JOPLIN | BUILDING BOARD OF APPEALS

Building Board of Appeals

Meeting Minutes

February 24, 2023

Call to order

Mr. Denham called to order the regular meeting of the Building Board of Appeals on February 24, 2023.

Roll call

Mr. Denham conducted a roll call. The following persons were present: Kyle Denham, Garret Wagner, Christopher Tucker, Steve Brown, Gary Duncan, City Building Official Bryan Wicklund, Jeff Oliver and Administrative Assistant Vicky Copeland. Mr. Denham announced the resignation of Mr. Malone from the Board.

Motion to Excuse

Mr. Duncan made a motion to excuse Mr. Windsor from the February 24, 2023, Regular Meeting and Mr. Brown seconded the motion.
(5 Aye, 0 Nay, 2 Absent)

Approval of Minutes

Mr. Wagner made a motion to approve the Regular Meeting of Building Board of Appeals minutes from January 27, 2023, and Mr. Duncan seconded the motion. (5 Aye, 0 Nay, 2 Absent) Motion carried.

Continued Items

Item 2913, 3615 S. Range Line Rd.

The owner was not present at the meeting. Mr. Oliver stated the developer was trying to work with the City. Mr. Wicklund stated the City was very receptive. The City would need reimbursement and several different methods were discussed. **Motion to continue Item 2913, 3615 S. Range Line Rd. to March 24, 2023, Board of Appeals meeting for progress report and demolition hearing made by Mr. Duncan. Seconded by Mr. Wagner. (5 Aye, 0 Nay, 2 Absent) Motion carried.**

Item 2947, 2408 Willard Ave.

The owner of the property was not present. Mr. Oliver stated the owner had not made any improvements to the residence since the last meeting. **Motion to continue Item 2947, 2408 Willard Ave. to March 24, 2023, Board of Appeals meeting for progress report and demolition hearing made by Mr. Tucker. Seconded by Mr. Wagner. (5 Aye, 0 Nay, 2 Absent) Motion carried.**

Item 2968, 217 N. Gray Ave.

Donna Bray, owner of the property was not present. Mr. Oliver stated he has not had contact with Ms. Bray since last month. He stated there had been no progress and no inspections to the property. The backyard was padlocked. Mr. Wicklund asked if the demolition bids went before the City Council previously. Mr. Oliver stated yes. **Motion to lift the stay of demolition on Item 2968, 217 N. Gray Ave made by Mr. Tucker. Seconded by Mr. Duncan. (5 Aye, 0 Nay, 2 Absent) Motion carried.** Mr. Paul stated Ms. Bray would receive a letter to notify her the stay had been lifted.

Item 2985, 130 S. Moffet Ave.

Wendy Stevens, owner of the property was not present at the meeting. Mr. Oliver asked for a continuance until March 24th. He has not had contact with Ms. Stevens. **Mr. Tucker made a motion to continue Item 2985, 130 S. Moffet Ave. to the March 24, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (5 Aye, 0 Nay, 2 Absent) Motion carried.**

Item 2986, 302 S. Connor Ave.

Item 2987, 306 ½ S. Connor Ave.

Levi Babb, Blue Shutter Investments, owner of the properties was present. Mr. Babb stated the trees were cleaned up and doors would be changed out this week. He stated he was still waiting on the foundation to be fixed on the north side to start roof. He was also waiting on the drawings. Mr. Denham asked for a rough timeline. Mr. Babb stated six months. Mr. Denham requested a written timeline to be presented to the Board at the March 24th meeting. Mr. Wicklund asked if the issue of the sprinklers had been resolved. Mr. Babb stated the attorney was taking care of the matter. Mr. Wicklund stated he had received no response from the attorney. Mr. Babb stated he wanted to move forward and then have the discussion on the sprinklers. Mr. Wicklund asked why he would want to move forward without first addressing the sprinklers. Mr. Denham questioned why there would be conversations without addressing the sprinklers. Mr. Wicklund stated the rehab would warrant sprinklers. Mr. Tucker stated he remembered the City was upfront about the need for sprinklers. Mr. Babb stated the cost for the sprinklers was a factor and a residential install was quoted as $86,000.00. Mr. Paul said the City's position was clear and has been for 4-6 weeks. The initial conversation was January 13, 2023, and then there was a clarification on January 16, 2023, with no further communication. Mr. Paul stated a meeting had not been requested. Mr. Tucker stated regardless of a meeting the sprinklers were still a City requirement. Mr. Babb stated the loan closed before he was aware of the sprinkler requirement. Mr. Oliver stated if 302 S. Connor was reduced to a duplex then a sprinkler would not be required. Mr. Babb stated the bank would not negotiate now; the loan was closed. **Mr. Duncan made a motion to continue Item 2986, 302 S. Connor Ave. and Item 2987, 306 ½ S. Connor Ave. to the March 24, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (5 Aye, 0 Nay, 2 Absent) Motion carried.**

Item 2990, 801, 803, 805 W. 1st St.

