

MINUTES

On March 3, 2022, 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	54	49
Richard Constancio Jr., Vice Chair	Yes	54	38
George Cumming	Yes	54	29
Frank Willburn	Yes	49	31
Jim Banes	Yes	33	25
ALTERNATE MEMBER			
Ryan Huseman	No	3	1

Also in attendance were:

Johnny Scholl
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 Commissioner Roller, established a quorum at 4:00 p.m.

ITEM 1: Public Comments:

The Chairman, Commissioner 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 February 17, 2022, meeting, seconded by Commissioner Banes, the motion passed with a 5:0 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 May 5, 2022, at 4:00 p.m. to determine whether certain conditions of the properties located 412 NE 10th Avenue, 1203 N Highland Street, 1205 N Highland Street, and 1394 N Tyler 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 Banes made a motion to approve the resolution, seconded by Commissioner Willburn, the motion passed with a 5:0 vote.

ITEM 4: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of an accumulation of solid waste located at 2202 SE 19th Avenue.

Mr. Johnny Scholl, 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 structures are not being considered. The property has been without water service since August 17, 2021. The Amarillo Police Department has been called out to this location 1 time since the property has been without an active water utility. Building Safety has worked 1 recent weeds, junk and debris case which initiated this solid waste condemnation case. This property is located 5 blocks from an elementary school and is 1 block from a major thoroughfare, Interstate 40. There has been some clean-up of the property, however, there is still significant trash on the property. This property is an attractive nuisance, represents a hazard to the neighborhood, blight on the area and an unsafe environment. The Building Official's recommendation is clean-up; Item V. Mr. Scholl listed the notification information. There are taxes due and there is money owed to the City for any prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Scholl any questions. Commissioner Constancio asked to review the pictures again and asked if the camper was part of the solid waste. Mr. Scholl stated no it is no. The Chairman asked if there

was anyone present with a legal interest in the property. Mr. Christopher Clement, approached the podium. The property is in probate and his son, Gage Clement, is supposed to receive the house. His son is in the military and unable to reach him. Mr. Clement been in the hospital for 60 days. He discussed his medical history. Mr. Clement asked for 30 days to clean up the property. Commissioner Roller asked if that was going to be enough time. Mr. Clement said yes sir. Chairman Roller admitted his 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 Willburn asked about options to allow more time. Ms. Gonzales explained the option gives 10 days to obtain a Provisional Permit to clean up the property, however, no action will be taken for 30 days to allow the time for an appeal. Ms. Gonzales will not proceed with the next step until after 30 days. The Commissioners discussed among themselves the different options. Commissioner Willburn made a motion to approve the resolution for Option V, seconded by Commissioner Cumming, the motion passed with a 5:0 vote.

ITEM 5: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structures located at 1629 Hillcrest Street.

