

MINUTES

On November 4, 2021, 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	50	45
Frank Willburn, Vice Chair	Yes	45	28
Richard Constancio Jr.	No	50	35
Joel Favela	Yes	50	36
Jim Banes	Yes	29	21
ALTERNATE MEMBER			
George Cumming	No	50	24

Also in attendance were:

Justin Oppel
Courtney White
Gwen Gonzales

DEPUTY BUILDING OFFICIAL, CITY OF AMARILLO
ASSISTANT CITY ATTORNEY I, 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:

Commissioner Favela made a motion to approve the minutes of the October 21, 2021, meeting, seconded by Commissioner Willburn, the motion passed with a 3:0 vote.

Commissioner Banes arrived at 4:06 p.m.

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 January 20, 2022, at 4:00 p.m. to determine whether certain conditions of the properties located 3817 NE 12th Avenue, 1411 Brook Avenue, 1101 N Cleveland Street and 2019 N Cleveland 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. Commissioner Willburn made a motion to approve the resolution, seconded by Commissioner 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 1207 S Buchanan Street.

Mr. Justin Oppel, Deputy Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a residential structure and two accessory structures. This residential structure was involved in a fire on May 24, 2021. The detached garage was involved in a fire on September 23, 2021. The property has been without water service since June 30, 2021. The Amarillo Police Department has been called out to this location 1 time since the date of the fire. Building Safety has worked only 1 case since this property was involved in the fire: this Dangerous Structure case. This property is located ½ block from the downtown Interstate 87 interchange and two blocks from the downtown railroads. There is evidence of vagrant activity. 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. The Deputy Building Official's recommendation is demolition; Item II and V. 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. 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. The Chairman closed the hearing. The Commissioners discussed the options. Commissioner Willburn made a motion to approve the resolution for Option II and V, seconded by Commissioner Banes, 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 805 S Florida Street.

Mr. Justin Oppel, Deputy Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a residential structure and an accessory structure. The property has been without water service since May 2, 2007. The Amarillo Police Department has been called out to this location 70 times since the property became vacant. Building Safety has worked 23 cases: weeds, junk and debris, junk vehicle, zoning violations and this Dangerous Structure case since the property became vacant. This property is located 9 blocks from a private elementary school and park and 10 block from a public elementary school and park. An interior demolition has been done without a permit. The owner, Stephanie Baeza has contacted Building Safety about obtaining a Provisional Permit. This property is an attractive nuisance, represents a hazard to the neighborhood, blight on the area and an unsafe environment. The Deputy Building Official's recommendation is demolition; however, due to the current request for a Provisional Permit, Item III is recommended. Mr. Oppel listed the notification information. There are no taxes due, and nothing is owed to the City for any prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Oppel any questions. The Chairman then asked if there was anyone present with a legal interest in the property. Stephanie Baeza, 3120 Padron Ave, Amarillo TX, approached the podium. Purchased the property in April or May. She said she is in the process of getting bids from contractors and we are roofers. We are going to get this house up to code. Commissioner asked a question about obtaining permits. The Chairman admitted her information into the record. 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. Commissioner Favela made a motion to approve the resolution for Option III, seconded by Commissioner Banes, the motion passed with a 4:0 vote.

ITEM 6: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structures located at 1308 S Lincoln Street.

Mr. Justin Oppel, Deputy Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a residential structure and an accessory structure. The property has been without water service since October 10, 2011. The Amarillo Police Department has been called out to this location 6 times since this property became vacant. Building Safety has worked 16 cases; weeds, junk and debris, open structure, and this Dangerous Structure case since the property became vacant. This property is located 1 block from the downtown Interstate 87 interchange and 2 blocks from the downtown railroads. There is evidence of vagrant activity and drug paraphernalia. The Fire Department was called out to this location to investigate a "warming" fire next to the house on December 22, 2020, and again on March 21, 2021, on a smoke investigation. 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. The Deputy Building Official's recommendation is demolition; Item II and V. 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. 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. The Chairman closed the hearing. Commissioner Banes made a motion to approve the resolution for Option II and V, seconded by Commissioner Willburn, the motion passed with a 4:0 vote.

ITEM 7: Resolution - Public Hearing:

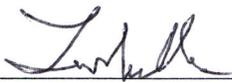
This resolution conducts a public hearing on and considers ordering the removal of solid waste accumulations located at 2017 NW 19th Avenue. The Commission previously heard and tabled this resolution at the regular meeting held on September 2, 2021.

