**MINUTES**
**BUILDING BOARD OF APPEALS**
**REGULAR MEETING**
**JANUARY 27, 2017**
**9:00 AM**

Kyle Denham, Chairman, called the January 27, 2017 Building Board of Appeals meeting to order with the following Board members present: Kyle Denham, Crystal Harrington, Rylee Hartwell, David Pommert, Mark Callihan and Ervin Wilson. Board member Don Landrith was absent. City officials present: Jeff Oliver, Building Inspector: Jordan Paul, Assistant City Attorney: Bryan Wicklund, Chief Building Official and Lindsay Dunn, Notary Public.

***Let it be known that, up to this point, audio transcription was unavailable due to technology failure. However, it was recalled that Mr Gilleland stated that he did obtain his General Contractor's license.***

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| **ITEM # 2784** | **2108 W 3rd St**<br>**OWNER: 2108 W 3 Tr**<br>**ADDRESS: PO Box 3133, Joplin, MO 64803**<br>**"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the December 9, 2016 meeting for a "Demolition Hearing" and Progress Report (FOURTH TIME BEFORE THE BOARD)** |
| Jeff Oliver | Several properties that he tries to deal with and have been trying to do it without a contractor's license, um. These photo, this photo here was taken yesterday. I'll pass it around. As of right now, he is good on his permit for the roof, um, but the rest of the remaining work that's going to need to be done on this property, he needs to get his General Contractor's license and fill out the proper permitting to do the remainder of the work. |
| Mr Denham | Have you been inside of the house? |
| Mr Oliver | Uh, really not since I posted it or maybe a month after I posted it, they were out there working on it and I stepped in it. Uh, stepped inside. |
| Mr Denham | Well, without a roof on that back part I'm concerned that it will fall into disrepair very quickly. |
| Mr Oliver | Well, they have made some improvement, um, compared to what it was when, when I first posted it. |
| Mr Denham | You have a schedule on when you will have this work completed? |
| Mr Gilleland | I'm going to start back on it this next week. It's supposed to be pretty nice. Hopefully, just continue working on it until it's completed. |

Mr Denham — How many weeks do you think that'd be?

Mr Gilleland — For the whole thing to be done?

Mr Denham — Yes.

Mr Gilleland — Um, like two or three weeks, I will have the outside done. I will have the roof on it and the siding back on it. And, um, the outside will look good and then, and I will need to get an electrician to, uh, rewire it.

Mr Oliver — I will remind you, Denton, your roofing permit is good for six months. OK?

Mr Gilleland — OK.

Mr Oliver — Uh, this permit was issued on Aug 4th, so you've got about, what, a month to get your roof done.

Mr Gilleland — OK. I will make sure it's done.

Mr Oliver — Any other work you do on this, you need another permit. Ok? So you need to come in, fill out the proper paperwork, get it turned in and get another permit issued; siding, windows, licensed electrician, plumber. You'll need a framing inspection. You will need all those things. But this permit itself is only good for about another month.

Mr Gilleland — OK.

Mr Oliver — And you need to get the roof on it or this expires and you're going to have to ask for an extension just for the roof.

Mr Gilleland — OK.

Mr Oliver — OK?

Mr Gilleland — I'll make sure the roof's done.

Mrs Harrington — Mr Chairman, I have a question. Uh, last time we saw you, you were, um, you gave us names of some of the sub-contractors that you were hiring to do the, uh, trade work in there. Have you gotten that arranged? You gave me Bill's Electric for the electrical and, um, well you know, Jeff was telling you, you needed to get your electrical, HVAC and plumber in line. Have you got those secured?

Mr Gilleland — Uh, well I've used Bill's Electric on other projects and he's done a good job, so ---

Mrs Harrington — So you haven't gotten to the point where you have secured services?

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| Mr Gilleland | No, I haven't gotten that far yet. I'm just trying to get the roof and all on it first before I dealt with the other issues it had. |
| Mr Denham | Yeah, I need the roof pretty quickly or it's going to be in bad shape. It is going to leak every time that it rains. Our next meeting is basically the fourth week of February. What do you think you could have done by that time? |
| Mr Michael | When is that meeting? |
| Mr Denham | It's the fourth Friday. I don't remember the date. |
| Mrs Harrington | The 24th. |
| Mr Denham | The 24th. |
| Mr Gilleland | Do I need to get a permit just to put that siding on that one wall that's missing? |
| Mr Oliver | Yip, just like everybody else did. You come in and get a permit for siding, so --- |
| Mr Gilleland | It's just a small area, so I didn't know. Ok. |
| Mr Oliver | When you are doing that, you really should have your electrician, plumber, heat and air guy, if you need one, you need to have all those on your application. |
| Mr Gilleland | OK. |
| Mr Denham | What do you think you can have done by next meeting? |
| Mr Gilleland | I'll have the whole outside done and, uh, it will look nice from the outside and hopefully, some of the demolition inside, the sheet rock, uh, some of it pulled out and you know, that the walls exposed so that we can get to the wiring and so forth. |
| Mr Denham | Any other questions? Do we have a motion to continue? |
| Mrs Harrington | Mr Chairman, I make a motion that Item # 2786, no 2784, excuse me, at 2108 W 3rd St, be continued until February 24th for a Demolition Hearing and Progress Report. |
| Mr Wilson | Second. |
| Mr Denham | **Motion by Mrs Harrington, second by Mr Wilson, that Item # 2784, 2108 W 3rd St, be continued to our February 24th meeting for a** |

**Progress Report and Demolition Hearing. All those in favor of extension, say "aye". (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Wilson, Mr Callihan and Mr Pommert voted "aye") Those Opposed? (None) Motion carries, 6-0.** Thank you. See you next month. Morning.

**ITEM # 2792** **117 & 121 S Byers**
**OWNER: David Carey**
**ADDRESS: 3611 College View Dr, Joplin, MO 64801**
**"Finding of fact Hearing" scheduled for this date.**

Mr Bared — Morning. Item # 2792. That's 117 & 112 S Byers St. I'm Patrick Bared, here with David Carey. We're here on a, uh, Fire Marshall Inspection. We, ah, received a letter, uh, which we did not physically receive until December 8th, listed off eight line item things, here. Uh, number, the, items number 1, 2, 3, 4, 5, 7, and 8 have been completed. Uh, Item # 6, with the some upstairs, heaters appear to have legal gas connections made to the building. Gas Supply, we know that Missouri Gas and Energy was out there because there was a leak at their gas meter that they had to fix and we know that they at least looked for other leaks and it was never mentioned that were was an illegal, uh, gas connection made to the building gas supply, but, of course, if somebody can point to us a specific one, we would be happy to work on that repair as well.

Mr Denham — OK. Bryan do you have a little background on this? This is under new business, so we, automatically, have to continue for thirty days, just our procedural process.

Mr Wicklund — Ah, yes, I do. I need to be careful what I say, this, this property's had a long history with the City as far as receiving complaints from tenants, receiving inquiries from Councilmen, the Council's been receiving complaints on it for a long period of time. Uh, I don't, I'm not sure how long Mr Carey's owned it. Um, I do know that he has made repairs to it while he's owned it but they've been the absolute minimum that can just barely squeak by without having the City come down on him, hard, for the condition of the property. The Fire Department tries to do a yearly inspection on multi-dwelling family dwells and we've got the Fire Marshall and the Fire Chief, both, here. Um, back in March of 2016, on March 21st, they did one of their yearly inspections and noted eight violations that were, uh, considered to be live-safety issues that needed to be addressed immediately.

Mr Paul — And Bryan, are those the same things Mr Bared was representing?

Mr Wicklund — They are. That, that letter was signed by the Fire Marshall and myself and mailed, um, to Mr Carey. He said he never got the letter. I've spoken with him multiple times over the phone about this property. Since that time as well as another property just across the alley that the Board ended up ordering demolished because of the fire. I let him know each time I talked

with him, of the Fire Marshall's, um, inspection and concerns. Have attempted to set up a meeting because he doesn't seem to receive the mail, set up a meeting on site with the Fire Marshall and Mr Carey. That has yet to happen. Um, I know that he did, eventually, get this letter, um, as in turn ---.

Mr Bared — Excuse me, was he invited.

Mr Wicklund — He did get the letter because over the phone I refused to go over the items, one by one and told him I'd make a copy of it and he could come by the office and pick it up. That way we are sure he has it. He did come by that day or the very next day, got the letter, has been working on them. Some are visible from the outside. I know that he's addressed, possibly, all of the broken windows that were one of the issues. That's pretty much the information I have.

Mr Denham — How many units, ah, are there in all the buildings?

Mr Carey — There's 10 apartments in each building. It's two separate properties and everything that was on the list was done before, um, the paper work was set to get this started. It's been down for nearly a month now. And I didn't get this, I, as soon as I got the letter, I had everything completed within 25 days. I bought brand new fire extinguishers, smoke alarms, um, replaced all the broken windows. Any doors that had been kicked in, they were secured with padlocks and deadbolts. Um, we also rented out more apartments. I empty out a lot of the bad people and was trying to get better tenants there and in the process, since it set empty, that was a big red flag. So I rented out five more apartments. So I've made a lot of progress on it. Also replaced all the exterior doors.

Mr Paul — And Bryan, if, if all those things on the letter have been addressed, are there other issues with the property or is that kind of the scope of what we're dealing with? I am just trying to figure out the parameters here. Because, I think it would be a good idea if we all left today understanding what needs to be punched out before the next hearing. And if it is just the letter, that's fine. But if there are other things, I think we all need to figure out what those are.

Mr Wicklund — That is exactly why I've told him, repeatedly, "We need to set up a meeting, on site, with the First Department and the Building Department and walk through with him." These eight items were the initial, major, life-safety issues that the Fire Department felt, at a bare minimum, immediately needed to be fixed. There are other property maintenance issues, um, some of which could be, um, could turn out to be fire, or live safety issues, such as address numbers on the buildings, just the overall condition of the them. Ah, it is not my desire to add things that are unexpected to a list that he has already been given. But again, we can't even seem to set up a meeting to

walk through it with him. So, because, conversations with Mr Carey don't get anywhere. He doesn't remember the conversation.

Mr Paul — Is that something we could do while your attorney is in town? Maybe that would make you feel more comfortable?

Mr Bared — Do an inspection, today?

Mr Carey — I've invited the Fire Marshall to come down, twice. I said, "You don't need my permission to do your inspection. You are welcome to come on the property any time you want" I had a face-to-face conversation with him on January the 9th. Went over everything on the list. I told him I had everything done. That was with Dale. I said, "Come back any time you want and inspect the place. We're good to go." I also had a face-to-face meeting with Bryan. The last one was on the 9th. I said the same thing, "You don't need my permission to come on the property. Check it out." He has not done one inspection but --- we are here today and I still don't know what else needs to be done.

Mr Denham — So are you willing to meet him on site?

Mr Carey — I'm willing to meet anyone on site, but they can always come by at their own convenience and inspect the place without me being there. I just ---

Mr Paul — He doesn't have access to the whole building without you being there, right?

Mr Carey — He can access all the public areas; hallways, um, look around the outside. As far as going into other people's apartments, they are probably not going to allow that.

Mr Paul — I was thinking in the letter that I say, I don't have a copy in front of me but, I seem to recall some issues with, is there a basement?