Jeff Neal, 212 S. Joplin St., Joplin, Mo. Neal Group Construction and Common Space Development represented the Cleveland Apartments. Mr. Neal stated the owners could not be there today, so he wanted to present an update. He said they started demolition on the interior walls and fire debris on the second floor about two weeks ago. They were in their third week of demolition clearing out the majority of the western most structure and they are working their way into the most fire damaged in the east. Mr. Neal stated they had a couple of pre-development meetings with the City. They had discussed how they were going to do fire and smoke controls in the attics as they rebuild those. Hunter Millard is redoing the roof plan right now and as soon as they get the new roof plan back, they will apply for a roofing permit with the City. They are starting demolition to get ahead of that process. He had received bills for 50% of that

cost yesterday so the sub-contractors are all in place and they will be paid by the 15th of the month, and they will be moving forward. They will begin reframing the roof again on the western most side of the structure and progress to the most difficult. The owners are committed to saving this structure. Mr. Denham stated the stone he had been most concerned with on the east side he noticed someone had braced it. Mr. Denham stated you are going to have to take it down to reset so why don't you take it down before it falls. Mr. Neal stated because it was a balloon front structure he thought if they take it down, they would encourage more of the interior structure to come apart. He would much rather support it in place, reframe and then be able to take that out before they do. After they have the floor inside reframed. Mr. Denham stated he did not follow. What did the balloon frame have to do with the stone veneer. Mr. Neal stated the stone veneer he believed to be structural in this instance. He said since the interior framing had been damaged, he thought the veneer even though it was under pressure it was still helping hold up that portion of the structure. He would rather get inside and fix that before they took that down. Their plan was to brace it up and leave it in place until they get the interior structure to where they like it. Mr. Denham stated this was under a window. Mr. Neal stated it was under two windows actually and there was a "T" that comes up. They had been taking measurements of the gap on that and they are taking measurements to brace it and we have protected the sidewalk. He stated that was how they would like to proceed. Mr. Denham stated so you are thinking the stone veneer was actually structural or has it just become structural because of the failure of the roof. Mr. Neal stated in that particular case the chimney came down on the floor framing. The floor framing was the cause of the bulge in the wall. He stated until he was able to get in and take the weight of the chimney off because he would build temporary walls underneath the damaged framing. He would take the weight of the chimney off; he does not want to disturb the outer wall because he was afraid of that additional weight of the chimney and floor joist could do as he tries to take that down. Mr. Neal stated they had a plan to deal with it and it is a unique structure. They want to get more familiar with it as they work their way across. Mr. Denham asked if the owners were pursuing historic tax credits. Mr. Neal stated correct, and the application had been submitted. They received notice that it was at the National Park Service. It was individually listed, and they have submitted the part two. It had passed through the State Historic Preservation office. It was being reviewed by NPS right now. They were also working with City Planning to have the property spotlighted so they can also benefit from the 353-tax abatement on the project. It is a significant building to Joplin's history. Mr. Duncan asked if there had been any financials done and what would the rental structure be when completed. Mr. Neal stated there had been financials and they are confident this project would be a for profit entity. He stated the key to that was that they were changing it from a six unit to a twelve-unit structure. They are going to build one-bedroom apartments in the basements and part of that would be the new building get fully fire sprinkled. He stated there are seven existing

garages in the back which the current plan is to rehab those as well. The owners also own the building to the north as well so the place where a former garage was torn down behind the house on Jackson would become a green space a common space for the tenants of all fourteen units that would be there. There would be twelve in the old Cleveland and the house would be turned in to a duplex. **Mr. Wagner made a motion to continue Item 2990, 801,803, 805 W. 1st St. to the March 24, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Duncan. (5 Aye, 0 Nay, 2 Absent) Motion carried.**

Item 2996, 602 S. Sergeant Ave.

