

MINUTES

On August 5, 2021, the Condemnation Appeals Commission met at 4:00 p.m. for a Regular meeting at City Hall, 601 S Buchanan St., in Room 306 of City Hall.

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD SINCE APPOINTMENT	NO. OF MEETINGS ATTENDED
Tom Roller, Chairman	Yes	45	40
Frank Willburn, Vice Chair	No	40	24
Richard Constancio Jr.	Yes	45	32
Joel Favela	Yes	45	33
Jim Banes	Yes	24	17
ALTERNATE MEMBER			
George Cumming	No	45	23

Also in attendance were:

Justin Oppel
Gwen Gonzales

DEPUTY BUILDING OFFICIAL, 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: Public Comments:

The Chairman, Mr. Tom 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:

Mr. Richard Constancio made a motion to approve the minutes of the June 3, 2021 meeting, seconded by Mr. Joel Favela, 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 2, 2021, at 4:00 p.m. to determine whether certain conditions of the properties located at 2017 NW 19th Avenue, 2408 Brixton Drive and 1516 S Houston Street constitute dangerous structures 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. Mr. Richard Constancio made a motion to approve the resolution, seconded by Mr. Joel Favela, 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 3803 SE 16th Avenue B.

Mr. Justin Oppel, Deputy Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of three residential structures. This Resolution is only considering structure B. The property has been without water service since February 17, 2017. The Amarillo Police Department has been called out to this location 19 times since this case was initiated. Building Safety has worked 5 cases for structure B; including weeds, junk and debris, open structure and this Dangerous Structure case since the property became vacant. This property is located 3 blocks from an elementary school and park and 1 block from a city park. The structure has been tagged with graffiti. Building Safety has had no recent permit activity, however, the owner has started demolition without permits or water and sewer disconnects. A Notice of Violation was placed at this location on July 30, 2021 for work without a permit. Since then, the owner came into Building Safety, on August 4, 2021, and spoke with Gwen Gonzales about obtaining the required permits. This property is an attractive nuisance, represents a hazard to the neighborhood, blight on the area and an unsafe

environment. Mr. Oppel's recommendation is demolition; Item II. Mr. Oppel listed the notification information. 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. Oppel any questions. Commissioner Constancio asked that the pictures be gone through again. Mr. Oppel scrolled through the picture presentation again. Commissioner Constancio mentioned the red dumpster on the property. Commissioner Roller asked if this structure was the only improvement on the lot. Mr. Oppel stated there are three structures; the other two structures are secured. Mrs. Gonzales indicated the location of the structures on the lot could be identified on the map in the file. The Commissioners looked at the map and asked if the other structures were up to code and occupied. Mrs. Gonzales said that she did not know if they were up to code because they are not being addressed but that they were vacant. Commissioner Favela asked if the Stop Work order was posted because of the dumpster. Mr. Oppel stated that the Work without Permit Notice was posted on July 30, 2021 due to the demolition being started without permits. Commissioner Favela asked if anyone had tried getting a demolition or provisional permit. Mr. Oppel said no until yesterday, when the property owner spoke with Gwen regarding the permit requirements. The Chairman then asked if there was anyone present with a legal interest in the property. Mr. Damon Dubois approached the podium, 5105 W Farmers. Mr. Dubois said that he did contact Ms. Gwen around July 4th and saw the posting in June. Prior to that when he bought the property he did not know this building had been condemned. He had no notice from the seller and it was being used as storage and it wasn't this dangerous. The windows were boarded up. People were breaking into it and he had to board it up again. When we started the demo, we shouldn't have started the demo until we had a permit, we started cleaning it up and pulled a wall out, we decided that it was not a safe structure and that we were going to pull it down any-how. Then he came into the City to pull a permit as a Residential Contractor so he could do it himself. The plan is, now, to get the permits necessary and get a plumber to get the water and sewer disconnects and demo the structure. We haven't done anything prior to the 30th. Commissioner Roller asked if he just took ownership of the property. Mr. Dubois said he took ownership in 2018 and he hasn't really had the money to invest back into it. He's been waiting it out. Once the sign was posted he decided he needed to do something and the other two buildings are in decent shape. He had to get some electricity and had a permit pulled. An electrician had a new meter and meter box on the other two structures. Actually, one of the structures already had an upgrade but vagrants have stolen all the product of the back of it and we are waiting before we invest any more money. Mr. Dubois was unaware of any money owed to the city. Commissioner Roller talked about Option ii, which would still allow Mr. Dubois to get a permit. Mr. Oppel verified that statement. Mr. Dubois said as soon as he could get the plumber to cap it off he would be able to get the demolition permit and finish the demolition and cleaned up. A discussion was had about the money owed against the property for mowing and cleanup. Mr. Dubois wanted specifics and Mrs. Gonzales said that he could contact the Accounting Department and they could provide the dates, amounts and any interest due. The collections accountant would also be the one who would make arrangements to take care of this. Commissioner Constancio asked Mr. Dubois, you stated you were a contractor? Mr. Dubois said yes. Commissioner Constancio asked if he didn't understand that before he did any work he needed a permit? Mr. Dubois said "being that I own the property and it was a demo and I haven't demoed a structure before, I do remodels, I wasn't under the impression that I had to have a demo permit." Commissioner Constancio also asked Mr. Dubois if he caused it to fall? Mr. Dubois said he did because if someone went in there and it fell, it could hurt someone and he just got that done and all the other parts of the building won't fall without cutting it in certain places. Commissioner Constancio said his concern was that with the back down and the windows open, if there was some way to secure it. Mr. Dubois said he could secure it. 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. Joel Favela made a motion to approve the resolution for Option II, seconded by Mr. Richard Constancio, the motion passed with a 4:0 vote.

Adjournment:

The Chairman, Mr. Tom Roller asked if there was any further business. There was none. Mr. Roller concluded the meeting. The meeting adjourned at 4:28 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