Mr Carey — There are two basements.

Mr Paul — And for instance, he wouldn't be able to get down in there without you, correct?

Mr Carey — No.

Mr Paul — OK. And I don't know, the Fire Marshall's out here in the audience. Do you want to, do you have anything you want to add while you are out there?

Mr Brooks — Yeah, on the list, uh, Dale Brooks, Fire Marshal, City of Joplin. On the list, whenever I talked to Mr Carey, he said he's replaced a lot of the batteries and stuff and the smoke detectors that were not operating the day

we did the inspection. Uh, we definitely want to come back and do a re-inspection on this facility and we do need access to the basements. We need access to the apartments. Uh, if he needs to schedule some time for his tenants, lot of times you have to give them two weeks notice that they are going to do an inspection, we need to look at those smoke detectors. The smoke detectors that were in the common corridor were about 20-25 year old detectors. Uh, if he just replaced the batteries, uh, there are still not valid. Uh, most of the batter type detectors that you buy are only good for ten years, so, uh, we definitely want to come back and do a re-inspection. We would like to see the basement areas. Basement area is being used for storage. It was never designed to be a store room, so we want to make sure that is cleaned out and is appropriate. Smoke detector coverage in apartments, required by state law and by our adopted building and fire code, we just want to make sure that these things are in place, so that, in the event that we have a fire in this building, that we get the notification to the people and get them out.

Mr Denham — Does this building have a fire suppression system?

Mr Brooks — It does not. This was built prior to the requirement for fire sprinkler systems.

Mr Denham — Is it large enough that it needs fire separation, does it need any type of ---

Mr Brooks — It was probably a requirement in old BOCA Code, whenever, I don't know what year these apartments were built so, typically, under the old BOCA Code they should have had two hour for ceiling assembly, two hour separation room, or walls between living units and a two hour ceiling. Most of these older apartments did not meet the minimum code, of the BOCA Code we had adopted her in town, so---

Mr Denham — These dwelling units don't have a direct access to outside as an exit, or an exit to an interior corridor?

Mr Brooks — Ah, I think there are a couple of units that do have direct access, then there are other units that come to a common corridor then some of the upstairs units come to a common stair enclosure and, um, that was some of the things that we mentioned when we talked to David. Some of the doors were not fitting very tight, and uh, those stair enclosures should have been a semi-rated enclosure to --- so if we had a fire in that apartment and it's not leaking out into that exit way and preventing anyone else from getting out of their apartment. So, we are definitely, we will entertain a, uh, re-inspection at any time. But we would like to have the property owner there so that we can access anything that we might need that he may have padlocked.

Mr Paul — It sounds like Mr Carey thinks he has complied with all the requirements and the City just doesn't know. So, I think that since everyone is in the

room, it may be a good time to just pull out your calendars and put something down where everybody could be present.

Mr Denham — Are we looking at next week?

Mr Paul — And I guess part of that is, if, if the Fire Marshall is wanting to inspect some of the units, there would need to be some kind of notice to the tenants, pursuant to whatever your lease provisions might be.

Mr Brooks — On most of the apartment complexes that we do, we try to notify them ahead of time. We try to do a 10%, kind of like when we do our motel inspections. So, if he's got 20 units over there, then do just two.

Mr Paul — Just two.

Mr Brooks — That'd be a good goal to shoot to.

Mr Paul — Mr Carey, are they all rented right now? Do you have any that are vacant that he could –

Mr Carey — I do have vacancies, yes.

Mr Paul — Those, that might be the easiest, that way your tenants aren't inconvenienced.

Mr Carey — Alright. Yeah, there are a few, there are two vacant ones in one building and five vacant in the other building, right now.

Mrs Harrington — Uh, you seem reluctant to be on the property at the time when the inspectors are there or the Fire Marshall. I think that is what Bryan has requested. Instead, you're saying they can go on the property any time to do the inspections. But I think the staff, probably, in my opinion, is, would rather have you there with them so that there is a clear understanding about whatever deficit there is or what their expectation is to get it to the point where they feel comfortable, uh, taking it, uh, off the list or getting to the point where it does pass inspection. And, um, it seems like your reluctance to meet them there is what is, kind of, holding this process up. Um, you say, you know, that you have had conversations with him, um, it appears to me that, that without you there on that property, that they can't make the headway that they need to make.

Mr Bared — And I'd, I would say, that, I think, what my client was doing was to actually expedite it but not knowing the actual process that needs to be done instead of – what he thinks is being helpful is actually a hindrance unbeknownst to him. So it is just a classic, I don't know exactly what needs to be done.

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| Mr Harrington | But if they were together it certainly would expedite the understanding between the two parties of --- |
| Mr Bared | Absolutely. |
| Mrs Harrington | What needs to make this work. |
| Mr Denham | Do you have a target date for this meeting? |
| Mr Bared | How about February 16th or 17th? |
| Mr Denham | Does that work for you, Dale? |
| Mr Brooks | I'm open. |
| Mr Paul | Then Bryan and Jeff, will you, will you all be going to that or is that just something for, that the Fire Marshall will be going to? |
| Mr Wicklund | I'd, I would like to be present, yes. |
| Mr Paul | Does that date work for you? |
| Mr Wicklund | Yes. |
| Mr Denham | Do we have a time? |
| Mr Bared | How about February 16th, 10:00 AM? |
| Mr Wicklund | That's, that's good. |
| Mr Paul | And so --- |
| Mr Denham | This Board's not seen the letter, so I really don't know, other than the few items that were mentioned, I don't know what we are talking about. But anytime that we multi-family dwellings, life safety is critical. |
| Mr Bared | Absolutely. |
| Mr Denham | So, we appreciate your willingness to meet and try to get all these issues resolved and create a safe environment for your tenants. |
| Mr Wickund | And Mr Carey is very familiar with the proceedings and the, the procedure of the Building Board. I do not believe that he's attempted to speedily address this. My, instructions to him, several times over the phone, since January, the beginning of January, when he said he was completed with the items was, schedule a meeting with Dale and I to go through it. If all the items have been completed, when it is addressed by the Building Board, I would let them know and they would consider releasing it at that time. |

And here we are, the inspections haven't happened because he failed to schedule them. They may have been repaired, they may not have been. But now the Board's going to have to take more time, again, at a later meeting, then revisit it. It, it may not have been necessary at all.

Mr Bared — I agree that it may not have been necessary at all. Uh, and we can sit here try to point fingers at each other all day or we can move to a resolution. I felt the latter.

Mr Wicklund — When we deal with the same property owners on multiple different properties, it gets frustrating. So I'm speaking out of frustration, sorry.

Mr Paul — So, I guess another question for the Board is, that if this inspection's going to be on February 16th, are you all looking at taking this back up at your February meeting? I guess, do you all want to get together on that list or are we comfortable, that whatever directions going to be provided with this walk through, they will have completed it at the March meeting? What, what ---

Mr Denham — Well, this is under new business, so we will have to automatically, continue to our next meeting which is in February.

Mr Paul — As opposed to the one after?

Mr Denham — I think so. That's our procedure.

Mr Paul — Ok.

Mr Denham — That's what we've always done.

Mr Oliver — We have to advertise it in the paper.

Mr Paul — Ok.

Mr Denham — We can have a report at our next meeting, hopefully. Maybe everything is not done but, at least, we will know what the progress is. Dale, did you have something else you wanted to add?

Mr Brooks — Through the property owner and/or, I will get with Bryan to see if we can make a determination as to when these were actually built. I'd like to know what Code series that these were actually built under so, there's things that under the old BOCA Code, that would have exempted things that are different from what the newest code is. However, we need to remember that the, uh, the fire code, the new fire code addresses existing structures and it has put in some new things, so the date of that building is going to be important. So I will get with Bryan and see if we can make a determination off the old building permits. If not, if I get Mr Carey to look at his

paperwork, maybe try to make a determination when the buildings were actually built, it will help us, uh, during our re-inspection.

Mr Denham — OK. Thank you. Appreciate you and the Chief coming to out meeting today.

Mr Brooks — Thank you.

Mr Denham — Anything else you'd like to add?

Mr Carey — No.

Mr Paul — Thank you for your time. Thank you.

Mr Carey — What is the, uh, February meeting date?

Mr Denham — The 24th.

Mr Carey — The 24th? Thank you.

Mr Wilson — Mr Chairman, I make a motion that Item # 2792, 117 and 121 S Byers be continued to our February 24th meeting for, uh, Progress Report and Demolition Hearing.

Mr Pommert — Second.

Mr Denham — **Motion by Mr Wilson, second by Mr Pommert, that Item # 2792, 117 & 121 S Byers be continued to our February 24th meeting for Progress Report and Demolition Hearing. All those in favor say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Wilson, Mr Callihan and Mr Pommert voted "aye") Those Opposed? (None) Motion carries, 6-0.** Morning.

**ITEM # 2779** — **2514 N Kingsdale**
**OWNER: Abruzzo Buildings, Inc**
**ADDRESS: 508 N Toms, Webb City, MO 64870**
**Item previously ordered demolished. At the December 9th meeting the builder was granted a 90-day window to complete project. And gave the building department the ok to issue a permit.**

Mr Green — Mike Green with Labbett Bank. Ah, 2514 Kingsdale.

Mr Denham — Morning.

Mr Abruzzo — Uh, just kind of give you guys and update and progress.

Mr Denham — Your name and address for the record, please.

Mr Abruzzo — Joe Abrouzzo. My address?

Mr Denham — Yes.

Mr Abruzzo — Mailing address?

Mr Denham — For the record, please.

Mr Abruzzo — 508 N Toms, Webb City.

Mr Denham — Thank you. You tell us what's taken place since our last meeting?

Mr Abruzzo — Uh, the garage door is in, stones getting put up. Retaining walls are in. All electrical is in. Sheetrock painted. The flooring's going in.

Mr Oliver — I do know all the rough-in inspections passed. Obviously, if the sheet rock's up, they got the rough-ins ---

Mr Denham — Things are progressing well as far as the Building Department's concerned?

Mr Oliver — It's progressing.

Mr Wicklund — Has the electrical service been turned on yet?

Mr Abruzzo — No, um, we're, I'm trying get him back in there. We've dug the ditch, because it's suppose to be underground, it's dug. He just hasn't come back to get it in there and have it inspected by, uh, or have Westcar come out and dig the trench to go through, -- Westcar can't come out unless he comes over there and puts that service in there.

Mr Denham — Our next meeting if February 24th. What do you think you will have done at that point?

Mr Abruzzo — February 24th?

Mr Denham — That will be a month.

Mr Abruzzo — Um, I should have the whole outside done. I called the, one of the inspectors, I forgot his name. I don't have his card on me, but the one who does the driveways. And I left a message and I said, "I need you to come out here" because I want have him take a look at this drive. But I never got a response. It's been two messages I left him, I never got a response. So I need somebody out there to, uh, figure this out on the driveway.

Mr Wicklund — Um, I will pass that along to the Engineering Department.

Mr Abruzzo — OK.

Mrs Harrington — Let, let's ---

Mr Wicklund — That's about the most I can do.

Mr Abruzzo — If he'd give me a call, I'll go out there whenever.

Mr Wicklund — Right. I understand.