Amy Earp, owner of the property was present at the meeting. Mr. Denham asked for information on the property. Ms. Earp stated the door had been repaired, railing fixed, and they were continuing to paint. She stated they have one unit ready to rent and tenants for March. Mr. Denham asked how many units the property had. Ms. Earp stated six. Mr. Denham stated so you have one out of six ready. Ms. Earp stated yes. Mr. Oliver stated all the windows had new glass in them and the property was secure. Mr. Oliver stated in his opinion the property was no longer a danger. **Mr. Tucker made a motion to release Item 2996, 602 S. Sergeant Ave. from the agenda. Seconded by Mr. Wagner. (5 Aye, 0 Nay, 2 Absent) Motion carried.**

Item 3001, 2703 West D St.

Thomas Couch, 2703 W. D St., Joplin, Mo. owner of the property was not present at the meeting. **Motion to hold a Demolition Hearing on Item 3001, 2703 West D St. made by Mr. Wagner. Seconded by Mr. Tucker. (5 Aye, 0 Nay, 2 Absent) Motion carried.** Mr. Paul called Mr. Jeff Oliver, Building Inspector City of Joplin under oath. Ms. Copeland administered the oath. Mr. Paul questioned Mr. Oliver if he had the opportunity to inspect the property at issue and show reasonable likeness for the matter at issue. Mr. Oliver stated yes, he had inspected the property and it does qualify for demolition, and that can be seen in the photographs. (Exhibit 1.1, 1.2, 1.3) Mr. Paul stated the photographs reflect the current condition of the residence. Mr. Oliver stated he had posted the property and it was reflected in the photographs. Mr. Oliver explained that he had a title search done using Great American Title showing Ramona Couch to be the owner of the property. (Exhibit 2) Mr. Oliver stated that he sent certified letters to William and Elise Couch and does have a signed receipt for one letter. (Exhibit 3) Mr. Oliver stated this item was advertised in the Joplin Globe with the publication dates of November 17, November 24, December 1 and December 8, 2022. (Exhibit 4) Mr. Oliver expressed that he had based his opinions off the Code of Ordinances with sub-section line 6, sub-section line 10, sub-section line 12 and subsection line 18. (Exhibit 5) Mr. Oliver stated that in his professional opinion, he

would recommend demolition of the structure. **Motion Item 3001, 2703 West D St. be declared a dangerous building in accordance with the Joplin Code of Ordinances and so ordered to be demolished including any outbuilding to the north but not the garage and ordered to be vacated made by Mr. Wagner. Seconded by Mr. Tucker. (5 Aye, 0 Nay, 2 Absent) Motion carried.**

Item 3002, 301 S. Winfield Ave.

Anabell Lopez, 301 S. Connor Ave., Joplin, Mo. appeared on behalf of the property. Ms. Lopez stated they signed a contract on the January 4th and they were scheduled to close on January 15th. They were given an extension to March 1st. She stated they had not done anything because the property had not closed. She stated they had put a lien against the property, and they are clearing everything before they turn it over to them. Mr. Denham asked if her intentions remained to close on the property and make the renovations to the property. Mr. Denham asked Ms. Lopez if she understood the extent of the building and what is required to remove the property from the agenda. Ms. Lopez stated she does understand. Mr. Denham asked her to come back next month and report on the progress of the property. **Mr. Tucker made a motion to continue Item 3002, 301 S. Winfield Ave. to the March 24, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (5 Aye, 0 Nay, 2 Absent) Motion carried.**

Item 3003, 129 S. Patterson Ave.

Kylin Smith, owner of the property was present. Ms. Smith stated her mother, Sheri Garvin sold the property to her. She stated the property had been roofed and the windows had been ordered. She stated they have one more project ahead of it and then they will get going on this project. Mr. Denham asked if the chimney had been removed and Ms. Smith stated yes. Mr. Denham stated the property looked boarded up and secure. Ms. Smith stated she did not have an electrician hired yet. They do have a plumber. Mr. Oliver advised they would need permitting for the rest of it. **Mr. Duncan made a motion to continue Item 3003, 129 S. Patterson Ave. to the March 24, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (5 Aye, 0 Nay, 2 Absent) Motion carried.**

Item 3004, 630 S. Porter Ave.