Mr. Justin Oppel, Deputy Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of an accumulation of solid waste. The residential structure is not being considered in this Resolution. Mr. Oppel read the definition of Trash from Section 4-3-2 of the Amarillo Municipal Code. The Commission previously heard and tabled this resolution at the regular meeting held on September 2, 2021. The property has been without water service since June 4, 2013. The Amarillo Police Department has been called out to this location 17 times since the last

active water account. Building Safety has worked 2 cases since the previous Commission ordered cleanup in December 2018; weeds, junk and debris, and this Solid Waste Accumulation case. This property is located 2 1/2 blocks from an elementary school, 4 blocks from a Community Center and park. There has been no contact from Mr. Anderson or Ms. Sanford since the Commission previously heard this case on September 2, 2021. A fence has begun to be constructed around part of the property. However, there is still a significant amount of unlawful accumulation on the property. 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. The Deputy Building Official's recommendation is cleanup of the solid waste accumulation; Item V. Mr. Oppel listed the notification information. There are no taxes due and there is nothing owed to the City for any prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Oppel any questions. The Chairman then asked if there was anyone present with a legal interest in the property. Ronnie Anderson Jr., 2017 NW 19th, approached the podium. Mr. Anderson spoke extensively about the condition of the property and how he uses many of the items to build things for the community. Commissioner Roller asked Mr. Anderson if he would remind him what he committed to do 60 days ago. Mr. Anderson replied to have it cleaned up. Commissioner Banes asked if there was something holding him back from cleaning the property up. Mr. Anderson discussed how he is working on it. There was more discussion from the Commissioners and Mr. Anderson. The Chairman then asked if there was anyone else who wished to speak concerning the property. Timothy Gassaway, 1604 NW 20th, approached the podium. Mr. Gassaway spoke about how he has been helping Mr. Anderson. They are actively working on constructing a fence. Mr. Gassaway spoke about how Mr. Anderson has about 2 tons of scrap removed and the City has had several trucks haul off stuff. Mr. Gassaway said that he is not going to throw away Mr. Anderson's stuff away if Mr. Anderson feels it has value. Mr. Gassaway spoke again about the fencing. Commissioner Willburn asked Mr. Gassaway if he had a timeframe when they might have the fence up. Mr. Gassaway talked about the type of fencing that would be used and how much help he can provide because he is dealing with a medical issue. Mr. Anderson spoke up and said about 2 days. Ms. Gonzales asked for a 5 minute break to reset the recording. Mr. Gassaway continued speaking after the break. He said they can have success if they have time. Commissioner Roller asked if they can get the fence up in 10 day. Mr. Gassaway said they can do that. Mr. Oppel approached the podium. Mr. Oppel explained that if there is a screening fence, items behind that screening fence, not visible, there isn't much the City can do about that. However, he was at the location today and there are items stacked up to the top of the house. The item will be visible. Mr. Oppel did agree that they are attempting to build a fence. Mr. Oppel reminded the Commissioners that Mr. Gassaway assured us in the last meeting that they would have this done in 10 days and 2 months later, the items are being relocated on the property. Mr. Oppel said that it was mentioned that they were using the Solid Waste Curb Side Cleanup service and had 3 or 4 truckloads. The Curb Side service is reserved for residential properties, not businesses. This service for residential properties if they have active utilities and is funded on the residential solid waste fees on the water bill. Because there are no utilities and no billing at this property, essentially, the taxpayers are paying for this cleanup. This program is not set up for situations like this. If we send a contractor to clean this up, the property owner will be billed for the costs and a lien placed on the property if unpaid. Eventually, the taxpayers and the City will be reimbursed. If they build a fence and the items are not seen there isn't much we can do, but the state of the property is today, the items are stacked up to the roof line and we are going to be able to see it. This is a public health hazard, and we have state laws and ordinances prohibiting certain situations like this occurring as well as way to reimburse taxpayers for services. Commissioner Roller asked a question about what would happen if they chose Option V was selected. Mr. Oppel explained the bidding process and what would be removed or items to remain. Commissioner Favela asked about the time frame. Ms. Gonzales spoke about the time frame. The Chairman admitted all information into the record. The Chairman closed the hearing. Commissioner Willburn made a motion to approve the resolution for Option V, seconded by Commissioner Favela, 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 5:35 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