Mr Oliver — Is your number on that paper ---

Mr Abruzzo — Yeah.

Mr Oliver — Where you sign in? Ok, we'll make sure we get it to him.

Mrs Harrington — I'd, I'd like it to be in the record that, that is the Public Works Department, um, that isn't responding to you. And I think that, um, with Bryan's help, he will hopefully get them out there. But for somebody to have to call twice to have an inspection is not acceptable. Um ---

Mr Abruzzo — Well, it won't be for an inspection. I just need an idea of what they want –

Mrs Harrington — Right.

Mr Abruzzo — So that I can work with it.

Mrs Harrington — Yeah, you got to make sure it's right before you pour it.

Mr Abruzzo — Right, exactly.

Mrs Harrington — Because they'll tell you to take it if it isn't correct, so I can actually appreciate that. But Public Works is kind of new in the, um, residential arena. They have started doing those inspections and, um, they have caused some, uh, a flurrying in the residential industry for not being able to get your driveway right to their satisfaction. You're wise to wait on them and I would do that. I, I do think that you could clean your side up a bit. It's pretty bad right now and as many neighbors as you've had up here talking to us about it, it's really trashed. I've been by there three times in the last two weeks and your guys are there, two guys every time working on it, slowwwwly. The palettes that are thrown about and, it's pretty messy. So you might see if they can't organize it a little bit better. I realize you've got a lot of stuff there that you're working on and I appreciate the fact that you've got the interior done. That's real, um, progress in my eyes, so –

Mr Denham — Did you tell us that you sold the property to the west?

Mr Abruzzo — Yes.

Mr Denham — I noticed somebody's poured a little concrete approach off the road. It's not even finished. They almost not even secreted off ---

Mr Abruzzo — No, no, no. That, I'm sorry, that's not mine.

Mr Denham — OK.

Mr Abruzzo — Mine is the corner lot that I sold.

Mr Denham — To your East?

Mr Abruzzo — That one is, actually, the owner of that lot there lives right up the hill. That's his backyard.

Mr Denham — I'm surprised the neighbors aren't complaining about that as well. It's a mess. Any other questions?

Mr Hartwell — Mr Chairman, I make the motion that Item # 2779, 2514 N Kingsdale be continued to our February 24th meeting for a Progress Report and Demolition Hearing.

Mr Wilson — Second.

Mr Denham — **There's a motion by, uh, Mr Hartwell, second by Mr Wilson, that Item # 2779, 2514 N Kingsdale be continued to our February 24th for a progress report and demolition hearing. All those in favor, say "aye." (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Wilson, Mr Callihan and Mr Pommert voted "aye") Those Opposed? (None) Motion carries, 6-0.** Thank you. Keep up the work, please.

Mr Wicklund — So, at this point, you don't see any issues being complete by the end of March, which is what the Building Board originally gave this 90 days ---

Mr Abruzzo — Right, um, I mean, I'm shooting for it, and my end, I mean, the only thing is, is, I'm fighting with the subcontractor, like the stone mason. He's been at it for two weeks. That could have been completely done. But I can't help, you know, I show up, he shows up and stays three hours and leaves. Like I said, that trench. You know, it's all about, really, the plumber coming back in, 'cause I can, I'll have the flooring, the cabinets, everything will be in there, I just need them to come back and do the finishing, you know, hanging the lights and obviously, the plumbing, putting the fixtures in, connecting the hot water heater and all that.

Mr Denham — Stay on them.

Mr Abruzzo — I keep on it, but ---

Mr Denham — Thank you.

Mr Abruzzo — Thank you.

**ITEM # 8791** — **2916 E 9TH ST**
**OWNER: Brothers Enterprises**
**ADDRESS: PO Box 4294, Joplin, MO 64803**
**"Demolition Hearing" has been posted in the Joplin Glove Legal Section. Item continued from the December 9th 2016 meeting for a "Demolition Hearing" and Progress Report (SECOND TIME BEFORE THE BOARD).**

Mr Denham — Morning.

Mr Nguyen — Good morning, Sir. Uh, I received this letter from Jeff and he told me to come here.

Mr Denham — You give us your name and address and what item you are here to speak on?

Mr Nguyen — Oh, my first name is Lee Nguyen, uh, the uh property, the address of the property, like 2916 E 9th St.

Mr Oliver — Item # 2791. Um, Mr Lee and I talked on the phone yesterday or the day before, I can't remember, but uh, he is working with one of the local demo contractors and is planning on, um, taking care of this himself. I, so I've spoken with him. Also, I have spoken with the demo contractor and, uh, while there is no contract between the, I think it will take place. So, um, you think this will be down by February 24th or---?

Mr Nyugen — I can try. The last time I spoke with Bryan and Nyugen, I gave a, tentatively give a time, I can tear my property down. How much time do I got? That's why I'm here, want to know.

Mr Oliver — I don't think there'd be an issue, uh, with continuing it. Sound like he's started working on it, so, hopefully, it will be down by the next meeting.

Mr Denham — Our next meeting is February 24th. If you could have it done by then, it'd be great.

Mr Nyugen — What happen if I don't get it done by that time?

Mr Denham — Well, come back and explain what's going on.

Mr Nyugen — Ok. Well, like, this is my first time here.

Mr Denham — Yeah, well, we'll try to work with you but it's, the house is in pretty bad repair. It really needs to ---

Mr Nyugen — Yeah, I know, house use to belong to foot doctor in Joplin, I guess. I bought the house just for investment.

Mr Denham — OK.

Mr Nyugen — OK.

Mr Denham — Alright.

Mr Nyugen — That's all I need to know. And thank you very much.

Mr Denham — Thank you for coming in.

Mrs Harrington — Mr Chairman, I make a motion that Item # 2791, at 2916 E 9th St, be continued until February 24th for a Demolition Hearing and Progress Report.

Mr Hartwell — Second.

Mr Denham — **Motion by Mrs Harrington, second by Mr Hartwell, that Item # 2791, 2916 E 9th St., be continued to our February 24th meeting for a Progress Report and Demolition Hearing. All those in favor, say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Wilson, Mr Callihan and Mr Pommert voted "aye") Those Opposed? (None) Motion carries, 6-0.** Thank you.

Mr Denham — Do you have a good contact for him, number?

Mr Oliver — Um, Mr Lee, please write your phone number down there for me. I think I've got it but if you will write your phone number down, for me, I'd appreciate it.

Mr Denham — Thank you. Come on up and address the Board. Give us your name and address please.

**ITEM # 2781** — **519 N Jackson**
**OWNER: Lara Diane Julien**
**ADDRESS: 317 E Fountain Rd, Joplin, MO 64801**
**Item previously ordered demolished at the December 9th meeting.**

Ms Julien — My name is Lara Julie. I live at, ah, 317 E Fountain Rd. Um, I don't have the item number. I actually got the times wrong. I was driving down the road so I just ran in here real quick. Um, the house is at 519 N Jackson.

Mr Denham — Is that on our Agenda?

Mr Oliver — That is correct. This is an Item that has been ordered demolished. Um, it has already been bid out for demolition. It is going to Council on February 6th for approval. Um, the owner, here came in and talked with Bryan and I, I don't know, approximately, a week, week and a half ago.

Ms Julien — It was last week, yeah.

Mr Oliver — We advised her that she could come in and, ah, talk to the Board and kind of let you guys and see if you can –

Mr Denham — Can we see the photographs?

Ms Julien — Yeah, and I've got new photographs as well. I originally bought the house as a flip house. Um, that's not going to happen now because I've got no place else to live. Living arrangements have changed at home so, that is going to actually be my residence. Um, it had had a lot of issues, uh, when I bought it um, and then I hired a contractor. Paid him $6000.00 or $7000.00. He came in. Um, there was an actual bathroom in the middle of the living room because, I guess the previous owner was in a wheel chair, couldn't get upstairs, so the put a bathroom downstairs. They're supposed to remove that, fix the floor and get that all taken care of. Um, they demolished the house. Took out all the floors, ah, without permission. Disappeared, never came back. Um, hired a second contractor, $8000.00 more. Never came back. His excuse was, he got arrested, couldn't come back to finish any work. Um, don't know why it's not done now, 'cause he refuses to come back without a vehicle. Either way, I've got $30,000.00 into this house which is the funds I got when my son was killed. Um, sorry, so it means a lot to me to get this house done. We have, um, what I've done is gone in there and I've taken out anything that was old, anything that was rotten. I've got pictures of all the stuff that we removed on the inside. The neighbor next door that keeps complaining, told me, the day I first came to the house, that she wanted it torn down because they wanted the lot vacant. Um, they just couldn't afford the $14,000.00 to by the house, so that is why they didn't do it themselves. Um, so I knew that was going to be an issue to begin with. But we have, um, the, all I need to get back into it now is just put the bathroom fixtures back in. The, uh, flooring, the tile, all that, is going to be done by my boss. He is not charging me a thing to do it. Um, the rest of the parts that are going on the outside, my friends own a siding company, um, Dan Gritts, and he said he would do it just for the cost of the siding. That's not going to cost me anything for the labor. Um, I've spoken to G&T Construction that was the original ones. They have filed bankruptcy, so their lawyer has my, my phone number, so hopefully, I will be getting the money back from that first contractor. Don't know what to do about the second contractor. I probably will have to take him to court. Um, I do have pictures when they had removed part of the, uh, stucco on the outside of it. They removed the wall and didn't remove soffits so it started to crumble on the soffits and

they put up that warning sign. Well, I spoke with the City and that, three or four days after I had spoken to you guys on the phone, I had removed all the stuff that was crumbling. I do have pictures of that as well. Um, and I do have another contractor whose, he hasn't been working lately because he's got cancer but he has his whole crew that's going to do the porch and do the pillars and do all those for me. And it is just going to cost me the materials. Um, so that should be just, it's just a matter of getting all coordinated. When I first applied for, um, the building permits, there was an electrical problem that I found when we removed one of the closets upstairs. They had just put wire nuts in and, kind of, did a make-shift thing, um, with the wires. So I needed a wire contractor. Anyways, my boss' uncle is a licensed contractor. He hasn't seen it yet. When I applied for the permits, uh, they refused to give me permits, um, without electrical. So then I told, I spoke to Bryan on the phone and he said we could do permits without the electrical. Just get the other stuff done so that the neighbors wouldn't complain. Um, so I went to the City again, applied. The guy at the counter top said, "No, I won't give you permits for that without talking to Bryan first" and that's where I'm at now, is I never got permits for it. And then I got a thing in the mail that they're wanting to demolish it when I wasn't even allowed to get a building permit to fix it. And now they want to tear it down. So this is just a big mess and I just need a little more time to get it going. And building permits is all that I would like.

Mr Denham When was our hearing, the demolition hearing?

Mr Oliver I'd have to see the file. Um ---

Mr Denham Did we give notice that ---

Ms Julie We have a huge issue.

Mr Denham We were having a demolition hearing?

Mr Julien We have a huge mail issue at my house and it was supposed to be a certified letter they had showed me that they had sent certified letters. The only one that I had received was the one for the demolition. That's the only certified letter that I've actually gotten. That is why, it's the first I've heard of it. So that's why I came here. But they showed me a folder with, I guess, they had tried to get a hold of us several times, um, with certified letters. I've not received any of them. So, I got the one. We have huge problem on Fountain Rd anyway with baseball bats and mailboxes disappearing. It's just, just a nightmare. But, I said, this is the first time that I've heard of it. Of course, I'm in a panic right now, trying to figure out what's going on and how I can fix this and ---

Mr Denham Did you say that you are currently living in this residence?