Pham Thanh Cong & Cuc Thi, owner of the property was present at the meeting. The owner stated the electrical was completed. He stated he was ready for rough in inspection. He requested more time to work inside. Mr. Denham asked how many months he thought it would take to complete the renovation. He stated probably a couple more months. Mr. Denham stated the outside of the property looked nice and the Board appreciated his effort. **Mr. Duncan made a motion to continue Item 3004, 630 S. Porter Ave. to the March 24, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Brown. (5 Aye, 0 Nay, 2 Absent) Motion carried.**

Item 3010, 1116 S. Jackson Ave.

Amy Earp, owner of the property was present. Mr. Denham asked for a progress report. She stated there was an offer on the property, they accepted, and they should be selling in March. They do not have a closing date currently. They anticipate the closing in March. Mr. Denham asked if the prospective owner knew the property was on the Board's agenda. Ms. Earp stated yes. Mr. Denham asked if she knew the new owner's intention for the property. Ms. Earp stated she did not. Mr. Oliver stated he received an email this morning from the potential buyer. He had been made aware of what the City expected. **Mr. Tucker made a motion to continue Item 3010, 1116 S. Jackson Ave. to the March 24, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Duncan. (5 Aye, 0 Nay, 2 Absent) Motion carried.**

Item 3011, 911 W. B St.

Phillip Bentz, 6667 Manta Rd., Neosho, Missouri represented the owner of the property and he stated he had a business interest in the property. Mr. Denham asked for a progress report. Mr. Bentz stated they got in there and tore off the porch roof with all the rot, new porch roof framed in, roofing put on under decking, facia, siding, everything that was wrong with the front there. He stated the property remained unsecured. He stated he does not have a timeline. Mr. Bentz stated there was more damage to the windows and doors than anticipated. He stated the outside of the property was safe now. Mr. Denham asked if there was a permit for the work completed. Mr. Bentz answered yes. Mr. Oliver stated he recommended getting plywood to secure the property. He stated on his inspection the front door was wide open. Mr. Denham stated anything he could do to keep his property intact.

Mr. Wagner made a motion to continue Item 3011, 911 W. B. St. to the March 24, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Tucker. (5 Aye, 0 Nay, 2 Absent) Motion carried.

Item 3012, 832 S. Pennsylvania Ave.

Ron Bishop, 1702 Kentucky, Joplin, Mo, owner of the property was present. Mr. Bishop stated he had a contractor under contract to do the demolition. The contractor had run into a manpower problem and there seemed to be a holdup with the utility companies getting all the paperwork in so he could begin the demolition. Mr. Bishop stated the demolition company was Henry. Mr. Bishop stated he wanted to fence the entire property to secure the area. Mr. Denham stated they could look at temporary construction fence that is easily moved. Mr. Denham asked for a timeline from the demolition contractor. Mr. Bishop stated three to six weeks roughly. He stated he did not know the manpower situation. Mr. Oliver stated the demolition contractor must be a licensed contractor in the City of Joplin. Mr. Oliver asked Mr. Bishop about signing a Consent form for demolition to allow the City to take bids. Mr. Bishop stated he has had several offers. Henry was one of the offers. He offered to buy all the property for $40,000.00. Mr. Bishop stated he wanted to come out not owing a bunch of money. Mr. Oliver stated if he were to sign the Consent form it would still take a few weeks to get all the bids and probably a couple of more weeks to go before the Council for approval of the money. So, if your contractor got to it before the City did that would be okay. Mr. Oliver stated he would like something else in place in case it gets delayed too long. Mr. Bishop stated he was concerned if he signed the Consent the property would be froze and he would be unable to sell. Mr. Oliver stated he could still sell the property, there would be a lien attached to the property that would need to be satisfied first. Mr. Oliver stated he would advertise for bids, and he would probably have those in 2-3 weeks. He stated he would contact Mr. Bishop with the bids. Mr. Denham stated this would give us another option to get the structure demolished. Mr. Denham said his concern was there was not much holding those walls up structurally. He stated once the roof structure and second floor were burned out those two-story walls do not have much resistance to the wind. Mr. Denham stated that is a big concern. Mr. Bishop stated he would go ahead and sign the Consent form. Mr. Wicklund asked if the garage was going with the house. Mr. Bishop stated it was a separate address. Mr. Wicklund stated he did not want to complicate matters, but the garage had to go with the house. It needed to be torn down as well. He stated you could not demolish a house and just leave a garage. He stated the zoning ordinances would not allow that. Secondly, Mr. Wicklund wanted to advise Mr. Bishop to not spend a lot of time and effort in getting bids and trying to build a permanent fence because before we could sell you a fence permit there had to be a building there. He stated they could sell him a fence permit once the metal building was

built but the City would not issue you a fence permit to fence in an empty yard. Mr. Bishop stated he had never thought about that. Mr. Denham asked about a temporary fence. Mr. Wicklund stated that was fine. Mr. Denham stated the Board was not trying to be difficult they were just trying to take care of the property safely. Mr. Bishop signed the Consent form in the presence of a Notary. **Mr. Tucker made a motion to continue Item 3012, 832 S. Pennsylvania Ave. to the March 24, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (5 Aye, 0 Nay, 2 Absent) Motion carried.**

