complete in 6 months. Mr. Perez said they would do the roof, siding, and windows. Commissioner Willburn asked Mr. Diaz what the timeframes on the permits are and how long do they have to obtain that. Mr. Diaz said they have 10 days to request a permit and the permit is good for 60 days. Based on the amount of progress, the Building Official may or may not grant an extension. Johnny Scholl, Building Official, explained that the permit gives 60 days to complete the job, if they are close to getting it done, an extension can be granted. It is not designed for 6 months. Chairman Roller restated the permit time frames for his clarification. He asked Mr. Scholl if they are still making progress after an extension, is it probable that they could obtain another extension. Mr. Scholl said they probably could do that. Chairman Roller asked Mr. Perez if he understood about the permit times, and they need to think about completing in a shorter time. Commissioner Constancio asked about what the damage to the interior was, do they have enough money to complete that? Mr. Perez said the fire was confined to one room and the roof. Commissioner Constancio explained that the permitting permit process would include a plan and estimates for the whole structure, the interior and exterior. Mr. Perez said he has a bid from an electrician, a plumber, a framer, and materials. Mr. Diaz commented, the provisional permit is a 60-days permit, and it is to be completed within that time and it is not intended for continual 60 days, 60 days extension. If the Building Official determines that significant progress has not been made within the 60 days, then we will move forward with the demolition. Commissioner Willburn asked the Perez's if they understood that if significant progress has not been made by the end of the 60 days, demolition will go forward by the City. Mr. Diaz said based on the information provided, the City Marshal's recommendation will be changed to Item III. The Chairman admitted their 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

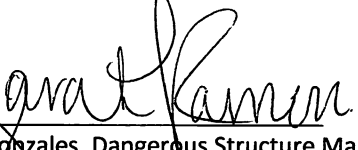
Commissioner Constancio, the motion passed with a 4:0 vote.

Adjournment:

Chairman Roller asked if there was any further business. There was none. Chairman Roller concluded the meeting. The meeting was adjourned at 4:15 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