Mr Julien — I've been staying, well, the weddings off, so I've been staying over there, just to sleep in there, um, now and then, plus, well, we had people trying to steal things out of the garage, so, I sleep over now and then, but there's no bathroom fixtures so I still have to go home to my house, Um, and I stay there. So it, it's kind of one of those things. If we are arguing, I stay over here. You know, it, its, I can't actually live in it without bathroom fixtures, yet. Um, but I will be living in it. It's going to be my residence. So we've got that agreement worked out at home. As soon I get it livable, I can, I can move out.

Mr Hartwell — Ms Julien, have you been living, uh, not living, excuse me, but working on this house?

Ms Julien — I have. I've been ---

Mr Hartwell — At all?

Ms Julien — I've been tearing ---

Mr Hartwell — So, so have you ---

Mr Julien — I've got all kinds of pictures.

Mr Hartwell — So previous to the demolition order, you've had them working on it?

Ms Julien — Well, the demolition happened ---

Mr Hartwell — Or did you start work once you got the demolition ---

Ms Julien — Yeah, once the contractors disappeared, I've had to do it by myself. So, I've taken out, you know, all the stuff that was rotten, anything that was old, replaced all that. We've actually poured pads and we've put stem walls up underneath, you know, and they replaced the corners that was rotting and my friend came out with blocks and they, they did all that. Um, replaced the part of the foundation on the side that was cracked. Um, that's all be replaced already.

Mr Denham — So, they did all that without permits and without inspections, is that correct?

Ms Julien — Well, that's what the thing is. The contractor told me he had permits and I found out he didn't. That's when I went and applied for them. So, we've, we've got all screwed up. And then they said I didn't need any permits to do any demolition on it, as far as removing all the old stuff that was inside and finding all the cracks in the wall and, you know, removing all the old fixtures that were broken. So ---

Mr Denham — The foundation repair, that was done by your first contractor, is that what you're saying?

Ms Julien — No, I, I had to do that myself. I just, you know, patched it up. It's not, really, anything that's finished yet. It's not, the inside is not, I have to do the floors and everything, still. But then, they said, that since I was starting to work on it, when I called the City, they said I needed to get a permit. And that is when everything stopped.

Mr Denham — All this occurred before we ordered it demolished?

Ms Julien — Yes.

Mr Denham — But you didn't get any of the notifications that we were ---

Mr Julien — No I did not.

Mr Denham — Were having difficulty reaching ---

Mr Julien — No I did not.

Mr Denham — You.

Ms Julien — No I did not.

Mr Denham — So what was the last correspondence that you did receive after ---

Ms Julien — Just the one that said the house to be demolished by January 19th and I went into a complete panic. So that's the only one I've gotten.

Mr Oliver — Is, uh, your phone number 438-4256 ---

Ms Julien — Yes it is. And I've got a new phone now. I replaced the one that got dropped in the water. So it does ring now. So ---

Mr Oliver — In my conversations, uh, with Kim Newhouse, who processes our permits, ok, and I'm trying to recall my memory, he brought your application to me, (this has been a few months ago), and said he had tried to get a hold of you, probably, left you messages and then no one ever came to pick up the permit.

Ms Julien — See, and that's what he had said to me last week when I came in to see you guys and when we checked on it, there's not even a phone call. So I don't know. There's nothing that is registered, nothing that is on there, or was ever on there. So I'm not sure –

Mr Paul — I would have called that number too, Jeff, in December. I don't recall if you had a voice mail set up or not. I know, a lot of numbers we call on

these files, don't have voice mail, uh, so I, I don't know how that, what your phone situation is. One question I do have for you, though, is that it seems like you've had a bad stream of contractors here. I mean, the folks that are going to be working on your house, respectively, have you checked to see if they are licensed and bonded and ---

Ms Julien — Yes, these ones are. And Teddy Nichols has been done it for 30 years. Um, he's fantastic. His crew's great. Um, they're actually friends of ours that we have meant through other friends just a couple of months ago. Um, good guy. He's just hasn't been working because he had cancer. So, his crew is still working and he's gotten them to agree to come out and do everything for me. So, that's, I mean, he's been doing it quite a long time and he's got nothing against him on, every time I've talked to people about him, they seem – And the other ones were, were supposedly good too but --- they weren't. Um, but this one, I have seen references and talked to other people about him. So, it should be better.

Mr Oliver — The actual demo order was December, the December meeting.

Mr Denham — And it's been bid so now, and we've had the thirty days ---

Mr Oliver — That's correct.

Mr Denham — So now it's going to, next step, the City Council would approve the demolition.

Mr Oliver — On February 5 or the 6th.

Mr Denham — I, I guess we have an option, we could stay the demolition order or not act on it but ---

Mr Julien — Please.

Mr Denham — But, if we stay the order, do you have the funds to see this through and see it completed?

Ms Julien — Yes, I do.

Mr Paul — Well, I think it is an important question, because a lot of the information, you were talking fast, but a lot of what I heard was, people doing it discounted or free. I, I don't know that that is always reliable.

Ms Julien — Well, the flooring and all that, I work for Mike Allen Tile, now. I was working at the Good Will but it wasn't making enough money, because it's the Good Will. Um, but Mike Allen Tile, and I can get you a letter. He said he would, gladly write something, if you guys needed it. That it would be done, free of charge. I, I lay tile. I cut tile. And, you know, we do all flooring and back splashes and all that. So, he said he'd come out, do it,

and 'cause he said he's go tons and tons or extra stuff. Um, and that would no problem. So ---

Mr Denham — But we're talking about an electrician, exterior work, uh, I'm assuming plumbing and HVAC.

Ms Julien — Well, the plumbing was good. Um, the plumbing's not bad. Um, and I"ve already paid for the people to come out and do the furnace and um, they are right out of Columbus, on Maple Street. Um, that's a company out there. They do all the arch plumbing and all that. We've got, the furnace is already there. There's nothing wrong with it. Everything is was good with it. It just needed new air vents. Um, so they're just going to come out and replace the air vents and I've already paid them to do that. We'll do that before the floors got put back in. So ---

Mr Denham — I, I would make this recommendation: I would stop paying for this work until it's done. I think that's kind of got you into some problems in the past. But, just to a friendly suggestion, wait until it's done before you –

Ms Julien — Well, lesson learned. I'm $30,000.00 into this house now and it's all I have. What is left of Jerry's money, so the rest is just my paycheck money and I only make $20.00 buck an hour, so it, it's paycheck-to-paycheck. It's a weekly thing that, that, you know ---

Mr Denham — If we put a stay on it, could we do it for just a – and then visit it next month and then, if it hasn't proceeded to our satisfaction, the stay is lifted?

Mr Paul — Sure.

Mr Denham — Is that an option?

Mr Wicklund — And if you to that, if you do that, the permit would just be valid, 'cause she doesn't have it yet, so we would make it valid during that period of time and then expire, whatever date you guys would chose.

Mr Denham — Jeff, have you been inside the house?

Mr Oliver — Not recently.

Mr Denham — I mean, is it, in your mind, is it ---

Ms Julien — I've got pictures inside the house here it you need to see them.

Mr Denham — Is it repairable? Is it beyond repair, that's what I am trying to ask?

Mr Oliver — No, I mean, it's, it could be repaired.

Ms Julien — I have pictures.

Mr Denham — Well, he's sent around some pictures. That's fine.

Ms Julien — ---- (unable to hear speaker) show what the projection was, before and after, the outside too. What they tore up in the inside. There was a toilet –

Mr Denham — If you speak, we need you to be at the mic. We just have to record it. Thank you.

Ms Julien — I'm sorry.

Mr Denham — So for a permit, she'd have to have a GC as well as the subs listed, is that correct?

Mr Wicklund — She could actually act as her own General Contractor on this one. She hasn't had any other permits in the last year so, there are ordinances that allow for that. We just, we do need the electrician listed on there.

Ms Julien — Yeah, and he said he'd be glad to come down to Joplin 'cause he's working the casino's right now in Wyndote, I guess. Their building this building, a casino out there and doing all the wiring out there. So ---

Mr Denham — I'm a little worried about the foundation repairs that I've seen in these photographs.

Ms Julien — Well, they're not done or finished or anything yet, because I didn't have permits and I stopped everything when, you know, as far as doing any repairs go. I've just been taking out the rotten stuff on that one. I didn't have permits. So, ---

Mr Denham — I understand.

Ms Julien — I didn't think I should move forward with anybody working on anything, building it back up again, 'til we had permits, because someone said that if you do something without a permit, they could have you take it down. So –

Mr Denham — Does the staff have any recommendations? --- Not really?

Mr Oliver — I mean, the question you must asked me, "Is it repairable." Yes it is. But you've got to have the funds to do it.

Mr Paul — It has to be subject to a Waiver.

Mr Denham — Pardon me?

Mr Paul — It just has to be subject to a Waiver, if you guys did grant a stay, like normal.

Mr Denham — This Item is not on our agenda. I guess we have two options; one we could just, no action and let the demolition proceed or we can put a stay on the demolition for a period of time and see if the work can get done --

Ms Julien — Oh, I'm begging you, please don't let it be demolished.

Mr Denham — Excuse, Excuse me. And make sure the work's done to the staff's satisfaction. Does anyone have any, um, thoughts on that?

Mr Hartwell — I have a question for you. Ah, I was, can't help but notice when I'm going through these photos, that some of the pictures and time stamps are from 2015? And then the more recent ones are, ah, from 2016, February 11, 2016, almost a year ago.

Ms Julien — Yeah, that's when the contractor, I've been, I've ---

Mr Hartwell — So these are all, these haven't changed any since we have ordered demolished, right?

Ms Julien — No, not since you ordered demolished. No.

Mr Hartwell — So these are just the same photos that we already had to work with?

Mr Denham — Well, I don't know that we had some. These are hers.

Mr Hartwell — Ok ---

Mr Julien — And that ---

Mr Denham — And these are Jeff's.

Ms Julien — And that, on some of the photos they had, had put up a war -- warning sign because it was dangerous, because, like I said, when they removed the side, they didn't remove what was underneath the soffits and it had, like, fallen down or half ---

Mr Hartwell — So this is the state it was in ---

Ms Julien — Half fallen down, so I had to remove it. And the pictures are after the removal of that.

Mr Hartwell, — When we demolished – I am making that point that this is state it was in when we demolished it, or ordered it demolished.

Mr Julien — Yes. That is ---

Mr Hartwell — These, these are the ---

Mr Julien — Yes, Yes. Nothing has gone on the outside ---

Mr Hartwell — Or inside.

Ms Julien — All other stuff has done upstairs. Nothing has gone on, on the outside or, or since I didn't have permits, they haven't rebuilt anything up yet. Um, and I've got all the conversations on my text with the contractors and how long I have been begging him to come out here and finish the house.

