

MINUTES

On August 1, 2024, the Condemnation Appeals Commission met at 3:00 p.m. for a Regular meeting at City Hall, 601 S Buchanan St., in Room 105.

| VOTING MEMBERS               | PRESENT | NO. MEETINGS HELD<br>SINCE APPOINTMENT | NO. OF MEETINGS<br>ATTENDED |
|------------------------------|---------|----------------------------------------|-----------------------------|
| Tom Roller, Chair            | Yes     | 90                                     | 82                          |
| Frank O Willburn, Vice Chair | Yes     | 7                                      | 7                           |
| Richard Constancio Jr.       | No      | 90                                     | 56                          |
| Jim Banes                    | Yes     | 68                                     | 53                          |
| Russ Glaze                   | No      | 3                                      | 0                           |
| ALTERNATE MEMBER             |         |                                        |                             |
| Ryan Huseman                 | Yes     | 38                                     | 9                           |

Also in attendance were:

Jacob Diaz  
Bryan McWilliams  
Sarah Ramon  
Jerry Brinkley

CITY MARSHAL, CITY OF AMARILLO  
CITY ATTORNEY, CITY OF AMARILLO  
ADMINISTRATIVE SPECIALIST I, 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:**

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

A gentlemen asked about Item 5, however, Item 5 was removed from this agenda due to the property being cleaned up, confirmed by an Inspector. The City Marshal's Office has photos from the inspection for record.

**ITEM 2: Minutes:**

Commissioner Willburn made a motion to approve the minutes of the July 18, 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 19, 2024, at 3:00 p.m. to determine whether certain conditions of the properties located at 2400 NW 5<sup>th</sup> Avenue, 1503 S Arthur Street, 614 N Bivins Street, 611 S Fairmont Street, 4339 S Polk Street, and 704 S Virginia 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 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 5015 Brown Avenue.

Mr. Diaz, City Marshal, presented the case with a PowerPoint presentation describing the conditions of the property. Only the solid waste accumulation is being considered on this resolution. This property has been without water service since December 22, 2021. 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 2 cases in the last 2 years: zoning violation, and this solid waste accumulation case. This property is located 4 blocks from an elementary school, and 1 block from a major road: Dumas Drive. The main structure has significant fire damage, some junk and debris were visible from the street. 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, however, there is no 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 Willburn asked if there were pictures from the previous hearing. Mr. Diaz said any pictures we have from previous inspections would be in the file. The Chairman asked if there was anyone present with a legal interest in the property. Melissa Armstrong, 5015 Brown Avenue, approached the podium. Mrs. Armstrong stated that most of the junk/debris was in the garage before the fire. She stated they move to Oklahoma after the fire but has recently been staying at this property using a generator. She also stated she could get the property cleaned up if she was able to get a roll off dumpster and asked how much time she would have. Commissioner Willburn explained that if they went with the recommended option, she would have approximately 3-6 weeks to abate the hazards. Mrs. Armstrong asked if she also dump trash in neighbor's dumpsters. Mr. Diaz informed her that would not be allowed and recommended her areas she could dump the debris. Commissioner Huseman also explained to her the possibilities of worst-case scenario, meaning if she was unable to clean the property, the City would hire a contractor to clean the property and the owner of the property would receive the bill for that job. The Chairman admitted her 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 Willburn made a motion to approve the Resolution for Option V, seconded by Commissioner Banes, 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 a substandard structure and solid waste accumulation located at 700 S Forest 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. The structure has been without water service since August 30, 2023. The Amarillo Police Department has been called out to this location 17 times since the structure became vacant. Building Safety and the City Marshal's Office have worked 9 cases since the structure became vacant: weeds, junk & debris, zoning violations, junk vehicle, and this dangerous structure case. This property is located 6 blocks from a middle school and 1 block from the Amarillo Country Club. The structure is continuing to deteriorate from the vagrants, wild animals, vermin, and fowl. There is excessive solid waste accumulation around the property and a torn down camper in the back of 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 owed, and 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. 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 Huseman made a motion to approve the Resolution for Option II & V, seconded by Commissioner Willburn, the motion passed with a 4:0 vote.

**ITEM 7: Resolution - Public Hearing:**

This item was pulled from the agenda.

**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 401 S Rusk 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. The residential structure was involved in a fire on January 11, 2024. This property has been without water service since January 11, 2024. The Amarillo Police Department has no records of callouts to this location. Building Safety and the City Marshal's Office have worked 9 cases in the last 2 years: weeds, junk and debris, zoning violations, open structure, and this dangerous structure case. This property is located 9 blocks from an elementary school and 8 blocks from a major roadway: Amarillo Boulevard. The property has a rear residential structure with fire damage. There is an accumulation of solid waste. The structure is unsecured and could collapse at any time. 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 job. The Commissioners then had the opportunity to ask Mr. Diaz any questions. The Chairman asked if there was anyone else who wished to speak concerning the property. There was no

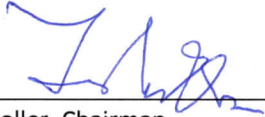
one. The Chairman closed the hearing. The Commissioners deliberated. Commissioner Willburn made a motion to approve the Resolution for Options II & V, seconded by Commissioner Huseman, the motion passed with a 4:0 vote.

**ITEM 9: Resolution - Public Hearing:**

This item was pulled from the agenda.

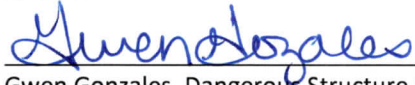
**Adjournment:**

Chairman Roller asked if there was any further business. There was none. Chairman Roller concluded the meeting. The meeting was adjourned at 3:50 p.m. This meeting was recorded, and all comments are on file with the City Marshal's Office.



\_\_\_\_\_  
Tom Roller, Chairman

ATTEST:



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Gwen Gonzales, Dangerous Structure Manager  
Sarah Ramon, Administrative Specialist