

MINUTES

On March 7, 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	84	76
Frank O Willburn, Vice Chair	Yes	3	3
Richard Constancio Jr.	Yes	84	52
Jim Banes	Yes	62	47
Gary Ward	No	3	0
ALTERNATE MEMBER			
Ryan Huseman	No	32	7

Also in attendance were:

Jacob Diaz
Courtney White
Gwen Gonzales
Cory Gilford

CITY MARSHAL, CITY OF AMARILLO
ASSISTANT CITY ATTORNEY II, 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 3:00p.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 February 1, 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 April 4, 2024, at 3:00 p.m. to determine whether certain conditions of the properties located at 909 S Cleveland Street, 702 N Jefferson Street, 82 N Kentucky Street, and 2810 S Wilson 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 Constancio, the motion passed with a 4:0 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 April 4, 2024, at 3:00 p.m. to determine whether certain conditions of the properties located at 500 W Amarillo Boulevard, 4425 Buck Street, 1902 Crockett Street, 3602 S Hayden Street, and 603 N Jefferson 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 Willburn made a motion to approve the resolution, seconded by Commissioner Constancio, the motion passed with a 4:0 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 April 18, 2024, at 3:00 p.m. to determine whether certain conditions of the properties located 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 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 solid waste accumulation located at 3802 SE 11th Avenue.

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 been called out to this location 2 times since the start of this case. Building Safety and the City Marshal's Office has worked 2 cases since the start of this case, June 29, 2023. This property is located 2 blocks from an elementary school, and 5 blocks from a public park. Most of the solid waste accumulation is in the rear 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 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, cleanup is recommended: Item V. 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. Commissioner Constancio asked how was this case initiated. Ms. Gonzales answered that this case was initiated by a call-in complaint. The Chairman asked if there was anyone present with a legal interest in the property. Marilyn Perez, 3802 SE 11th Avenue, approached the podium. Ms. Perez stated all the stuff is almost completely gone. She talked about how her and her daughter-in-law have been working on cleaning it up. Chairman Roller asked Ms. Perez how much more time did she need to complete the cleanup. Ms. Perez said they could have it done in a week and a half. 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 Willburn, 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 a substandard structure located at 1602 NW 14th Avenue.

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 structure has been without water service since November 2005. 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 20 cases since November 2005: weeds-junk & debris, open structure, and this dangerous structure case. This property is located 3 blocks from two different elementary schools, and 5 blocks from a community center and park. The structure remains unsecure. The roof has holes, exposing the interior to the elements. 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 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. Diaz 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 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 solid waste accumulation located at 2611 NW 14th Avenue.

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 utility accounts at this property in the owner's name. The Amarillo Police Department has not been called out to this location since the start of this case. In the last 2 years, Building Safety and the City Marshal's Office have worked 4 cases: weeds/junk and debris, a zoning violation, and this solid waste condemnation case. This property is located 4 blocks from an elementary school, and it is adjacent to a railroad right-of-way. This property is located in an I-1 zoned area and does not allow junk or salvage yards, or outdoor storage screened or unscreened. Solid waste accumulation is a refuge for vermin, rodents & 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 cleanup is recommended: Item V. There are no taxes due, and nothing is owed to the City for prior mowing and cleanup jobs. The

Commissioners then had the opportunity to ask Mr. Diaz any questions. Chairman Constancio asked what initiated this case. Ms. Gonzales answered that this case was initiated with a zoning violation, which was not cleared up, so the condemnation case was started. The Chairman asked if there was anyone present with a legal interest in the property. Leon Jacobi, 2611 NW 14th Avenue, approached the podium. Mr. Jacobi's sister was in the audience. Mr. Jacobi talked about how he had been calling to give the City updates on his progress. Mr. Jacobi talked about trying to leave messages, however, he has the wrong phone number. He has receipts where he has been taking materials to the scrap yard. He has been working on it; however, he has been at this location for 24 years, he is by himself, and it is taking a long time to get rid of it. Ms. Gonzales explained how the phone number Mr. Jacobi had was from her number while working in the Building Safety Department. Ms. Gonzales now has a new phone number in the City Marshal's Office. Mr. Jacobi spoke with Ms. Gonzales after the sign was posted. The Commissioners had an opportunity to ask Mr. Jacobi questions. Mr. Jacobi discussed the Zoning Violation, and he paid a fine for that. Chairman Roller asked Mr. Jacobi how long is it going to take him to clean up the property. Mr. Jacobi said he didn't know since he is by himself and has been there 24 years. Mr. Jacobi said he isn't ignoring the request; he just needs more time. The Commissioners asked if the item could be tabled. Yes. The Chairman asked if there was anyone else who wished to speak concerning the property. There was no one. The City Marshal, Mr. Diaz, recommended that if the item was tabled, there be a stipulation that the solid waste in the public right-of-way (outside the fence) be removed immediately. The Chairman closed the hearing. The Commissioners deliberated. Commissioner Banes made a motion recommending tabling this item for the scheduled hearing date after 60 days and removal of the items in the public right-of way immediately, seconded by Commissioner Willburn, 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 a substandard structure and solid waste accumulation located at 323 N Lamar 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 solid waste accumulation. This structure was involved in a fire on March 28, 2023. This structure has been without water service since August 30, 2019. The Amarillo Police Department has been called out to this location 8 times since the structure became vacant. Building Safety and the City Marshal's Office have worked 4 cases since the property became vacant: weeds-junk & debris, and this dangerous structure case. This property is located 1 block from a major road, Amarillo Boulevard, and a railroad right-of-way. The structure remains unsecure, with broken windows and fire damage. There is evidence of vagrant activity. There is also solid waste accumulation on the property. Building Safety has had no recent permit activity. This property is a nuisance, a hazard to the neighborhood and creates an unsafe environment therefore demolition is recommended: Item II & V. There are no taxes due, however, 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. 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 & V, 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 4:02 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