Mr Oliver — I'd like to, uh, chime in here a little bit. As far as the time line, um, February 1st, will have been a year ago that I posted this property. Now you guys have not dealt with it but for a few months. Um, shortly after it was posted, we had some conversations ---

Ms Julien — Um uh.

Mr Oliver — Um, I had asked her to get a couple of things that I thought were an immediate danger, taken care of and, and she did those things. And so I just, kind of, sat on the file for a little bit, waiting to see what would take place and give her the opportunity. Um, wasn't, there came a space there where, um, no progress being made and that's when I brought it to you guys. Uh, so, while you guys haven't had it for a year, I started working on it, approximately, a year ago.

Mrs Harrington — What did you say your address is?

Ms Julien — That I live at or the house address?

Ms Harrington — Where you live.

Ms Julien — 317 E Fountain.

Mr Harrington — Ok, well, I was looking at the minutes from our demolition hearing in, uh, December and, and you know, that's where Jeff was sending all of these ---

Mr Julien — Yeah, and I have ---

Mrs Harrington — This information

Ms Julien — No idea, because they are certified letters and they should have come to the door and knocked on the door and given it to us, like they did the one that I actually go. I don't know why they weren't delivered. I really don't know why they weren't delivered. I've already talked to the post office about that and they said, "Well, we don't know." I have no idea.

Mr Hartwell — No notice on the door or anything?

Ms Julien — There was nothing on our door. They don't like stopping on the road because it is Fountain Road and it is really busy. So, most of the time we just see them fly on by. All the neighbors have complained to the Post Office about it. That's ---

Mrs Harrington — Had you been over to this house, so you knew it was ---

Ms Julien — Right because we mow the lawn every week on it and ---

Mr Harrington — In progress. Well, I'm looking at the pictures Jeff has from, from what we went from ---

Ms Julien — Right.

Ms Harrington — When we had it demolished and, I mean ---

Ms Julien — Well, since I had not permits, I was told not to do anything else to it without permits.

Mr Harrington — And we saw the permit application when we ordered demolished ---

Ms Julien — Right.

Ms Harrington — But you didn't pick it up.

Ms Julien — Well, I was told when I came to the counter to pick it up and pay for that I couldn't have it without having the electrician on there.

Mr Oliver — But then, I believe Mr Newhouse, after speaking with Bryan, did attempt to contact you, several times by phone and nobody ever came in to pick it up. And when he brought me the application and said, "Nobody's come in to pick it up" I think that's what prompted me to put it on this Agenda. So there were attempts to get back in contact with you.

Ms Julien — Ok, see, I was not aware of that. I'm just begging you not to demolish my house so that I have more time to get this taken care of.

Ms Harrington — It, it appears that you just weren't these guys seriously. I, I can't say that, you know, that is not an accusation, but what we are seeing on paper and what we, you know, use when we demolished it or ordered it demolished was, that you had interacted with the staff in the beginning of the process, but that you just decided it wasn't that big of deal and you quit responding to them to move it forward. So that's the basis that we used. And it feels like, you know, you just didn't taken it very seriously until somebody said we're going to demolish it and –

Ms Julien — See, that's not it at all.

Ms Harrington — That's hard to, that's hard to, um, understand why, why it wouldn't have been as equally important for you to deal with it early on.

Ms Julien — And see, that's not the case at all, what so ever. That is not even the case. I was just trying to get this all together, and, uh, without having permits, I couldn't do anything. So I had no idea they were trying to reach me, even. I do have my own phone now. Um, the phone is, is, is a new one. It's repaired. It rings now. It makes noise. It, it. Um, I don't know what to say. It's not that I have ignored you. I haven't ignored anything. I just thought everything was on hold. I've been dealing with this contractor and the last time I talked to him, was December and he said that he had filed bankruptcy. So his lawyer would get in touch with me because I'd finally threatened to take him to court, try to get my money back or get him to come out and do his job. Um ---

Mr Denham — We see the demolition as the last resort, or ah, last course for us. We'd rather work with the owners and see the property saved if they are salvageable. But when we have, what appears to be, an absentee owner, ---

Ms Julien — Oh, I understand.

Mr Denham — We don't have a lot of recourse.

Ms Julien — I understand.

Mr Denham — The building, as it is, won't stay standing much longer because it's, you know, it's siding, it's foundation issues. We're looking at the neighborhood, public safety ---

Ms Julien — I understand. The person next door told me that she was going to get it demolished no matter what. So I, I don't know what to say. I know its ---

Mr Denham — I don't know that we had any conversation with her. I don't remember ---

Mr Julien — She, it's the one that's been calling.

Mr Denham — Her coming in. But we've, you know, this has been on our Agenda, uh, and we've had meetings and no one ever showed up and that's, that's, kind of, how we've, kind of, ended up here. I don't know ---

Ms Julien — I mean, you can see, that I have never had the certified letter delivered until this last one. It is the first one I have had delivered.

Mr Denham — And even if they come to your door, and if the people refuse to sign, it's the same thing.

Ms Julien — Well, I've never had a, they didn't come, this is the first time that –

Mr Denham — I know, but we get that a lot ---

Ms Julien — I have never ignored a certified a letter that ever come ---

Mr Denham — We get that a lot on these projects where people just don't sign the certified mail, for whatever reason, but ---

Ms Julien — Well, that's just not the case here. I've, my life is very bad. It has been very bad for the last few months, so ---

Ms Harrington — You say, if we, um, we do order a stay, we can order a stay for thirty days, have the building permit go into effect now and be valid for thirty days?

Ms Julien — Ok.

Mrs Harrington — And ---

Mr Denham — Or for whatever period we said, and she would sing a Waiver, if that was agreeable.

Mr Julien — What would you need finished by the thirty days?

Mrs Harrington — Well, whatever period of time. I used thirty days ---

Ms Julien — Ok.

Mr Harrington — As an example

Ms Julien — Ok.

Mr Callihan — Do you have any idea of how long it might take to fix the property?

Ms Julien — I mean, it really shouldn't take that long. Um, I've had three contractors come out and tell me that there was nothing wrong with it. It just needed to be done and with me out there helping them, I mean, it shouldn't take long at all. Um, uh, uh, Shane Hassel is the one that was going to come out and do the outside of it and Dan Grits was going to do the siding on it. So ---

Mr Callihan — When you say it doesn't take that long at all, like, how can your contractors, or whoever is going to do this work needs to have a time line established to it because that is part of the concern is, not just your property but the neighborhood as well.

Ms Julien — Right. Right.

Mr Callihan — It is an ongoing ---

Ms Julien — Right, I understand.

Mr Callihan — Issue. And, uh ---

Ms Julien — There's a lot of vacant houses on that, yeah. And this one set, set vacant for two years, um, for two years before I bought it. So ---

Mr Callihan — It's already kind of under the microscope.

Ms Julien — I can call them and get their time frame. And get that, you know, back to you. I probably can get that this afternoon. I can call them up when I leave her and get a time frame for you.

Mr Callihan — I'm just curious if you know, because it's already had action taken on it and uh, it's a pretty big stretch to, to complete that project.

Mr Julien — Right. Well, I've got the materials for the sub-floors already sitting, I mean, we can, I can get the sub-floors in, you know, in just the next of weeks. Um, and then Mike will come out and do the tile for it and all that, um, after that. I will have to see what his schedule looks like. But, I would say, the next couple of month, you know, I could have all the inside done. And then the exterior, they wanted to do when it got warm. So that would be, probably before summer, we could get that finished. Um, I can con, contact them and see if we can get it done sooner. I know they've got the uh, uh, the, what was it, the particle board or whatever they call it. It's going the outside. I don't know anything about siding. I do floors, not siding. Um, but, yeah, they've, they've got all that set up. They can get that out there, um, if that's an issue, before they get the siding on.

Mr Hartwell — I think it's very easy for you, or anybody else who is starting a project, to say this is going to go quickly and this is going to go as planned. I think everybody who's ever built a home or rebuilt a home, has said those words. And then they get, then they get half way through and it's a lot, there's a lot more to it. Especially when you're dealing with a structure that we have already found, uh, is, is material to be demolished. So, it's not as easy, I think, as you may think it is. And you ---

Mr Julien — This isn't the first time I've done it either. Um, I'm 39 years old ---

Mr Hartwell — It does have, have issues and I'm not saying, I'm not questioned you but I'm just saying, it is, it is quite a process. And I think it is reasonable that, if you can see where we are at as well. That we have never met you until today and we ordered your home demolished because, as The Chairman stated, you were an absentee owner. And, and, this is from my perspective, I find it, somewhat, odd that, that the one letter you did happen to get is the one that said we were demolishing your, your, uh, property. And I, I's not stating anything towards your character. I'm just saying that, that that in itself is a little odd because, then they did manage to find their way to your

door then but they didn't manage to find their way to your door any other time.

Ms Julien — I have no idea ---

Mr Hartwell — That's, that's our perspective and I ask that you take that into consideration ---

Ms Julien — Oh, I understand what ---

Mr Hartwell — What the Board does here in the next few minutes.

Mr Julien — I, I understand where you are coming from. It's just, it's not absentee, it's not any of that. I, I just didn't get anything until this time.

Mr Denham — I've, I guess I've got two concerns. We've got, I'm concerned that we've got the funding available to see this project through and I also have, uh, concern that when people are volunteering labor, it is more difficult to get them to show up. I mean you heard the other contractor, or, he's in the business. He's a contractor. He's having a difficult time getting the contractors he's paying to come, show up. May, maybe their friends and maybe they will follow through. Uh, that's, that's one of my concerns.

Ms Julien — They will. I've got one that's keep bugging me, saying, "Do you have permits. Do you have permits? Do you have permit." They are just waiting on me.

Mr Denham — I guess, from my stand point, I wouldn't mind looking at a stay for a very specific time --- and give her one, last opportunity. I always feel like, when the buildings are ordered demolished, it's a failure. A failure on the owner's part. It's a failure on the community to let, you know, a building get in that bad of disrepair that it has to be torn down. But, uh ---

Mrs Harrington — If she gets that building permit, what will be the first inspection that needs to be done on it?

Mr Wicklund — Well, I, I'd, I was going to do it when you actually picked up the permit. But, one thing to keep in mind, the rule of thumb is, don't ever cover anything up without it being inspected. So that applied to, in your situation, the sub-floor that you are talking about. We need to look at the floor joist and anything underneath the house before you put the sub-floor down.

Ms Julie — Ok.

Mr Wicklund — Uh, the sheathing, the, the plywood on the outside of the house, we need to look at that before they start putting the siding up. So, at this point, uh, we do need to look at the condition of the foundation, what repairs have been

made and determine whether or not it needs to go further, or where we are at on the foundation. We need to look at the framing of the house, anything that is exposed. So, that is any of the wall, the roof structure, the floor joist inside that are exposed. We want to look at those.

Ms Julien — OK.

Mr Wicklund — Uh, those would be the first inspections.

Mr Oliver — I have a question. Do, I know you are talking about getting a lot of free labor and things of that nature. Do you have the funds ---

Ms Julien — I still have $15,000 in the bank, but I was going to save that for retirement. But I can use that for this. Not a problem --- And the rest of the stuff, I mean, that's just the materials and that's, that's not even the materials that are all going to be free and then, the one's that we already have purchased and waiting to installed.

Mr Oliver — Well this, this is a pretty large house.

Ms Julien — It is.

