

MINUTES

On September 5, 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	92	84
Frank O Willburn, Vice Chair	Yes	9	9
Richard Constancio Jr.	Yes	92	57
Jim Banes	Yes	70	54
Russ Glaze	Yes	5	2
ALTERNATE MEMBER			
Ryan Huseman	No	40	10

Also in attendance were:

Jacob Diaz
Bryan McWilliams
Sarah Ramon
Jerry Brinkley
Johnny Scholl

CITY MARSHAL, CITY OF AMARILLO
CITY ATTORNEY, CITY OF AMARILLO
ADMINISTRATIVE SPECIALIST I, CITY OF AMARILLO
CODE INVESTIGATOR, CITY OF AMARILLO
BUILDING OFFICIAL, 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:

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 August 15, 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 October 17, 2024, at 3:00 p.m. to determine whether certain conditions of the properties located at 2608 NW 5th Avenue, 1305 NW 13th Avenue, 3611 SE 13th Avenue, 600 Browning Street, 606 N Filmore Street, and 1706 N Washington 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 a substandard structure and solid waste accumulation located at 925 N Cleveland Street.

This item was pulled from the agenda.

ITEM 5: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of solid waste accumulation located at 400 S Forest Street.

Russ Glazed joined the Hearing.

Mr. Diaz, City Marshal, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of solid waste accumulation. Only solid waste is being considered in this resolution. The definition of trash as per the Amarillo Municipal Code, Section 4-3-2 (Unlawful Accumulations), was included in the agenda packet. The residential structure has an active water service account. The Amarillo Police Department has been called out to this location 10 times since the beginning of this case. Building Safety and the City Marshal's Office has worked 3 cases in the last 2 years: weeds, junk & debris, zoning violations, and this solid waste condemnation case. This property is located 6 blocks from an elementary school, 7 blocks from another elementary school, and 5 blocks from a middle school. The solid waste accumulation includes items such as trash and wood. 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, however, there is money owed to the City for 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, Walter Kettler, father to the owner who passed away, approached the podium. Mr. Kettler stated he has been making progress cleaning up the property. Commissioner Roller asked Mr. Kettler how much longer he would need to clean the rest of the property. Mr. Kettler stated he would need another 30 days. Jacob Diaz informed Mr. Kettler and the Commissioners, that if they select the recommended Option V, that will allow Mr. Kettler the 30 days needed to finish the cleanup. The Commissioner's asked Mr. Kettler additional questions. 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 admitted the information into the record. The Chairman closed the hearing. The Commissioners deliberated. Commissioner Willburn made a motion to approve the Resolution for Option V, 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 substandard structures and solid waste accumulation located at 1402 N Polk Street.

Mr. Diaz, City Marshal, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a residential and accessory, storm cellar and solid waste accumulation. The property has been without water service since April 4, 2013. The Amarillo Police Department has been called out to this location 19 times since the structure became vacant. Building Safety and the City Marshal's Office have worked 3 cases in the last 2 years: weeds, junk & debris, zoning violations, and this dangerous structures case. This property is located 3 blocks from an elementary school, and 2 blocks from downtown. The residential and accessory structures are unsecure. The residential structure has broken windows and doors. There is evidence of vagrant activity and solid waste accumulation around the property. 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 no taxes due, 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 the City Marshals Office could board up the properties while going through the Condemnation process. Mr. Diaz informed Mr. Constancio that the City Marshals Office currently doesn't have the resources to board up properties, however, that is a process the office is looking into. 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 5:0 vote.

