

MINUTES

On June 2, 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, Chair | No | 58 | 51 |
| Richard Constancio Jr., Vice Chair | Yes | 58 | 42 |
| George Cumming | Yes | 58 | 32 |
| Frank Willburn | Yes | 58 | 35 |
| Jim Banes | Yes | 37 | 27 |
| ALTERNATE MEMBER | | | |
| Ryan Huseman | No | 7 | 2 |

Also in attendance were:

Johnny Scholl
 Courtney White
 Gwen Gonzales

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

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

ITEM 1: Public Comments:

The Vice Chair, Commissioner Constancio 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 May 5, 2022, meeting, seconded by Commissioner Cumming, the motion passed with a 3:0 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 August 4, 2022, at 4:00 p.m. to determine whether certain conditions of the properties located 112 SE 40th Avenue, 1016 N Madison Street, 1303 N Spring Street, and 2300 Spruce 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 Cumming made a motion to approve the resolution, seconded by Commissioner Willburn, the motion passed with a 3:0 vote.

ITEM 4: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of a substandard structure and an accumulation of solid waste located at 1816 N Arthur Street.

Commissioner Banes joined the meeting at 4:06 p.m.

Mr. Scholl, Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of 2 manufactured homes and an accumulation of solid waste. Only the smaller manufactured home on the south side of the property and the solid waste accumulation is being considered at this time. The property has an active water service account, however, there has been no usage and, as of May 20th, there is \$586.48 owed on the account. The Amarillo Police Department has not been called out to this location since the beginning of this case. Building Safety has worked 6 cases since the beginning of this case; Junk Vehicles, and this Dangerous Structure case. This property is located 3 blocks from a high school and 6 blocks from an elementary school. 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 and V. Mr. Scholl listed the notification information. There are taxes due and there is money owed to the City for prior mowing and cleanup jobs. The Commissioners then had the

opportunity to ask Mr. Scholl any questions. The Vice Chair asked if there was anyone present with a legal interest in the property. There was no one present. The Vice Chair then asked if there was anyone else who wished to speak concerning the property. There was no one present. Commissioner Willburn made a motion to approve the resolution for Option II and V, seconded by Commissioner Cumming, 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 and an accumulation of solid waste located at 4613 Eagle Lane.

Mr. Scholl, Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a fire damaged manufactured home, 2 accessory structures and an accumulation of solid waste. This structure was involved in a fire, however, the date is unknown. The property has been without water service since October 24, 2016. The Amarillo Police Department has been called out to this location 20 times since the property became vacant. Building Safety has worked 17 cases since the property became vacant; Weeds/Junk and Debris, Junk Vehicle Violation, Zoning Violations, and this Dangerous Structure case. This property is located 5 blocks from an elementary school, 4 blocks from a public park and softball complex. 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 and V. Mr. Scholl listed the notification information. There are taxes due and there is money owed to the City for prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Scholl any questions. The Vice Chair asked if there was anyone present with a legal interest in the property. Ray Urbina, 4613 Eagle Lane, approached the podium. Mr. Urbina has been trying to clean up as much as he can. The power is by a generator. Mr. Urbina does not live at 4613 Eagle Lane, he receives mail there. Things have been stolen from this property. The fire was about 1 ½ years ago. The Vice Chair then asked if there was anyone else who wished to speak concerning the property. Patty Chesser-Spencer, 4614 Eagle Lane, approached the podium. Ms. Chesser-Spencer said she's not talking against "them," they are good people. They have helped her. There have been people living in the trailer since the fire. All she wants is a neighborhood that she would like to live in. The Vice Chair then asked if there was anyone else who wished to speak concerning the property. Debra E Curley, 4615 Eagle Lane, approached the podium. She has videos and pictures of the fire and the property. They continue to bring things to the property. A guy has been living in the pickup in the yard 3 to 4 years. He may be living in the brown structure now. She's called the City Police over the years. This is what she looks at when she looks out her window or door. When the fire happened, the fire department took down part of her fence to fight the fire. She's had to deal with this for 4 or 5 years. This is not respecting her or her property. She expects something to be done. The Vice Chair admitted their information into the record. The Vice Chair closed the hearing. Commissioner Willburn made a motion to approve the resolution for Option II & V, seconded by Commissioner Cumming, 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 an accumulation of solid waste located at 204 N Florida Street.