Mr Oliver — I mean, you will probably eat that up, or close to it, just getting the outside done.

Ms Julien — Well, the outside, we've already got. Like I said, the plywood that will go on there is already there. I mean, it's not there at the house. It's setting at Dan's house. It's already been purchased. Um, that's ready to go and the siding and all that, he is doing at cost which is the six grand that's going to take for the siding.

Mr Oliver — Have you spoken with any bankers at all?

Mr Julien — I have not --- I mean, if that's an option, I can, gladly go down and do that.

Mr Denham — Well, I don't think any bank would talk to her if it is ordered demolished at this point. We'd, at least, have to have a stay.

Mr Oliver — Right.

Mr Denham — What's the thought on the Board --- I'd be open for a stay, for a very specific period of time. And we need to see some real progress between now and next Board meeting.

Mrs Harrington — I'd want to know in thirty days, what kind of progress has been made and that's why I was asking about the inspections, that we need to be able to verify what work has been done in that period of time. To show some ---

Mr Callihan — I think a very strict timeline should be established, because, if you've got people doing exterior work and they want to wait until summer time, I would question that ---

Ms Julien — Ok.

Mr Callihan — Because you can do exterior work right now.

Mrs Julien — Ok.

Mr Calliahn — You know. Part of, like I said, it's been under the microscope because it's already been ordered demolished and, and the, the neighbors are going to be watching it and we are about to put, a potentially, back into service again, which, I completely respect. I'm, I'm about a fan of private property and, and owning your own property and, um, I agree, I think, to, to demolish it is, is a bit of an act of, of failure but in some cases, it's due. Um , I can tell that emotion is driving a lot. You've got through some personal challenges, to say the least. A little bit more objective an approach is going to helpful and healthy. Um, but uh, it, it's going to take a lot of discipline to, to pull this off in a timely manner. And in a, in a legal way as well. And all that's for your benefit and the neighbors benefit and who ever owns that property after you. So, yeah, you know, you, it's good that you've got friends that are going to donate time and effort but, sometimes, having a good heart is not necessarily a good thing. I've seen a lot of volunteers come in for, for the tornado and their, their hearts in the right place but they don't have the talent or the skill to, to pull it off. So, as you've already discovered, you've, you've paid money, given away, you know, funding and, and not had any results for it. So it's going to take a lot of discipline to, to pull this off, if the Board decides to go that way --- Do we have, since it's already been passed, uh, uh, decided to demo, I'm not sure what we have to do to get it back on the schedule to, you know, to kind of get it back on the Board again, I guess. Back on the, it, it ---

Mrs Harrington — Put a stay on it.

Mr Denham — Well, we don't necessarily have to bring it back on the Agenda.

Mr Callihan — Ok.

Mr Denham — We can, we can address things that have previously ---

Mr Callihan — Ok.

Mr Paul — But, and since you are new to the Board, but basically, there's already and order out there and what the Board is doing is, rather than altering its order, it's merely issuing a stay on the execution of the order, pending certain requirements. And, and what we require the landowner to do is execute a waiver that they can then come back around and act like it's a whole new

process. It, it's not. It's basically saying, "We've got this order in place. We are not doing this again, but, if you comply with X, Y and Z, you know, we'll vacate the order. Consider vacating the order."

Mr Callihan — Ok.

Mr Denham — If we did that, I think, at our next meeting, you'd have to have a permit in place, have some progress made and come with a nice time line that is Reasonable –

Ms Julien — OK.

Mr Denham — That we can review. I don't expect you to throw out a time line now, because, you're probably not prepared to. Give some thought to it. Get with your contractor, friends and --

Ms Julien — OK

Mr Denham — Come up with a time line. Exterior is crutial.

Ms Julien — You want exterior first or ---

Mr Denham — Well, you got ---

Ms Julien — Or the interior first?

Mr Denham — Well, I mean, I'm not saying that, but getting the outside sealed up so that doesn't ---

Mr Julien — Oh, right, right.

Mr Denham — Continue to deteriorate and so forth. And meeting with Jeff and Bryan to see exactly what needs to be complete is crucial. Do we have a motion?

Mr Hartwell — Mr Chairman, uh, I make a motion that Item # 2781, 519 N Jackson be the subject of a stay on the demolition order that this Board made in or previous meeting.

Mr Paul — Subject to a Wavier.

Mr Denham — You want to put a period of time on that stay?

Mr Hartwell — For thirty days.

Mr Denham — Then can we extend that stay after thirty days.

Mr Hartwell — With the option to extend that stay.

| | |
|---|---|
| Mr Denham | Sure. |
| Ms Julien | Thank you. |
| Mr Oliver | Subject to the Waiver? |
| Mr Paul | Yeah, subject, subject to the Waiver. |
| Mr Hartwell | Oh, and that Mrs Julien will sign a Waiver saying that any project, progress that she will make, uh, under the stay, is, will not effect, one way or another, or previous demo or anything, will be, will not affect our decision. |
| Mr Denham | Do we have a second to that motion? |
| Mrs Harrington | Second. |
| Mr Denham | **The motion by Mr Hartwell, second by Mrs Harrington, that Item # 2781, 519 N Jackson, have a stay on the previously ordered demolished order for a period of thirty days to be extendable after that time and, ah, that she does sign a stay provided, I mean a Waiver, provided by the City. All those in favor say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Callihan and Mr Pommert voted "aye"). Those Opposed? (Mr Wilson) Motion carries, 5-1.** I encourage you to get with Jeff and Bryan, --- |
| Mrs Julien | OK. |
| Mr Denham | Very quickly. |
| Mr Julien | OK. |
| Mr Denham | Ah, try to get this resolved. And our next meeting is February 24th. |
| Ms Julien | OK |
| Mr Denham | Plan on coming to that. We will want to hear some progress. |
| Ms Julien | OK. Um --- |
| Mr Oliver | We do have a good phone number on the sign-in sheet? |
| Ms Julien | Did you, Yeah, yes. |
| Mr Oliver | As soon as our attorney gets the paperwork ready, we'll have to have you sign that. |
| Ms Julien | Ok, um, I will be to work this afternoon. Uh, Monday, is Monday good? |

| | |
|---|---|
| Mr Oliver | Um --- |
| Ms Julien | Today's Friday. |
| Mr Denham | As soon as he gets it, he'll call you. |
| Ms Julien | Ok, perfect. Thank you so much, I appreciate it. |
| Mr Denham | Well, good luck. |
| Mr Hartwell | Take care. |
| Mr Paul | Jeff you want to get the file. Do we have a file floating around here? |
| Mr Oliver | I'm sorry. |
| Mr Paul | Is this it right here? |
| Mr Oliver | Is this her's? |
| Mr Denham | We you guys interested in something else. |
| Mr Paul | Hanging out? |
| Mr Brooks | Just here to observe. |
| Mr Denham | We appreciate your time. Thank you. Do we have any properties that are subject to the demolition hearing? |
| Mr. Paul | Yeah, we've got two. The first is 820 S Picher. |
| **ITEM # 2778** | **820 S Picher**<br>**OWNER: Michael and Vicki Banks**<br>**ADDRESS: /20 s Picher, Joplin, MO 64801**<br>**"Demolition Hearing" has been posted in the Joplin Glove Legal Section. Item continued from the October 28, 2016 meeting for a "Demolition Hearing" and Progress Report (FOURTH TIME BEFORE THE BOARD).** |
| Mr. Denahm | Item # 2778, 820 S Picher. Do we have a motion to make Item # 2778 subject of Demolition, or Dangerous Building hearing? |
| Mr Pommert | Mr Chairman, I move that Item # 2778, 820 S Picher, be the subject of a Demolition Hearing. |
| Mr Denham | Do we have a second? |
| Mr Wilson | Second. |

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| Mr Denham | **Motion by Mr Pommert, second by Mr Wilson that Item 2778, 820 S Picher be the subject of Dangerous Building Hearing. All those in favor, say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Callihan, Mr Wilson and Mr Pommert voted "aye"). Those opposed (None) Motion carries (6-0).** |
| Mr Paul | Thank you. This is the Building Board of Appeals meeting in the Joplin Municipal Building, this 27th day of January, 2017, for the purpose of conducting a demolition hearing. The City will present its evidence first, after which the public has a right to cross-examine witnesses and be heard, as well as present witnesses or exhibits. The case for today is Item # 2778 on the Agenda, also known as 820 S Picher. The City calls Jeff Oliver. |
| Mr Oliver | Bet. |
| Ms Willhite | I'm sorry. Do you solemnly affirm, under the penalty of perjury, that the testimony you shall give in the matter at issue shall be the truth, the whole truth and nothing but the truth? |
| Mr Oliver | Yes. |
| Mr Paul | You please state your name and occupation. |
| Mr Oliver | Jeff Oliver, Building Inspector for the City of Joplin. |
| Mr Paul | And how long have you been employed in your current position with the City of Joplin? |
| Mr Oliver | Eight years. |
| Mr Paul | Have you, in the performance of your duties, had an occasion to inspection the property known as 820 S Picher? |
| Mr Oliver | Yes, I have. |
| Mr Paul | I am going to show you what's marked Exhibit #1. Do you, ah, recognize that? |
| Mr Oliver | Yes. These are photos that I took of the property, um, back on 8/3 of 2016. |
| Mr Paul | And do the photographs show reasonable likeness of the premises in their present condition? |
| Mr Oliver | Yes, they do. |
| Mr Paul | If there's no objection, I'll offer Exhibit #1. |

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| Mr Denham | The Board accepts. |
| Mr Paul | What, if anything, did you do to ascertain ownership of the property? |
| Mr Oliver | Ah, we had a title search done. |
| Mr Paul | I'm going to show you what's marked Exhibit #2. Do you recognize it? |
| Mr Oliver | This is a title search received from Great American Title, um, on August 11th of 2016. |
| Mr Paul | Who's it show as the owners of the property? |
| Mr Oliver | Michael and Vicki Banks, husband and wife. |
| Mr Paul | Thank you, if there's no objection, I'd offer Exhibit # 2. |
| Mr Denham | The Board accepts. |
| Mr Paul | What, if anything, did you do to notify the owners of the property of this a action? |
| Mr Oliver | Sent certified letters. |
| Mr Paul | I'm going to show you what's been, ah, marked as Exhibit #3. Do you recognize those? |
| Mr Oliver | Uh, yes. Exhibit #3 are certified letters that were sent to, ah, Michael and Vicki Banks, ah, to the address of 820 Picher. Um, I have no signed receipts. There are several letters dating back to, ah, August when this case started. |
| Mr Paul | Thank you. If there's no objection, I offer Exhibit #3. |
| Mr Denham | The Board accepts. |
| Mr Paul | Uh, now Jeff, we did do, uh, you did conduct some additional efforts to, um, see if you could find alternative addresses for these property owners, is that correct? |
| Mr Oliver | Yeah. |
| Mr Paul | And I'll show you what's marked as Exhibit #4. Do you recognize that? |
| Mr Oliver | Yeah, this is, ah, from, ah, Jasper County Beacon, an aerial photo of the property, that I put in each file. |
| Mr Paul | And, uh, what is the owner address on there? |

Mr Oliver 820 S Picher.

Mr Paul So the Jasper County Assessor doesn't have alternative contact information for these folks.

