

**MINUTES**

On January 17, 2019, the Condemnation Appeals Commission met at 4:00 p.m. for a Regular meeting at City Hall, 601 S Buchanan St., in the City Council Chambers.

| <b>VOTING MEMBERS</b>              | <b>PRESENT</b> | <b>NO. MEETINGS HELD<br/>SINCE APPOINTMENT</b> | <b>NO. OF MEETINGS<br/>ATTENDED</b> |
|------------------------------------|----------------|--|-------------------------------------|
| Tom Roller                         | No             | 22   | 18                                  |
| Frank Willburn                     | No             | 18   | 12                                  |
| Richard Constancio Jr., Vice Chair | Yes            | 22   | 17                                  |
| Joel Favela                        | Yes            | 22   | 18                                  |
| Jim Banes                          | Yes            | 1  | 1                                   |
| <b>ALTERNATE MEMBER</b>            |                |  |                                     |
| George Cumming                     | No             | 22   | 13                                  |

Also in attendance were:

Randy Schuster  
Bryan McWilliams  
Gwen Gonzales

BUILDING OFFICIAL, CITY OF AMARILLO  
CITY ATTORNEY, CITY OF AMARILLO  
BUILDING SAFETY MANAGER, CITY OF AMARILLO

This meeting of the Condemnation Appeals Commission was called to order by Mr. Richard Constancio, established a quorum at 4:00 p.m.

**ITEM 1: Introduction of New Member:**

Mr. Jim Banes

**ITEM 2: Elect Chair and Vice Chair:**

Mr. Joel Favela nominated Mr. Tom Roller as Chairman and Mr. Frank Willburn as Vice Chair. Mr. Joel Favela made a motion to elect Mr. Tom Roller as Chairman and Mr. Frank Willburn as Vice Chair, seconded by Mr. Jim Banes, the motion passed with a 3:0 vote.

**ITEM 3: Minutes:**

Mr. Joel Favela made a motion to approve the minutes, seconded by Mr. Jim Banes, the motion passed with a 3:0 vote.

**ITEM 4: Report on Dangerous Structures Condemned:**

Mr. Randy Schuster, Building Official, presented a report on the number of Dangerous Structures condemned during the first year of the Condemnation Appeals Commission. The Commission began in November 2017 and no properties were condemned in November or December of 2017. Since January 2018, 44 properties have been condemned by the Condemnation Appeals Commission; 40 residential and 4 commercial properties. The properties were scattered across the city. The cost of demolition ran from three to four thousand dollars for residential to \$74,000.00 for the motel/restaurant commercial structures. Most of the demolition costs were paid for by Federal Grant / Community Development Block Grant funds.

**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 March 7, 2019, at 4:00 p.m. to determine if the properties at 5303 E Amarillo Boulevard and 1004 Pryor Street constitute public nuisances and thereby declare as dangerous structures or an accumulation of solid waste and 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. Mr. Jim Banes made a motion to approve the resolution, seconded by Mr. Joel Favela, the motion passed with a 3:0 vote.

**ITEM 6: Resolution – Public Hearing:**

This resolution conducts a public hearing on and considers ordering the removal of an accumulation of solid waste located at 4604 Eagle Lane.

Mr. Randy Schuster, Building Official, presented the case. This is a manufactured home with missing skirting, broken windows, open door; unsecured. Inside is full of abandoned junk and debris scattered throughout, some vandalism activity and ferrel animals. The property has been without water service since March 2, 2005. Amarillo Police Department has been to this location 8 times since the property has become vacant. Building Safety has worked 11 various cases, including weeds/junk & debris, junk vehicle, zoning violations and this dangerous structure case since this property has become vacant. There has been minimal attempt by the owner to abate the hazard. The property is an attractive nuisance, represents a health and fire hazard to the neighborhood, blight on the area and an unsafe environment. Mr. Schuster's recommendation is to demolish the structure, Option II. Mr. Schuster stated the property has delinquent taxes and there is money owed to the City for mowing and cleanup. The Commissioners then had the opportunity to ask Mr. Schuster any questions. The Chairman then asked if there was anyone present with a legal interest in the property. No one was present. The Chairman then asked if there was anyone else who wished to speak concerning the property. No one was present. Mr. Joel Favela made a motion to approve the resolution for Option II, seconded by Mr. Jim Banes, the motion passed with a 3:0 vote.

**ITEM 7: Resolution – Public Hearing:**

This resolution conducts a public hearing on and considers ordering the removal of a substandard structure located at 2802 S Lipscomb Street.