Item 3013, 1731 S. Pennsylvania Ave.

Steve Mickles, owner of the property was not present. Mr. Oliver stated he had hoped to have this property ready for a demolition hearing, but Mr. Oliver failed to send out a letter. Mr. Oliver recommended this Item be continued. **Mr. Wagner made a motion to continue Item 3013, 1731 S. Pennsylvania Ave. to the March 24, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Duncan. (5 Aye, 0 Nay, 2 Absent) Motion carried.**

New Business

Item 3014, 822 S. Byers Ave.

Joe Micklson, owner of the property was not present. Mr. Oliver asked for this Item to be continued. **Mr. Wagner made a motion to continue Item 3014, 822 S. Byers Ave. to the March 24, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Tucker. (5 Aye, 0 Nay, 2 Absent) Motion carried.**

Item 3015, 117 S. Byers Ave.
Item 3016, 121 S. Byers Ave.

Mark Callihan, 106 S. Moffet Ave., Joplin, Mo. neighbor to the above stated properties. Mr. Callihan questioned the fact that these properties were under New Business and the automatic extension. He wanted to know if this could be waived and proceed immediately to a demolition hearing. Mr. Wicklund stated these properties had been advertised as a Findings of Fact hearing so that alone would keep it from having a demolition hearing today. Mr. Wicklund stated the owners had not been notified of a

possible demolition hearing. Mr. Callihan stated he contested that theory. Mr. Callihan stated he has lived one block from this property for over 20 years. Mr. Callihan provided a "calls for service" list provided by the Joplin Police Department for this location that required response from the police. The list included 231 calls for service from the police from 2020-2022. That averaged 1 call every 5 days. Some of the calls included child abuse, narcotics, illegal drugs, drug overdose, rape, recovery of stolen property, larceny, threats to do harm, flourishing a weapon, abandoned vehicle, mental, trespass, sexual misconduct, stabbing, noise, harassment, burglary, assault, assault with a deadly weapon and kidnapping. He stated these were only the calls that were called into the police. Mr. Callihan stated the problems here have migrated to the neighborhood. He said once and for all remove this blight from our neighborhood and our city. Mr. Tucker stated he had driven by the property, and he could not agree with Mr. Callihan more.

Jim Burns, 115 S. Moffett Ave., Joplin, Mo. Mr. Burns stated he relocated in Joplin after 30 years and purchased in the area because of the work that is being done. Because of the Schifferdecker house plus other homes in the area that people have been working on. He stated he saw these improvements in the neighborhood and also the implementation of an action plan by the City to address blighted neighborhoods. Mr. Burns stated one of the key strategies to address declining neighborhoods is strategy number six which is to reduce the number of vacant and dangerous buildings which states remove vacant and dangerous structures but enhance the community's attractiveness and contribute to a safer community. A portion of that strategy indicates the City will work with neighborhoods to identify initiatives to positively impact neighborhood ownership and pride such as improved appearance of community through better maintenance of structures and properties and where necessary remove vacant and dangerous buildings. He stated the City of Joplin needs to take a stand against the predatory practices of rental owners who allow their tenants to live in buildings which endanger their health and safety and the health and safety of neighbors and residents. The buildings located at 117 and 121 S. Byers are dangerous buildings which as reported in the Joplin Globe according to the maintenance manager, Kim Copher has been damaged by residents or visitors and people coming to stay but not paying rent resulting in little or no funds to pay for repairs. In the article Mr. Copher further states there is no money going to the landlord. The landlord can not even take care of his own family let alone the building. These statements tell us David Carey does not have the money or the interest to maintain those properties. David Carey is a predatory landlord. As also reported in the Joplin Globe he exploits people by exchanging inadequate living conditions for work performed on the property. Mr. Burns stated while this may seem generous at first the unfortunate truth is he is getting far more benefit from these arrangements with those people as his employees. Also, giving someone housing unfit for human habitation in exchange for a hard day's work is nothing more than modern day servanthood. Mr. Burns encouraged the Board to move forward swiftly and judicially and remove these buildings from this neighborhood. Mr. Burns stated lastly no

