

MINUTES

On September 19, 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	93	85
Frank O Willburn, Vice Chair	Yes	10	10
Richard Constancio Jr.	Yes	93	57
Jim Banes	Yes	71	55
Russ Glaze	Yes	6	2
ALTERNATE MEMBER			
Ryan Huseman	No	41	10

Also in attendance were:

Gwen Gonzales
Leslie Schmidt
Sarah Ramon
Jerry Brinkley
Johnny Scholl

DANGEROUS STRUCTURE MANAGER, CITY OF AMARILLO
ATTORNEY III, 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 September 5, 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 November 7, 2024, at 3:00 p.m. to determine whether certain conditions of the properties located at 4239 SW 13th Avenue, 3120 Palm Street, and 301 N Rusak 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- Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of a substandard structures and solid waste accumulation located at 2400 NW 5th Avenue.

Ms. Gonzales, Dangerous Structure Manager, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a residential structure, an accessory, and solid waste accumulation. The residential structure has been without water service since October 3, 2017. The Amarillo Police Department has been called out to this location 3 times since the property became vacant. Building Safety and the City Marshal's Office has worked 3 cases in the last 2 years: weeds, junk & debris, and this dangerous structure case. This property is located 6 blocks from an elementary school and park, ½ block from a major road: Amarillo Boulevard; and it is 2 blocks from a railroad. The residential and accessory structures are unsecure. The stucco siding is deteriorating, exposing the wall structure to the elements. The interior has been severely vandalized, with holes in the walls and flooring. The ceiling has started to collapse. The accessory structure is an old semi-trailer that is full of trash. The property has an accumulation of solid waste 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, blight on the area, and creates an unsafe environment therefore demolition is recommended: Items II & V. There are no taxes due and there is nothing owed to the City for prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Ms. Gonzales any questions. The Chairman asked if there was anyone present with a legal interest in the property. Patrick Clayton, 2001 NW 15th Avenue, approached the podium. Mr. Clayton stated he is a part owner. This is in my Uncle's name, and this is family property. They have been having problems with homeless breaking in. He is trying to keep up with the property, but he has been out of town. Every time they secure, it gets broken in. He has tried cleaning up the trash, but every time it is cleaned up someone dumps more trash out there by the dumpster. Chairman Roller asked what his long-term plan for the property is. Mr. Clayton said he wants to fix it up to rent out and then put another building behind it to open a business. Chairman Roller explained that if he wants to fix it up, a permit is required, have the funds available and asked if he was prepared to do that. Mr. Clayton replied yes. Commissioner Willburn asked Mr. Clayton what his timeline is to get it completed. Mr. Clayton said about a month and half. Commissioner Willburn said he understands that people are dumping stuff in front of the house, and he many need to have a conversation with someone else. He is still responsible for it and try to get it under control. Chairman Roller asked Ms. Gonzales if the City would be open to Option III. Ms. Gonzales yes, that would allow a Provisional Permit to rehabilitate the structure and bring it up to code. The Chairman admitted his information into the record. The Chairman asked if there was anyone else who wished to speak concerning the property. Timothy Endrizzi, 2404 NW 5th Avenue. Mr. Endrizzi talked about the dumpster in front of a vacant house and all the dumping that goes on at that location by different people. Within 3 days of it being cleaned up, more is just dumped there. The Chairman asked if Ms. Gonzales had anything to state about the dumpster. Ms. Gonzales said that if they wished to have the dumpster moved, they would need to contact the Solid Waste Department and ask for it to be moved to a different location. The Chairman admitted the information into the record. 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 5: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structure and solid waste accumulation located at 1503 S Arthur Street.

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 617 N Bivins Street.

This Item was pulled from the agenda.

ITEM 7: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of solid waste accumulation located at 611 S Fairmont Street.

Ms. Gonzales, Dangerous Structure Manager, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of solid waste accumulation. This property has been without water service since December 31, 2020. The Amarillo Police Department has been called out to this location 27 times since the property has been without water service. Building Safety and the City Marshal's Office have worked 3 cases in the last 2 years: weeds, junk and debris, a violation case, and this solid waste condemnation case. This property is located 3 blocks from private school, 4 blocks from an elementary school, 4 blocks from a middle school and park, and less than 1 block from Rt 66 (6th Street). The solid waste accumulation includes items such as trash, tires, wood, buckets, blankets, and tarps. 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. Most of the solid waste accumulation is now located in the back yard. Progress has been made in the front yard. Building Safety has had no recent permit activity. This property is a nuisance, it is a hazard to the neighborhood, blight on the area, and creates an unsafe environment therefore cleanup is recommended: Item V. There are taxes due, and there is nothing owed to the City for prior mowing and cleanup job. The Commissioners then had the opportunity to ask Ms. Gonzales any questions. The Chairman asked if there was anyone present with a legal interest in the property. William Cardwell, owner, approached the podium. Mr. Cardwell presented pictures taken this morning, showing additional cleanup has been done. He has asked his tenant to cleanup in the past. He asked for additional time to finish. The Chairman entered 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 8: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structures and solid waste accumulation located at 4339 S Polk Street.