Mr. Randy Schuster, Building Official, presented the case. The roof's wood shingles are curled up and evidence of roof leaks, there is neglect and dilapidation, broken windows, evidence of vagrants and wild animals getting into the structure, structural cracks in the brick veneer and foundation, separation of the porch from the structure and the chimney has a lean. Inside there is evidence of stray animals and illegal activity. There are cracks in the ceiling and deterioration in the floors. The basement has structural cracks, water damage and mold. The accessory structure is in bad shape, leaning and neglect. The property has been without water service since August 25, 2011. Amarillo Police Department has been called out to this location 2 times since it has been vacant. Building Safety received numbers calls and written complaints from neighbors on this property. The Department has worked 13 cases, including weeds, junk, debris, open structure case and this dangerous structure case since the property became vacant. This property is located in close proximity to a school and park. There has been minimal attempt by the owner to repair, abate or remove the structure. The property is a nuisance and represents a hazard to the area. Mr. Schuster's recommendation is to demolish the structures, Option II. Schuster stated the property has no delinquent taxes and there is no money owed to the City for mowing and cleanup. The Commissioners then had the opportunity to ask Mr. Schuster any questions. The Chairman then asked if there was anyone present with a legal interest in the property. Mr. Dustin Roberts, 2800 S Lipscomb Street, one of the owners, spoke concerning the property. He is in agreement for having the structures condemned and demolished. Dr. James C Martin, 2806 S Lipscomb Street, one of the owners, also spoke concerning the property. He is in agreement for having the structures condemned and demolished. The Chairman then asked if there was anyone else who wished to speak concerning the property. No one was present. Mr. Joel Favela made a motion to approve the resolution for Option II, seconded by Mr. Jim 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 a substandard structure located at 829 S Maryland Street.

Mr. Randy Schuster, Building Official, presented the case. The main structure has graffiti, the chimney has fallen onto the roof and there is a hole in the roof. The accessory structure is leaning and has junk and debris inside. The property has been without water service since March 14, 2005 and was involved in a fire on February 2, 2006. Amarillo Police Department has been called out to this location 20 times since the water has been turned off. Building Safety has received calls from

neighbors expressing concerns about this property. Building Safety has worked 12 cases, including weeds/junk and debris, junk vehicle, zoning violations and this dangerous structure case since the property became vacant. This property is located in close proximity to a middle school and a park. There has been minimal attempt by the owner to repair, abate or remove the structure. The property is a nuisance and represents a hazard to the area. Mr. Schuster's recommendation is to demolish the structures, Option II. Mr. Schuster stated the current taxes owned on this property and no delinquent taxes and there is money owed to the City for mowing and cleanup. The Commissioners then had the opportunity to ask Mr. Schuster any questions. The Chairman then asked if there was anyone present with a legal interest in the property. No one was present. The Chairman then asked if there was anyone else who wished to speak concerning the property. Ms. Pamela Burkhalter, 826 Sunset Terrace, spoke. She expressed her concerns for this structure in her neighborhood. Ms. Yvonne Bryant, 3900 Fountain Terrace, spoke. She also expressed her concerns for this structure. Mr. Joel Favela made a motion to approve the resolution for Option II, seconded by Mr. Jim 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 a substandard structure located at 1107 N Washington Street.

Mr. Randy Schuster, Building Official, presented the case. The structures are open and unsecured. There is severe deterioration on the roof and deflection/sagging. Stucco is in bad shape. The structure is separating from the foundation. Inside there is junk and debris. There is evidence of vagrant activity and a warming fire inside burning the floor thru to the ground. The accessory is open, leaning and full of junk and debris. There is an abandoned camper. The property has been without water service since June 11, 2013. Amarillo Police Department has been called out to this location eight times since the start of this case. Building Safety has worked seven cases, including weeds/junk and debris, junk vehicle, open structure case and this dangerous structure case since the property became vacant. This property is located within four blocks of a school and park. There has been no attempt by the owner to repair, abate or remove the structures. The property is a nuisance and represents a hazard to the area. Mr. Schuster's recommendation is to demolish the structure, Option II. Mr. Schuster stated the taxes are paid and there is money owed to the City for mowing and cleanup. The Commissioners then had the opportunity to ask Mr. Schuster any questions. The Chairman then asked if there was anyone present with a legal interest in the property. No one was present. The Chairman then asked if there was anyone else who wished to speak concerning the property. No one was present. Mr. Joel Favela made a motion to approve the resolution for Option II, seconded by Mr. Jim Banes, the motion passed with a 4:0 vote.

**ITEM 10: Adjournment:**

The Chairman, Mr. Richard Constancio Jr. concluded the hearing. He opened the floor for any public comments. There being no public comment or further business, the meeting adjourned at 5:18 p.m. This meeting was recorded and all comments are on file with the Department of Building Safety.



for \_\_\_\_\_  
Richard Constancio Jr., Vice Chair

ATTEST:



Gwen Gonzales, Building Safety Manager