

STATE OF TEXAS  
COUNTIES OF POTTER & RANDALL  
CITY OF AMARILLO

MINUTES

On May 2, 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.

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD SINCE APPOINTMENT	NO. OF MEETINGS ATTENDED
Tom Roller, Chairman	Yes	26	22
Frank Willburn, Vice Chair	Yes	21	13
Richard Constancio Jr.	Yes	26	20
Joel Favela	Yes	26	22
Jim Banes	No	5	3
<b>ALTERNATE MEMBER</b>			
George Cumming	No	26	14

Also in attendance were:

Ismael "Izzy" Rivera Jr.  
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. Tom Roller, established a quorum at 4:00 p.m.

**ITEM 1: Minutes:**

Mr. Joel Favela made a motion to approve the minutes, seconded by Mr. Richard Constancio Jr., the motion passed with a 4:0 vote.

**ITEM 2: 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 July 18, 2019, at 4:00 p.m. to determine if the properties at 1940 NW 18<sup>th</sup> Avenue, 3105 N Cleveland Street and 506 N Washington 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. Frank Willburn made a motion to approve the resolution, seconded by Mr. Joel Favela, the motion passed with a 4:0 vote.

**ITEM 3: Resolution - Public Hearing:**

This resolution conducts a public hearing on and considers ordering the removal of substandard structures located at 2001 NW 15<sup>th</sup> Avenue.

Mr. Ismael Rivera Jr., Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of 3 residential structures; however, only the north and middle structures are being considered on this Resolution. The property currently has an active utility account servicing the 3<sup>rd</sup> residential structure. The 2 structures being considered have been vacant for a number of years. Building Safety has worked 3 cases; including weeds, junk and debris, building code violation and this Dangerous Structure case within the past 5 years. This property is located 3 blocks from an elementary school and park. Building Safety issued a roofing permit on December 4, 2017 for the occupied residence. No permits have been issued for the 2 structures being considered on this Resolution. This property is an attractive nuisance, represents a hazard to the neighborhood, blight on the area and an unsafe environment. Mr. Rivera's recommendation is to demolish the structures; Items II. There are no delinquent taxes and there is money owed to the City for mowing and cleanup. The Commissioners then had the opportunity to ask Mr. Rivera any questions. The Chairman then asked if there was anyone present with a legal interest in the property. Doyle Clayton, 2046 S Ong St, approached. Mr. Clayton said he is the cousin of the owner who is currently in a nursing facility. Mr. Clayton said he and his

sister have been considering purchasing the property and fix it up. A Commissioner asked what time line that might be. Mr. Clayton said it would probably be 60 to 90 days to procure a contract. Mr. Clayton believes he could line up a contractor and have the work completed within that time. Commissioner Constancio discussed the condition of the structure with Mr. Clayton. Commissioner Willburn asked what Mr. Clayton anticipates the cost of repair will be. Mr. Clayton said around \$30,000.00 for both to be repaired. Commissioner Constancio said it seems the condition of the 2 homes are at a stage where they cannot be salvaged and they are not very safe. The Chairman asked the Building Official if the foundation seemed to be sound. Mr. Rivera verified that the foundations were in poor condition with many openings and deterioration and would need to be redone with extensive work. The Commissioners discussed the condition of the structures and then verified with Mr. Clayton that he is not currently the property owner. The Chairman then asked if there was anyone else who wished to speak concerning the property. No one was present. The Chairman closed the hearing. Mr. Frank Willburn made a motion to approve the resolution for Option II, seconded by Mr. Richard Constancio, 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 substandard structures located at 1644 NW 19<sup>th</sup> Avenue.

Mr. Ismael Rivera Jr., Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. The property has been without water service since October 23, 1998. Building Safety has worked 19 cases; including weeds, junk and debris and this Dangerous Structure case since it became vacant. This property is located 1 block from an elementary school and park and 2 blocks from a Community Center and park. Building Safety has had no recent permit activity. This property is an attractive nuisance, represents a hazard to the neighborhood, blight on the area and an unsafe environment. Mr. Rivera's recommendation is to demolish the structure; Items II. The current taxes are due and there are delinquent taxes. There is money owed to the City for prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Rivera any questions. The Chairman then asked if there was anyone present with a legal interest in the property. James and Brenda Bufford, 8300 Medeiros Way, Sacramento CA 95829, approached. Mr. Bufford said they purchased from the Amarillo Historical Society and have full intention to restore this property next year. Due to the hearing they have moved that up. Mr. Bufford said he has already spoken to several of his contractor friends here in Amarillo. He has inspected the property this week. He intends to put a new roof and the interior floors are sound and rafters are in good shape. They currently have a Nonprofit in California and understand what is needed to repair a structure. The Chairman asked if the Building Official would work with the Buffords and make a plan. Mr. Rivera agreed to work with them. The Commissioners asked how long they think they will need to obtain permits. Mr. Bufford thinks the contractor could probably obtain the permit within a week or so. The Chairman discussed Option III which would allow them time (10 days) to obtain a permit perform the work, however if no work is done, the demolition order will stand. Commissioner Constancio discussed the exterior condition of the structure and the need to get the project done continually and not getting parts done and then waiting to finish next year. Mr. Bufford wants additional time to put the type of siding on the structure that it deserves and will not be able to do so in that short of a time. The Chairman asked if the Building Official could work with Mr. Bufford's plan. Mr. Rivera said he could if that was the wish of the Commission.