Mr. Johnny Scholl, Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a single-family residential structure and an accessory structure. The property has been without water service since July 13, 2017. The Amarillo Police Department has not been called out to this location. Building Safety has not worked any cases since the property became vacant. This property is located 8 blocks from 2 different elementary schools, 7 blocks from a high school and 5 blocks from a major thoroughfare, Interstate 40. There is evidence of stray animals occupying the structures. The owner has shown interest in obtaining permits, however, 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 Building Official's recommendation is demolition, Item II, however, if the owner attends the hearing, Item III. Mr. Scholl listed the notification information. There are taxes due and there is no money owed to the City for any prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Scholl any questions. The Chairman asked if there was anyone present with a legal interest in the property. Mr. Jerry Parker, 1506 S Monroe, approached the podium. Mr. Parker explained what all he had done to work on getting a permit. He has a bids for the roof, the electrical, spoke with a plumber, and most of the scope of work in order. He has some money available, just not enough to do the whole project at one time. Just need some more finances. He's done old houses before and some of the work he can do himself and hire other for some. Mr. Parker wants to get the roof done first then work on other items. Mr. Parker said he can pull a permit in 60 days. Commissioner Willburn stated the options give him 10 days to get the permit. Chairman Roller was explaining to Mr. Parker the 10 days to get the permit and then asked Mr. Scholl to explain the permit time frame. Mr. Scholl said the permit will give him 60 days and if he makes a significant amount of progress, then we can work on giving more time. Mr. Parker discussed his funds with the Commissioners and that he has enough to get the permit, just not enough to complete the job right now and how he can try to get additional funds. Mr. Parker and the Commission discussed the timeframes in the Resolutions. Chairman Roller admitted Mr. Parker's information into the record. The Chairman then asked if there was anyone else who wished to speak concerning the property. Mr. Bert Kiser, 1632 Hillcrest, approached the podium. He lives across from this property. He is familiar with permits and remodeling. He doesn't understand why there are no police reports because he has called the police himself twice due to vagrants. His elderly neighbors are concerned and that is why he has called the police. He has personally asked vagrants to leave the property on different occasions. He is concerned for fires and vagrants. Mr. Kiser left the podium. Ms. Sharon Wells, 1635 Hillcrest, approached the podium. She's been there for 12 or 13 years. No one has lived there for years. She has seen people living in tents there. The house has been broken into several times and she sees cats and dogs in the structure. Kids walk up the culver right by the property and it is a concern. It is an eyesore and is falling apart. She has called the police herself. She is concerned about safety. Ms. Wells left the podium. Ms. Scholl explained the proximity and size of the culvert to the property. Commissioner Willburn asked Mr. Scholl to explain the difference between Item III and Item II. Mr. Scholl verified the difference between the two. Chairman Roller admitted the information into the record. The Chairman closed the hearing. Commissioner Willburn made a motion to approve the resolution for Option III, seconded by Commissioner Banes, the motion passed with a 5:0 vote.

ITEM 6: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structures located at 804 N Jefferson Street.

Mr. Johnny Scholl, Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a fire damaged commercial structure and 2 accessory structures. This structure has been involved in 2 fires: February 3, 2020, and January 1, 2021. The accessory structures have also sustained fire damage. The property has been without water service since February 25, 2021. The Amarillo Police Department has been called out to this location 3 times since the original fire date. Building Safety has worked 1 case since the original fire date. This property is

located 4 blocks from an elementary school and 50 feet from a major thoroughfare, Amarillo Boulevard. 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 Building Official's recommendation is demolition, Item II. Mr. Scholl listed the notification information. There are taxes due and there is no money owed to the City for any prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Scholl any questions. Chairman Roller asked Mr. Scholl about all the additional notification that was sent. Mr. Scholl explained that the notices were to anyone who might have an interest in the property.

A five-minute recess was given to allow time to reset recording devices.

The Chairman called the meeting back to order. The Chairman asked if there was anyone present with a legal interest in the property. Sheila Alexander, 1811 N Travis, approached the podium. Ms. Alexander inherited the property. Ms. Alexander would like to try to do something with the property. She knows it's an eyesore and knows something needs to be done with it. Chairman Roller asked if she had the financial means to fix up the property. Ms. Alexander said yes she had the funds. Chairman Roller asked if she could get a permit within 10 days and fix it within 60 days. Ms. Alexander said that she could get the permit but didn't know if it could be done in 60 days. Ms. Scholl said if significant progress is being made, we will work with that. Commissioner Willburn asked Ms. Alexander how long did she own the property. Ms. Alexander said about 7 years since her dad died. Commissioner Willburn asked if her intention was to fix it up, why hasn't she fixed it up? Ms. Alexander said she didn't have the money then. Commissioner Willburn asked if she had any idea about how much it would cost to repair the structures? Ms. Alexander said about \$30,000 at least. She talked about the accessory structures. Mr. Willburn asked if she intended to make the structure back to a barbeque place. Ms. Alexander said she would need to talk with her siblings, but she was just thinking about opening a 2nd hand shop. Commissioner Constancio asked Ms. Alexander if her intention was to spend a lot of money to save a portion of this building. Ms. Alexander said yes, she is willing to spend the money. She said the smoke house and the 2nd smaller building could be torn down. Chairman Roller admitted Ms. Alexander's information into the record.