Mr. Scholl, Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. The structure at this location was involved in a fire on September 21, 2021, the commercial structure has subsequently collapsed or has been demolished, leaving an accumulation of solid waste. The property has been without water service since April 24, 2017. The Amarillo Police Department has been called out to this location 15 times since the property became vacant. Building Safety has worked 7 cases since the property became vacant; Weeds/Junk and Debris, and this Dangerous Structure case. This property is located 11 blocks from an elementary school, 14 blocks from a private school, and 5 blocks from a park. Recent attempts to use some of the bricks have been made to create a walkway to the illegally occupied travel trailers at the rear of the property. Also, a hazardous makeshift brick wall has been partially constructed. The majority of the burnt wood has been removed. 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 cleanup, Item V. Mr. Scholl 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. Scholl any questions. Mr. Cory Gilford, Community Improvement Inspector, was sworn in. Mr. Gilford believes someone is living in the travel trailer, he has seen items on the property that would suggest that people are inhabiting that area and several bricks have been laid out as pathways to the trailers. There is a picnic table with food and drink items around the table. The Vice Chair asked if there was anyone present with a legal interest in the property. Debra McDonald, 3531 Marsh Place, approached the podium. Ms. McDonald is the lien holder. Ms. McDonald's brother and fiancé have the property in their name. Ms. McDonald said there was a fire last year. They do have a travel trailer in the back, he does live with her. They have had someone remove the majority of the rubble. They have piled the bricks up as much as they can because they want to save

the old bricks. They have been working on removing the rubble, she has pictures of even more has been removed. Ms. McDonald is asking for more time. Making a very conscience effort to clean the property up as quickly as possible. Commissioner Willburn asked, "what do you think your time frame is?" Ms. McDonald said, "another 3 to 4 weeks to have it cleaned up." A discussion was had about the travel trailers and the remaining bricks. Ms. McDonald said she had a picture showing the rubble has been removed and there is only a little bit left at the back. The Vice Chair then asked if there was anyone else who wished to speak concerning the property. Shawn McDonald, son of Debra McDonald, 3531 Marsh Lane, approached the podium. Mr. McDonald said he has been working on the cleanup efforts in the last 2 to 3 weeks. They will have the rest cleaned off in 3 to 4 weeks. The Vice Chair admitted their information into the record. The Vice Chair closed the hearing. The Commissioners discussed the case, and no motion was made, no vote was taken.

ITEM 7: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of a substandard structure located at 606 S Florida Street.


Mr. Scholl, Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a fire damaged residential structure. This structure was involved in a fire on December 1, 2021. The property has been without water service since December 28, 2016. The Amarillo Police Department has been called out to this location 22 times since the property became vacant. Building Safety has worked 9 cases since the property became vacant; Weeds/Junk and Debris, Open Structure, and this Dangerous Structure case. This property is located 6 blocks from an elementary school, and 5 blocks from a private school. There is evidence of vagrant activity and the structure has been tagged with graffiti. 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 money owed to the City for prior mowing and cleanup jobs.

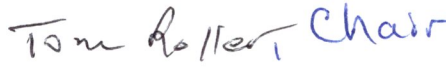
A 5-minute recess was given to reset the recording devices.

The Commissioners then had the opportunity to ask Mr. Scholl any questions. The Vice Chair asked if there was anyone present with a legal interest in the property. There was no one present. The Vice Chair then asked if there was anyone else who wished to speak concerning the property. Mark Smith, 608 S Florida Street, approached the podium. Mr. Smith said squatters pile trash in between the houses. He has caught, a few times, his garden hose running next door being used by the squatters for water. The back fence has been kicked down. It's been an eyesore and a pain in his t**t. Mr. McDonald is in favor of tearing it down. The Vice Chair then asked if there was anyone else who wished to speak concerning the property. Elizabeth Bunker, 110 S Carolina, approached the podium. Her mother owns and lives at 604 S Florida, next door to the property. Her brother lived there too, and he was robbed several times and the house was broken into by the people at the property. Their electrical bill was high and they found where they had plugged into an outlet in the garage and they didn't know that. They have called the police several times. There was evidence of drugs and fires inside. Ms. Bunker is in favor of demolition. Vice Chair admitted their information into the record. The Vice Chair closed the hearing. Commissioner Cumming made a motion to approve the resolution for Option II, seconded by Commissioner Willburn, the motion passed with a 4:0 vote.

Adjournment:

Vice Chair Constancio asked if there was any further business. There was none. Vice Chair Constancio concluded the meeting. The meeting adjourned at 5:28 p.m. This meeting was recorded, and all comments are on file with the Department of Building Safety.


Richard Constancio Jr., Vice Chair

 by Tom Heller, Chair

ATTEST:


Gwen Gonzales, Building Safety Manager