one wanted to increase our homeless population due to the short sidedness and lack of preparedness of a predatory landlord. He stated he encouraged the City to aggressively engage the residents of those properties and get them the Social Services they need to get them housing. He stated he also wanted to bring forth another thing. He stated the residents of the area submitted a letter with at least 90 signatures on that letter. They want to make sure that letter is entered into these proceedings on both properties. Mr. Denham asked, where is the letter. Mr. Burns stated he mailed the letter last Monday. He stated one City official had the letter and it should have been submitted to them. He stated if the Board did not have the letter, it was not his fault because it was submitted. He said he received acknowledgment that the letter would be submitted. Mr. Wicklund stated he had a copy of the letter. He stated he thought Mr. Oliver had it in the file and the Board would be made aware of the letter. Mr. Wicklund did advise the letter was in the file and would be submitted to the Board for their review.

Dustin Mellies, 1027 S. Main Suite 330, Joplin, Mo. Pro X Property and Realty. Mr. Mellies stated he would like to address the entire Murphysburg area. He referred to the property at 418 W. 2nd which is directly across the street from these two properties. He stated it was quite a project, but the house had made a significant improvement in the neighborhood, and it was getting ready for a tenant. He stated in the process of that they purchased the lots at 205 and 207 S. Byers. There was a brand-new duplex there. He stated their intentions are to purchase 117 and 121 S. Byers. They are currently under contract with the owner. They have a 30-day period to gather bids and decide if they want to move forward with the purchase. They are nearing the end of that. He stated they have a pre-development meeting scheduled for next week. Along with this they intend on buying five other properties from Mr. Carey. He stated on all those properties they plan to build single family homes or duplexes. They have the funding for these projects. He said they have $800,000-$900,000 set aside for 117 and 121 S. Byers. They are prepared to do what it takes to get those properties livable because it is absolutely not right now. Mr. Denham stated you are not talking about demolition. Mr. Mellies stated they are not talking about demolition. They are talking about a full gut and remodel. Mr. Denham stated that would require a fire suppression system. Mr. Mellies stated he understood it would require fire suppression as long as there was adequate pressure at the hydrant from Missouri American Water. Mr. Mellies stated he was going to assume there is pressure because there are other buildings in the vicinity that are suppressed given the proximity to the downtown area. Mr. Denham stated even if Missouri American Water cannot deliver the pressure that is still a code requirement. Mr. Wicklund stated that is actually an exception in the code. Mr. Wicklund stated if the water pressure is not available. Mr. Denham stated so they do not have to provide a supplementary pump. Mr. Wicklund stated it was an exception. Mr. Tucker said so your firm's intent is to fix these nasty properties up. Mr. Mellies stated yes. Mr. Mellies stated they would remove several windows; the two buildings have 144 windows. They would like to get rid of some and replace the rest, new roof and new