The Chairman then asked if there was anyone else who wished to speak concerning the property. Mr. Tim Gassaway, 1604 NW 20th approached the podium. Came today, primarily from the Chamber perspective. This is a landmark in the community. We have to conserve this. Structures in the North Heights are going away quickly, especially structures that were business. We can't afford to lose another one and this would be a devastating loss. If we build something from the ground up it increases the cost of the structures. This is a savable structure from what I can see. Mr. Gassaway asked for 60 days to work on the work and then more time to figure out what to do with the rest of it. He has come several times and the City has money that could help this situation. Take some money and figure this out. If the family can't do it by themselves, we need to come together with the family and the City and come up with a real solution. Let's find that solution, the solution is not to tear it down. Chairman Roller said you're saying lets, and we're not who you need to speak with on that. Mr. Gassaway said he knew that and that he would have to deal with the City of Amarillo. Commissioner Willburn asked why haven't you talked with the City Council about this or have you, personally? You are asking for this so why haven't you done that? Mr. Gassaway said that was private property and I know of many, many people who have inquired of this property to rehab it. We can't make a family sale or do anything about the property. We should be able to, or entertain a joint venture, because this isn't something we can do in 10 days. Mr. Gassaway continued to discuss the scope of the work to be done and the time frame. Mr. Gassaway asked the Commission to back, back way off this to do our due diligence to figure out what to do to save this property. Commissioner Banes said you owe it to the City to get a permit within the 10 days and start the work on it. You don't have to finish it, but you have to show high interest in getting it done. That's what I think, because you're saying that it is bigger than 10 days and that's telling me that we got to let you have more than 10 days to even start a permit. I say that we need to hold to the rules. If you are serious about building it, then you can meet the 10 days. Show progress within 60 days. Mr. Gassaway said that he didn't want set anybody up for failure and 10 days is a little difficult but is the family able to? I say let's be reasonable but if that is where you guys want to go with the 10 days, I'm more than happy to work with this family, the City, whomever to save this structure. We want to save this structure. Commissioner Willburn asked when was the structure stopped being used. Ms. Alexander said about 7 or 8 years ago. Commissioner Constancio said that really we want to make this structure safe and it is not and it's been this way too long. I agree with what you are saying but once it gets to this point, our decision is based upon safety. Commissioner Willburn said a lot of this effort should have been done prior to this point. Mr. Gassaway stated that there are structures in the City that are way worse state than this and we need time to do it and do it properly. I know you guys are trying to stick to it and run through it. I'm not really happy what I see in that process, but this is something that means something to this community. It's not something that is a slam bam thank you mam kind of issue. We need time to save this building. It is important to us. For us to build a structure like that it adds significant cost vs. a rehab. The money has to come from somewhere, either the family or joint venture. We've got to take the time to find that to make that happen. I understand we've got to make it safe, as safe as possible. Give us 30 days and reconvene and see if we can come up with a plan, a scope of work that will be in line with this. Chairman Roller asked if there

was anyone else who wished to speak concerning this property. Mr. Scholl wanted to reiterate that when a building is open and vagrants set fire to them, the fire department is called out, that puts everyone in danger. This is a dangerous building just as it is, let alone if there could be another fire in it and a loss of life. Commissioner Banes asked to review the pictures again. The Commissioners discussed about making the structure secured and safe. Chairman Roller admitted the information into the record. The Chairman closed the hearing. The Commissioners deliberated. Commissioner Cumming made a motion to approve the resolution for Option III, seconded by Commissioner Banes, the motion passed with a 5:0 vote.

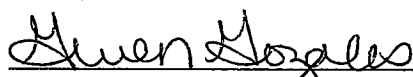
Adjournment:

The Chairman, Commissioner Roller asked if there was any further business. There was none. Commissioner Roller concluded the meeting. The meeting adjourned at 5:42 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