ITEM 7: 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 1404 N Polk 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 29, 2024. This property has been without water service since August 14, 2018. The Amarillo Police Department has been called out to this location 2 times since the structure was involved in a fire. Building Safety and the City Marshal's Office have worked 5 cases in the last 2 years: weeds, junk and debris, zoning violations and this dangerous structures case. This property is located 1 block from an elementary school and 2 blocks from downtown. The front and back door to the residential structure are open and the windows have been broken out. The roof is starting to cave due to the fire. The structure is open to vagrants and wild animals. There is also an accumulation of solid waste. 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, and there is money owed to the City for prior mowing and cleanup job. The Commissioners then had the opportunity to ask Mr. Diaz any questions. The Commissioners deliberated. The Chairman asked if there was anyone present with a legal interest in the property. Stephanie Hopson, grandchild to owner, approached the podium. Ms. Hopson stated she wants to rehab the structure and has a contractor for the property. Ms. Hopson stated the contractor can have the property boarded up immediately. Chairman Roller asked if she had the funds necessary to complete the rehab. Ms. Hopson stated she did. Commissioner Willburn asked Mr. Diaz and Jonny Scholl, the Building Official, if it was possible to go with Option III. Mr. Diaz and Mr. Scholl both approached the podium and stated, accepting Option III would be acceptable. Commissioner Willburn explained, Option III, would be giving Ms. Hopson a chance to pull a permit to rehab the structure, however if she fails to do so the property would be demolished. The Chairman entered 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 Glaze made a motion to approve the Resolution for Option III & V, seconded by Commissioner Banes, the motion passed with a 5:0 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 501 N Tyler Street.

Mr. Diaz, City Marshal, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a manufactured home and solid waste accumulation. This structure has been in 3 fires since January 1, 2022. This property has an active water service account; however, the meter was pulled on May 8, 2023. The Amarillo Police Department has been called out to this location 82 times since the first fire date. Building Safety and the City Marshal's Office have worked 5 cases in the last 2 years: weeds, junk and debris, zoning violations, and this dangerous structure case. This property is located 5 blocks from a middle school, 6 blocks from an elementary school, and 2 blocks from downtown. The manufactured home is unsecured. There is fencing around the property that is approximately 8" tall wrapped with tarps. There is also a large amount of solid waste accumulation. 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 and there is money 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. 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 5:0 vote.

ITEM 9: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structures and solid waste accumulation located at 3819 S Van Buren Street.

Mr. Diaz, City Marshal, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a residential, 2 accessory structures and solid waste accumulation. This property has been without water service since June 2, 2020. The Amarillo Police Department has been called out to this location 3 times since the structure became vacant. Building Safety and the City Marshal's Office have worked 8 cases in the last 2 years: weeds, junk and debris, zoning violations, and this dangerous structure case. This property is located 8 blocks from an elementary school, and 8 blocks from a major thoroughfare: I-27. The structure remains unsecure with open windows. The garage has been broken into and remains open to vagrants and wild animals. The smallest accessory building has collapsed. 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 no taxes owed, however; there is money owed to the City for any prior mowing and cleanup job. The Commissioners then had the opportunity to ask Mr. Diaz any questions. The Commissioners deliberated. The Chairman asked if there was anyone present with a legal interest in the property. Mark Luster, husband of the owner, approached the podium. Mr. Luster stated he was under the impression the main structure was the only building of concern and not the accessory structures. Mr. Luster stated he doesn't have the funds currently to fix the structure due to having another property being on the market. Mr. Luster stated when he has more funds, he will be putting in a new roof. The Commissioners deliberated about minimal work needing to be done to the main structure and most of the concern is to the accessory structure. Mr. Luster stated he could have that accessory structure demolished over the weekend. Jacob Diaz and Johnny Scholl stated they would like to change the recommended options to II & V, only considering the accessory structure. Johnny Scholl, the Building Official, informed Mr. Luster to main security at this property. The Chairman entered their information into the record. The Chairman asked if there was anyone else who wished to speak concerning the property. CGO Family, LP, a Texas Limited Partnership: Lender, approached the podium. The representative asked for clarification on which accessory building were being discusses. The Commissioners clarified. The representative also stated that if the owner

does not take care of the violations, CGO Family, LP, a Texas Limited Partnership will take over. The Chairman closed the hearing. The Commissioners deliberated. Commissioner Willburn made a motion to approve the Resolution for Option II & V, seconded by Commissioner Glaze, the motion passed with a 5:0 vote.

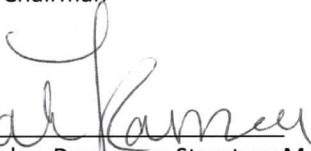
Adjournment:

Chairman Roller asked if there was any further business. There was none. Chairman Roller concluded the meeting. The meeting was adjourned at 4:16 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