Ms. Gonzales, Dangerous Structure Manager, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a residence, 2 accessory structures, and solid waste accumulation. This property has previously been addressed by this Commission for solid waste accumulation on November 2, 2023. This property has been without water service since January 12, 2024. The Amarillo Police Department has been called out to this location 5 times since the property has been without water service. Building Safety and the City Marshal's Office have worked 5 cases in the last 2 years: a zoning violation, the solid waste condemnation case, and this dangerous structure case. This property is located 1 mile from an elementary school, three-quarters of a mile from a park, and it is adjacent to a railroad right-of-way. The structures are unsecure, and in an extreme state of disrepair. Since the cleanup in April of this year, from the original solid waste condemnation order, the property has again had an accumulation of solid waste. The interior is full of discarded household items. There is evidence of vagrant activity. Building Safety has had no recent permit activity other than the permit for the solid waste cleanup ordered by this Commission. This property is a nuisance, it is a hazard to the neighborhood, blight on the area, 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 Ms. Gonzales any questions. The Chairman asked Ms. Gonzales how much was owed on the property. Ms. Gonzales said that the current taxes of \$683.00 was due and there is \$8,490.63 owed to the City. The Chairman asked if there was anyone present with a legal interest in the property. Nora Hampton approached the podium. The Chairman asked if she was the owner of the property. Ms. Hampton said that she lived with Jess eight and 1/2 years, prior to his death. She said she has been trying to clean up the property. She had 3 junk cars removed. She is still trying to work on the property, and she does not know how to go on the internet to get the proper permit. The Chairman asked Ms. Hampton what she can do besides cleaning it up. Ms. Hampton said she has a job, and she can afford to get the permits and homeowner's registration. The Chairman asked if she understood there is over \$8,000 owed to the City plus there are taxes and how does that affect her situation? Ms. Hampton said she will have to pay it off. The Chairman asked if she wanted to fix to live there. Ms. Hampton said she might just sell it. Commissioner Willburn asked what her plan was for the house and the accessory buildings and take care of the lien. Ms. Hampton said that she has continued cleaning up all the stuff that is in the shop and get permits. Johnny Scholl, Building Official, approached the podium. Mr. Scholl stated that she would need to be an owner to get a permit. As for the lien, it wouldn't necessarily have to be paid to get a permit. Ms. Hampton said that she has signed with Mary Thompson and the heirs a warranty deed. Chairman Roller asked when she did that. Ms. Hampton said a month or two ago. She is still waiting on it. Chairman Roller asked who the owner of record was. Ms. Gonzales said Jason Batterman, in care of Jess Batterman. That was the deed she found on file and the record the Appraisal District still had. Ms. Hampton said it is a waiting process she guesses. The Chairman asked if she had the means to get a permit and do the work. Ms. Hampton said yes, and she has help. The Chairman asked what timeline she has. Ms. Hampton said she didn't even know yet. Toby approached the podium. He is a friend, a painter and remodeler. He said he thinks her biggest problem is not knowing what all she needs to do and what is the problems with the house. It has to be cleaned out before she can even see what needs to be done. The Chairman asked about the prior cleanup. Ms. Gonzales said based on the prior order by this Commission, the City went through a bidding process. The winning bidder obtained a provisional permit to clean up the property. They did cleanup the yard, the front and back yard. There was nothing touched inside the house and the sheds. She believes the stuff in the yard now is from inside the house and the sheds. Ms. Hampton talked about how she had a new electrical box installed and her friend said that the breaker box inside the house just needs to be hooked up. Commissioner Willburn discussed how licensed contractors will have to perform the work. Toby said the biggest thing is the amount of paperwork and finding out what must be done. Chairman Roller asked Ms. Gonzales if the City would be open to Option III. Ms. Gonzales stated that the Certificate of Occupancy has been revoked on this property. To obtain a new Certificate of Occupancy, if their plan is to rehabilitate the structure, they will have to bring it up to current code standards. This means that not doing just minor repairs, a total remodel must be done and brought up to code. The Chairman asked if Ms. Hampton understood what this meant. Ms. Hampton said yes, I do. Mr. Scholl discussed the requirements for a provisional permit. He also talked about the estimated cost to rehabilitate the structure. If she is unable to prove she had the funds available, she will not qualify for the permit. Again, the Chairman asked if Option III would be considered by the City. Ms. Gonzales said yes, if the Commission wishes to give her an opportunity to rehabilitate the house. The Chairman admitted her information into the record. The Chairman asked if there was anyone else who wished to speak concerning the property. Chris Jackson approached the podium. He is a neighbor right beside this property. Mr. Jackson said that the house just needs to be torn down. Mr. Jackson said that the only progress done has been by the City. He has tried in the past to assist the owner. The shop is pushing the fence over and he is afraid to allow his children to play in his back yard for fear the fence might fall on them. Again, there has been no sufficient progress has been made. He is afraid of the drug dealers who have set up shop in the house and the use of generators which may cause a fire. The Chairman admitted his information into the record. The Chairman asked if there was anyone else who wished

to speak. There was no one. The Chairman closed the hearing. The Commissioners deliberated. Commissioner Willburn made a motion to approve the Resolution for Option III & V, seconded by Commissioner Banes, the motion passed with a 3:0 vote.

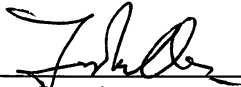
ITEM 9: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structures and solid waste accumulation located at 704 S Virginia Street.

Ms. Gonzales, Dangerous Structure Manager, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a residential, an accessory, and solid waste accumulation. This property has been without water service since January 16, 2018. The Amarillo Police Department has been called out to this location 27 times since the property has been without water service. Building Safety and the City Marshal's Office have worked 9 cases in the last 2 years: weeds, junk and debris, zoning violation, and this dangerous structure case. This property is located 3 blocks from a private school, and 4 blocks from an elementary school. The structures are unsecure. The residence has broken windows, cracks in the foundation and the exterior siding is falling off in areas. There is evidence of drug paraphernalia and vagrant activity. Building Safety has had no recent permit activity. This property is a nuisance, it is a hazard to the neighborhood, blight on the area, and creates an unsafe environment therefore demolition is recommended: Item II & V. There are no taxes owed, and there is nothing owed to the City for any prior mowing and cleanup job. The Commissioners then had the opportunity to ask Ms. Gonzales 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 Willburn, 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 4:22 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