Mr Oliver No.

Mr Paul If there's no objection, I'd offer Exhibit #4.

Mr Denham The Board accepts.

Mr Paul And you also, uh, conducted a, uh, search in Case.net, is that correct?

Mr Oliver Yeah.

Mr Paul And I will show you what's marked as Exhibit #5. Do you recognize that?

Mr Oliver Um, it's, uh, from Missouri, Case.net, uh, showing, uh, Michael and Vicki Banks and, uh, Freeman Health System filing a claim against them.

Mr Paul And what is the address shown for the defendants which was Michael and Vicki Banks, in that case?

Mr Oliver Again, it is 820 Picher.

Mr Paul Ok. Thank you. If there's no objection, I offer Exhibit #5.

Mr Denham The Board accepts.

Mr Paul Now, Jeff, I'm going to show you what's marked as Exhibit #6, which is an e-mail to your department from the Legal Department. Do you recognize this?

Mr Oliver Yes, I do.

Mr Paul And, to kind of summarize the contents of that letter, um, it basically describes the fact that, uh, the, the heirs, that the sons of Michael and Vicki Banks have been contacted in this case and have informed us that they both passed away. Uh, they have not opened an estate. They don't know if they are going to open an estate. And, um, they really don't know what they are going to do with the property, however, the City informed them of today's meeting, not only, about a month ago, but also yesterday, correct?

Mr Oliver That's correct.

Mr Paul So, in short, uh, at least two or three heirs were given actual notice of today's meeting, correct?

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| Mr Oliver | Yes. |
| Mr Paul | Thank you. If there's no objection, I over Exhibit #6. |
| Mr Denham | The Board accepts. |
| Mr Paul | Uh, I will show you what's marked Exhibit #7 and #8. Do you recognize these? |
| Mr Oliver | These are, uh, certified letters that have been sent out, um, Exhibit #7, these letters were sent to the Missouri Department of Revenue. Um, there's two that have been sent out; one for the December meeting and one for this meeting today and I have signed receipts for, uh, those letters. Exhibit #8 are certified letters sent out to the Department of Treasury/IRS. Um, there are two letters here, um, also letting them know of the December 8th meeting and today's meeting, January 27th and I have signed receipts for those letters. |
| Mr Paul | If there's no objection, I offer Exhibits #7 and #8. |
| Mr Denham | The Board accepts. |
| Mr Paul | What, if anything else, did you do to notify the owners of the property of this action? |
| Mr Oliver | It was published in the Joplin Globe. |
| Mr Paul | I am going what's marked as Exhibit #9. Do you recognize that? |
| Mr Oliver | This is the, uh, Affidavit of Publication received, uh, from the Globe, ah, with the publication dates of 9/1, 9/8, 9/15 and 9/22 of 2016. |
| Mr Paul | If there's no objection, I offer Exhibit #9. |
| Mr Denham | The Board accepts. |
| Mr Paul | And to return back to Exhibit #1, um, I believe that, on the first photograph of Exhibit #1, it shows that a Notice was posted on the structure. Is that correct? |
| Mr Oliver | That's correct. |
| Mr Paul | Did you receive notice of anyone, uh, who might be in possession of around property that, ah, this was subject to this proceeding? |
| Mr Oliver | Yes. |

Mr Paul — What school and education have you had in the building industry which qualifies you as an expert in the construction of buildings?

Mr Oliver — I have been a general contractor, ah, residential contractor in the Joplin area over a twenty year period.

Mr Paul — And as we discussed, earlier, you've, ah, been to the property, correct?

Mr Oliver — That's correct.

Mr Paul — And do you have an expert opinion as to whether or not these premises constitute a dangerous building as defined in Chapter 26, Article X, Section 26-612 of the Code of Ordinances of the City of Joplin and if so, in which of the definitions of a dangerous building do you base your opinion, if any?

Mr Oliver — Yes, I do. Sub-section Line 4: Whenever the building or structure, exculsive of the foundation, shows substantial damage or deterioration of the supporting or non-supporting members, or enclosing or outside wall, or wall coverings. You can see by the photos, um, this structure is severally decayed, damaged. It's beyond repair. Um, it's also, tied in with Line 6: Whenever any portion thereof has been damaged by fire, earthquake, tornado, wind, flood, vandals or any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such a catastrophe or damage and is less than the minimum requirements of this Code for similar new construction. Obviously, again, as you can see by the photos, uh, this structure is far from meeting any of the City of Joplin's building codes or ordinances.

Mr Paul — In fact, there's a tree growing out of, isn't there?

Mr Oliver — Yes, there are massive holes in the walls, roofs, It's, it's beyond gone. And also, Line 13: Whenever the building or structure has become an attractive nuisance to children or is open to unauthorized or unlawful entry. Uh, that pretty much explain, itself. The structure is open.

Mr Paul — Again, no windows, no doors or anything like that, correct?

Mr Oliver — Right.

Mr Paul — Uh, thank you, Jeff. If there's no objection, I'd offer Chapter 26, Articles IX and X of the Joplin Code of Ordinances as evidence before the Board. I'd also ask that the record be held open to include a copy of the Globe on dates of publication. Um, I'd also ask that the, ah, Board take judicial notice of its file.

Mr Denham — The Board accepts.

Mr Paul — This would be, uh, the defendants opportunity to cross examine the witness. I see no defendant in the audience, today. I believe that, ah, one of the heirs indicated that he was going to try to convince another heir to come today. But, again, it's 10:30 here. We told him were starting at 9:00 and we don't see anyone in the audience. We haven't hand any communications from anyone today confirming that they were going to be here, so, I am just adding that to the record. Um, does the Board have any questions of this witness? I see none. The City will rest. Again this will be the defendant's opportunity to testify now and we don't have anyone in the gallery. Not aware of anyone, uh, who's going to be here today and therefore, we'll turn it back over to the Board of a decision.

Mr Denham — Do we have a motion for demolition?

Mr Wilson — Mr Chairman, I move that Item # 2778, 820 S Picher, be declared a dangerous building in accordance with the Joplin Code of Ordinances, Chapter 26, Articles IX and X, Section 26-612, Sub-section 18, 19, Lines 4, 6, and 13 and so ordered demolished.

Mr Denham — Do we have a second?

Mr Pommert — Second.

Mr Denham — **Motion by Mr Wilson, second by Mr Pommert, that Item # 2778, 820 S Picher, be declared a dangerous building and ordered demolished in accordance to the City of Joplin, Code Ordinances under Chapter 26, Articles IX and X, Section 26-612, Sub-sections 4, 6, and 13. The demolition will include all out buildings. All those in favor of demolition order say "aye", " (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Callihan, Mr Wilson and Mr Pommert voted "aye"). Those opposed? (None). Motion carries (6-0).**

**ITEM # 2790** — **2301 Iron Gate**
**OWNER: Baldwin Rental Properties**
**ADDRESS: PO Box 271, Joplin MO 64802**
**"Demolition Hearing" ahs been posted in the Joplin Glove Legal Section. Item continued from the December 9, 2016 meeting for a "Demolition Hearing" and Progress Report (THIRD TIME BEFORE THE BOARD).**

Mr Paul — So I'm to use this one?

Mr Oliver — Well, um, they've gone out and done a little bite more but it's just trying to, um, what I'm trying say is here, when I took these pictures two weeks ago they have been back out there.

Mr Paul — So do you want to ---

Mr Oliver — It's still not done.

Mr Paull — Um, yeah, so would you prefer to, and we can pass, I'll pass around these photos Jeff took. Um, Jeff indicated that they have been out there in the last couple of weeks but, it's been a while since, think, they have done any major work, is that right, Jeff?

Mr Oliver — Yes, it's kind of like they got it down, got the majority of it cleaned up and then I wasn't noticing any progress for a few weeks. He was cleaning when –

Mr Paul — So, if he ---

Mr Oliver — When I took the original pictures that you all have. I went back by yesterday and they'd done a little bit more work. Um, I don't have a copy of their building permit in my file. I meant to do that and didn't. But I'm sure the permit has expired. Your demo permits are typically good for 30 days and I think we are beyond that. Uh, ---

Mr Denham — Did you have any conversation with them.

Mr Oliver — I tried to call.

Mr Denham — Did they understand that they, what we want to see when the demolition is complete?

Mr Oliver — Um, I'm pretty good about telling everybody, footings, foundation ---

Mr Denham — So, yes, they, ---

Mr Oliver — All have to do.

Mr Denham, — Yes, so, yeah, they, they, and the out build, is that, that won't be allowed to stay, as well?

Mr Oliver — No. Uh, he might want to buck that.

Mr Denham — Yeah, I'm sure, where he can store stuff in it. Yeah. So what do you think we should do at this point? You guys going to order the rest of it demolished?

Mr Oliver — My intent, until I went by yesterday, was, yes. Today, there was progress. I don't know if we want to give him a little more time.

Mr Denham — It wouldn't take long. I drove by it yesterday, too. It just, it's right there.

Mr Oliver — Yeah.

Mr Denham — It's just a matter of getting a truck or a trailer and finishing it up.

Mr Wilson — Probably just needs a little, nudge on it.

Mr Denham — Yeah.

Mr Wilson — To complete it.

Mr Oliver — I don't know. He's got a couple of guys he just hires, here and there, and works the part time here and there 'cause he owns several properties.

Mr Denham — Yeah.

Mr Oliver — I don't' think at this point, it would hurt, in my opinion, for the City to go ahead and give him the opportunity to finish it. It, It kind of, progress did, kind of, stop there for two or three weeks.

Mr Denham — And there was long time where it was just, down on the ground.

Mr Oliver — Yes.

Mr Denham — So, that's a big improvement. But it needs to be finished. Um, I guess we could send him a letter, just let him know exactly what needs to be done to get it off our Agenda.

Mr Wison — When you are cleaning up something like that, with this on-again-off-again weather we've had kind of slows things down, so we can give him a little leeway on that, I'd think.

Mr Paul — OK.

Mr Denham — We have a motion to continue? This is Item ---

Mr Callihan — # 2790.

Mr Denham — 2790.

Mr Hartwell — Mr Chairman, I make a motion that Item # 2790, 2301 Iron Gates, be continued to our February 24th meeting for a Progress Report and Demolition Hearing.

Mr Pommert — Second.

Mr Denham — **Motion by Mr Hartwell, second by Mr Pommert, that Item # 2790, 2301 Iron Gates Road by continued to our February 24th hearing for Progress Report and Demolition Hearing at the time. All those in favor say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr**

**Callihan, Mr Wilson and Mr Pommert voted "aye"). Those opposed? (None). Motion carries (6-0).**

Mr Paul — There's one other one here, that we will probably bring a next-time-up. I want to spend some more time looking for these people because they decided to title it in the name of six different people. Uh, so I just need to spend a little more time with that. But, uh, that's ah, # 2782, 905 Central Street. But I would expect that that would be something that we need bringing you in February.

Mr Oliver — Um, I got a couple to release. In a conversation I've had in the last month, where, uh, with Bryan, through the tornado and as many properties as we had, we, kind of , got in the habit of uh, whatever we had, whatever was left, just continuing the rest of the Agenda. He informed me, he would like for us to, at least, go over these properties, each property, each item. So, um, Item ---

Mr Denham — Then he left.