A 5 minute recess was taken to allow a new recording device (CD) to be set.

The meeting resumed 5 minutes later. The Chairman asked if a permit is issued and they have 60 days to do work and an opportunity for a 60 day extension and if the Building Official determines the siding is patched up or repaired in such state so they can wait and do the siding the way they want as long as it doesn't impair the neighborhood or the property or take away from the work done, would you be okay with that? Mr. Rivera said he would be okay with that and at that point the Provisional Permit could be transferred to a regular permit and could complete the rest of the work under that regular permit, at a regular cost and regular time of 180 days with a renewal of 180 days at the discretion of the Commission. Chairman then asked if there was anyone else who wished to speak concerning the property. Deloris Thirlkill, 812 NW 21<sup>st</sup>, Amarillo TX, approached. She was a member of the NACA when they bought the house. "It did have a historical register but because of the changes made to it, it lower qualified." It does have good lumber in it and they boarded it up. They sold it because of other commitments. It has been boarded up and no one has ever been in it and she doesn't understand why it is considered a hazard. Ms. Thirlkill owns homes in close proximity to this house. That house has a lot of promise and there is rebuilding going on in North Amarillo. She is concerned about too many properties being torn down. It would be an asset to the neighborhood when it is rehabbed. The Chairman closed the hearing. Mr. Joel Favela made a motion to approve the resolution for Option III, seconded by Mr. Frank Willburn, the motion passed with a 4:0 vote.

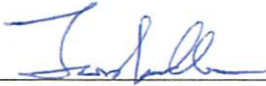
**ITEM 5: Resolution – Public Hearing:**

This resolution conducts a public hearing on and considers ordering the removal of substandard structures located at 1205 N Fillmore Street.

Mr. Ismael Rivera Jr., Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. There is evidence of a squatter in the accessory structure. The property has been without water service since prior to January 21, 1991. The Amarillo Police Department has been called out to this location 4 times since the property became vacant. Building Safety has worked 8 cases; including weeds, junk and debris and this Dangerous Structure case since this property became vacant. This property is located on the interchange from Fillmore Street to the Dumas Highway and is highly visible. There is a fairly new roof on the main structure; however, Building Safety has had no recent permit activity. The accessory structure has been attached to the main structure by an illegally patio type cover. This property is an attractive nuisance, represents a hazard to the neighborhood, blight on the area and an unsafe environment. Mr. Rivera's recommendation was to demolish the structures; Items II. The current taxes are due and there is money owed to the City for prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Rivera any questions. The Chairman then asked if there was anyone present with a legal interest in the property. No one was present. Chairman then asked if there was anyone else who wished to speak concerning the property. Melissa Miller, PO Box 622, Amarillo TX 79105, approached. Ms. Miller owns the adjacent property on both sides. Mrs. Miller said she has considered buying the property so they could tear down the buildings. Mrs. Miller said her husband has found hypodermic needles on their property when mowing. The property looks a lot better now because about 3 months ago there was a lot of trash and three trailers that are now gone. She said there was someone staying on the property. She agrees that the structures should be torn down. The Commissioners had no questions for Mrs. Miller. The Chairman closed the hearing. Mr. Frank Willburn made a motion to approve the resolution for Option II, seconded by Mr. Joel Favela, the motion passed with a 4:0 vote.

**ITEM 6: Adjournment:**

The Chairman, Mr. Tom Roller concluded the meeting. He opened the floor for any public comments. There being no public comment or further business, the meeting adjourned at 5:50 p.m. This meeting was recorded and all comments are on file with the Department of Building Safety.



Tom Roller, Chairman

ATTEST:



Gwen Gonzales, Building Safety Manager