**ITEM # 2689** — **1310 Missouri**
**OWNER: Clayton Doudy**
**ADDRESS: 13020 Frontage Rd., Bentonville, AR 72712**
**"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the December 9, 2016 meeting for a "Demolition Hearing" and Progress Report (NINETEENTH TIME BEFORE THE BOARD).**

Mr Oliver — Yeah. Item # 2689, uh, 1310 Missouri. Uh, that property has been demolished and can be released.

Mr Denham — Do we have a motion to release?

Mr Hartwell — Mr Chairman, I make a motion that Item # 2689, 1310 Missouri, be released from this Agenda.

Mr Wilson — Second.

Mr Denham — **Motion by Mr Hartwell, second by Mr Wilson, that Item # 2689, 1310 Missouri, be released from our Agenda due to the demolition being complete. All those in favor of the release say "aye" " (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Callihan, Mr Wilson and Mr Pommert voted "aye"). Those opposed (None). Motion carries (6-0).** That one was a long time coming. Glad to see that off the Agenda.

**ITEM # 2782** — **905 Central St**
**OWNER: Adolphus Robinson**
**ADDRESS: 905 Central St, Joplin, MO 64801**

**"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the December 9, 2016 meeting for a "Demolition Hearing" and Prlgress Report (FOURTH TIME BFORE THE BOARD).**

Mr Oliver — Item # 2782, 905 Central. Uh, Jordan just kind of spoke about that. We can continue that to next month. We might have some more information.

Mr Denham — Do we have a motion to continue?

Mr Wilson — Mr Chairman, I make a motion that #2782, 905 Central Street be continued to our next meeting.

Mr Pommert — Second.

Mr Denham — **Motion by Mr Wilson, second by Mr Poommert, that Item # 2782, 905 Central, be continued to our February 24th meeting for Progress Report and Demolition Hearing. All those in favor say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Callihan, Mr Wilson and Mr Pommert voted "aye"). Those opposed (None). Motion carries (6-0).**

**ITEM # 2785** — **417 S Park**
**OWNER: Dawn Morian**
**ADDRESS: 6720 Woodson, Raytown, MO 64133**
**"Demolition Hearing" has been posted in the Joplin Glove Legal Section. Item continued from the December 9, 2016 meeting for a "Demolition Hearing" and Progress Report (FOURTH TIME BEFORE THE BOARD).**

Mr Oliver — Item # 2785, 417 S Park. Um, I got a message left on my phone, I believe it was Tuesday, um, from the owner. She has had some surgery, um, so progress has kind of stopped. They actually, live out of town. Um, but they have made a lot of progress since this was first brought up. There's a metal roof on it, um, they've cleaned up a lot so ---

Mr Denham — It looks better. I noticed the back, there's still a window boarded up on the back side ---

Mr Oliver — Yes.

Mr Denham — And the out-building, they mind as well as plan on taking it down. It's in pretty bad shape.

Mr Oliver — Yeah, in fact I took a picture yesterday of that.

Mr Denham — But the front looks good.

Mr Oliver — Yip. So we can just continue that to February as well, I guess.

Mrs Harrington — Mr Chairman, I make a motion that Item # 2785, at 417 S Park, be continued until February 24th, for Demolition Hearing and Progress Report.

Mr Hartwell — Second.

Mr Denham — **A motion by Mrs Harrington, second by Mr Hartwell, that Item # 2785, 417 S Park, be continued to our February 24th meeting for Demolition Hearing and Progress Report. All those in favor say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Callihan, Mr Wilson and Mr Pommert voted "aye"). Those opposed (None). Motion carries (6-0).**

**ITEM # 2786** — **211 S Park**
**OWNER: Lois Shilkett**
**ADDRESS: 812 N Pearl Ave, Joplin, MO 64801**
**"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the December 9, 2016 meeting for a "Demolition Hearing" and Progress Report (FOURTH TIME BEFORE THE BOARD).**

Mr Oliver — Item # 2786, 211 S Park. Lois and I have kind of played phone tag this week. Um, they've made a little progress. I think they've kind of, uh, they are a little older folks and I think the weather probably had a lot to do with them getting out there and working on it. But they've go permit, so, uh, continue to February 24 on that as well, if you would?

Mr Denham — We have a motion?

Mr Pommert — Mr Chairman, I make a motion that Item # 2786, 8 – I'm sorry, 2786, 211 S Park, be continued to our February 24th meeting.

Mr Wilson — Second.

Mr Denham — **A motion by Mr Pommert, second by Wilson, that Item # 2786, 211 S Park, be continued until our February 24th meeting for Progress Report and Demolition Hearing. All those in favor say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Callihan, Mr Wilson and Mr Pommert voted "aye"). Those opposed (None). Motion carries (6-0).**

**ITEM # 2787** — **905 S Monroe**
**OWNER; Sherilyn Roosevelt and Edward Watkins**
**ADDRESS: 523 Webb St, Webb City, MO 64870**
**"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the December 9th, 2016 meeting for a**

**"Demolition Hearing" and Progress Report (THIRD TIME BEFORE THE BOARD).**

Mr Oliver — Item # 2787, 905 S Monroe. The owner signed a consent form for demolition. This has gone to Council for approval and a contract has been awarded. They have not got to the property to demo it yet but everything's in place. So if you want to release it ---

Mr Denham — Is there a motion?

Mr Pommert — Mr Chairman, I move that Item # 2787, at 905 S Monroe, be release from this Agenda as demolition is pending.

Mr Wilson — Second.

Mr Denham — **A motion by Mr Pommert, second by Wilson, that Item # 2787, 905 S Monroe be released from our Agenda due to the demolition be contracted and will be taking place shortly. All those in favor of the release say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Callihan, Mr Wilson and Mr Pommert voted "aye"). Those opposed? (None). Motion carries (6-0).**

**ITEM # 2789** — **814 W A St**
**OWNER: Richard and Judith McWilliams**
**ADDRESS: PO Box 1772, Joplin, MO 64802**
**"Demolition Hearing" has been posted in the Joplin Glove Legal Section. Item continued from the December 9, 2016 meeting for a "Demolition Hearing" and Progress Report (THIRD TIME BEFORE THE BOARD).**

Mr Oliver — Item # 2789, 814 W A Street. Uh, this property can be released. It was demolished, um, I will say without a permit. Done over the weekend. It is gone, so ---

Mr Denham — Came in overnight got 'er done –

Mr Oliver — I guess.

Mr Denham — We have a motion to release?

Mr Wilson — Mr Chairman, I make a motion that Item # 2789, 814 W A Street, be released from our Agenda due to demolition.

Mr Pommert — Second.

Mr Denham — **A motion by Mr Wilson, second by Mr Pommert that Item # 2789, 814 W A Street be released from our Agenda due to demolition being complete. All those in favor of the release say "aye" (Mr Denham, Mr**

**Hartwell, Mrs Harrington, Mr Callihan, Mr Wilson and Mr Pommert voted "aye"). Those opposed? (None). Motion carries (6-0).**

**ITEM # 2793** **1935 Laurel**
**OWNER: Benjamin and Diana Burns**
**ADDRESS: 1935 Laurel St, Joplin, MO 648014**
**"Finding of Fact Hearing" schedule dfor this date"**

Mr Oliver — Item # 2793, 1935 Laurel. Uh, this property was subject of a fire and, uh, is an automatic continuance for thirty days.

Mr Denham — At least they boarded it up. That was nice.

Mr Oliver — Well, we talked about it.

Mr Pommert — Mr Chairman, I move that Item # 2793, 1935 Laurel be continued to our February 24th meeting for a Progress Report or Demolition Hearing.

Mr Wilson — Second.

Mr Denham — **A motion by Mr Pommert, second by Mr Wilson that Item # 2793, 1935 Laurel be continued to our February 24th meeting for Progress Report and Demolition Hearing. All those in favor of the release say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Callihan, Mr Wilson and Mr Pommert voted "aye"). Those opposed (None). Motion carries (6-0).**

Mr Oliver — Question, did we make a motion on #2790, the Iron Gates Property we discussing or –

Mr Denham — Yes.

Mr Oliver — OK.

Mr Denham — Yeah, it was continued.

**ITEM # 2794** **719 Indiana**
**OWNER: James and Hazel Atkinson**
**ADDRESS: 719 Indiana, Joplin, MO 648014**
**"Finding of Fact Hearing" scheduled for this date.**

Mr Oliver — And last, # 2794, 719 Indiana. Uh, this property was also subject to a fire. I will say, Uh, I had several conversations with the owner and I believe he has already signed a contract with Jordan Disposal to demolish it. So hopefully, by the meeting next month, it will be gone.

Mr Denham — We have a motion?

Mr Pommert — Mr Chairman, I make a motion that Item # 2794, at 719 Indiana be continued to our February 24th meeting for a Progress Report or Demolition Hearing.

Mr Wilson — Second.

Mr Denham — **A motion by Mr Pomert, second by Mr Wilson that Item # 2794, 719 S Indiana be continued to our February 24th meeting for Progress Report and Demolition Hearing. All those in favor of the release say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Callihan, Mr Wilson and Mr Pommert voted "aye"). Those opposed (None). Motion carries (6-0).** Mr Callihan reminded me that we are supposed to, I am supposed to, uh, read the, uh, Mission Statement of this Board, at the beginning of the year, at the first meeting. Probably good that, we remind ourselves but. "The purpose of the Commission is to consider variances to the Building Code pertaining to specific construction practices and conducts Finding of Fact Hearings as required under Dangerous Building Ordnance, relating to condemnation of dangergous structures."

Mr Callihan — Have this on the record that mission statement is on the front page.

Mr Denham — Pardon me?

Mr Callihan — That Mission Statement's on the front page of that, our ---

Mr Denham — Our book?

Mr Callihan — Yes. Sorry to get caught up in the ---

Mr Denham — No I appreciate it. That is something that we've failed to do for the last few years.

Mr Callihan — It just said to do it at the, uh, the first, uh, meeting of the calendar year and I assumed we go January 1st not December 31st, not a physical year.

Mr Denham — No, we have monthly meetings except November, December. We combine those and have an early December meeting because of Thanksgiving and Christmas.

Mr Callihan — I just read about every ordinance that I felt I needed to read and, uh, I think I went way to far but, uh, ---

Mr Denham — I appreciate you coming. You're well versed.

Mrs Harrington — I have a question and I don't know whether we need to go off the record of stay on but let's go off the record.

Mr Denham — Do we have a motion to adjourn?

Mr Hartwell — Mr Chairman, I make a motion that we adjourn.

Mr Pommert — Second.

Mr Denham — **All in favor of adjournment, say "aye". Mr Denham, Mr Hartwell, Mrs Harrington, Mr Callihan, Mr Wilson and Mr Pommert voted "aye"). Meeting adjourned.**

There being no further business to come before the Building Board of Appeals, the meeting stood adjourned at 11:12 a.m.

Approved _____
Kyle Denham, Chairman

Approved _____
Elizabeth A Willhite, Notary Public

My Commission expires: 11/8/20

STATE OF MISSOURI NOTARY SEAL
ELIZABETH A. WILLHITE
Notary Public
Jasper County
My Commission Expires
November 8, 2020
Commission # 16542728