siding. He said as far as the asbestos they would prefer to encapsulate that, but they would like to put new. The heating, the residents and everyone in this room are lucky the structure had not burned to the ground. He stated the property is a fire hazard. There are open flames and that is what they are heating with right now. There are wall furnaces with no covers on them. So, they intend on putting mini splits there so that may present an issue getting through the asbestos. He stated if they must, they are willing to have it abated but the intent would be to go with encapsulation. Mr. Tucker asked for a timeline. Mr. Mellies stated without any snags they were looking at 6-9 months. Mr. Denham asked how many units were in the two structures. Mr. Mellies stated there are currently 20 units, 4 two-bedroom units per building and 6 one-bedroom units per building. Mr. Wicklund stated he wanted to make sure everyone was aware of the City's concerns right now. Once the March 10th date comes and goes, they anticipate it being a rather large effort keeping the building secure. So, if you do move forward with the purchase and close on it the very first concern was going to be securing it, keeping it empty and keeping people out of it. Mr. Wicklund stated regardless of what the future holds the property must be secured and that is an immediate concern. Mr. Wicklund stated the City has a very specific ordinance on how to board up vacant dangerous buildings. It specifics ½ inch exterior grade plywood. It would involve the installation of that on every opening; doors, windows, both floors, everything. He stated there are methods to do that so people cannot come in and unscrew it and get in. There are ways to use lag bolts. The plywood then needs to be painted to match the faded paint on the building. When people have secured buildings in the past per the ordinance very seldom was it an issue. It actually holds up well as far as people trying to get in. He stated it does not make it impossible but makes it very difficult. Mr. Mellies stated he understood. Their desire is to fast track this project and get started right away. Mr. Mellies stated they were actually going to charge rent and enforce payment and evictions. He stated the company he represented had already spent money in the neighborhood. He stated he believed Murphysburg deserved this development. He said this property is a big eye sore in the neighborhood and they need the housing. He stated he did not believe they were looking at the same tenant pool. He said there was a housing need in our area. Mr. Duncan asked what is the strength of this building that makes you think it would be easier to rehab it than build new buildings. Mr. Duncan stated because from the outside and everything you have said it is a wreck. Mr. Mellies stated the there is not a whole lot wrong with the structure. Not a settling foundation. There are some sub-floor issues but other than that this property has not had any attention. It hasn't had any repairs it had been left as is. Mr. Mellies stated they go into their properties on a regular basis and make needed repairs. They represent other owners as a third-party management company, and they have even dropped owners because they do not want to spend money on their properties to get them up to their standards. He stated when they rent out a property, they make sure it is something they want to live in themselves. Mr. Duncan asked if it was all wooden

structure. Mr. Mellies stated yes. He stated it was not comparable to a brand-new building but there is no termite damage, rot or significant settling anywhere that would indicate anything major structurally that needs done. Mr. Denham asked how many off site parking would this structure allow. Mr. Mellies stated at this point probably eight to ten stalls. Mr. Denham stated so we have 20 units and not even enough parking one per unit. Mr. Mellies stated correct. Mr. Tucker stated it had a parking lot in the center of the buildings. Mr. Denham stated he knew. Mr. Mellies stated there is absolutely no way it would hold 20 vehicles. He stated they are in the process of purchasing the lot across the street from there. The intention was to put a duplex on the lot but if it is parking that makes or breaks this deal. Mr. Oliver stated is this the lot across the alley. Mr. Mellies stated yes, across the alley. Mr. Duncan directed a question to Mr. Paul. Mr. Duncan asked depending on what action was taken on the property today what happens on the loan. Does this property have to be released from this agenda. How long do you think it would take for the transaction to take place. Mr. Paul asked Mr. Mellies if that would be an issue for the lender. Mr. Tucker asked what caused the order to vacate. Mr. Paul stated just all the issues we were talking about today. Mr. Wicklund stated the seriousness of the violations. Mr. Mellies stated there is probably multiple answers to those questions. Mr. Paul stated the order to vacate was more driven by fire code issues. Mr. Wicklund stated fire and building code, both. Mr. Paul stated they cited for both. Mr. Paul stated once you closed on the property you would put a trespass affidavit in place so if our officers were in the area and saw someone they could be told to move on. That was not in place currently. Mr. Mellies stated as far as the capital, we would not be here if we did not have the capital. He stated they do have a budget in mind. There is a certain number where it just wouldn't make sense to remodel this structure. He stated if they could get their estimates and bids back within that range the capital is there. Mr. Paul asked Mr. Mellies for a closing date. Mr. Mellies stated within 30 days. Mr. Paul then asked if you are closed, and you get some direction in your pre-development meeting you expect to have contractors in place and permits pulled. Mr. Mellies replied yes if the budget made sense. Mr. Paul stated assuming you get details in your pre-development meeting, and you have closed can you provide a detailed timeline of work. Mr. Mellies asked for clarification, the pre-development meeting or the Board meeting next month. Mr. Paul responded the March 24th Board Meeting. Mr. Mellies stated yes, absolutely. Mr. Duncan stated he was of the mind that by March 24th Board meeting that this deal needed to be closed and this Board know exactly what was going to happen or the Board needed to move forward with demolition. Mr. Paul stated the file would be prepared and ready for a dangerous building hearing. Mr. Duncan stated it all sounded very good and very professional, but the proof would be in getting it done. Mr. Brown asked about the order to vacate on March 10th. He asked for assurance that the order to vacate would happen. He asked how does the City remove the residents. Mr. Paul stated they are working on that, but they had a report this week that the residents were not vacating the property as quickly

as they would like. Mr. Paul stated it was one thing if it was 50 people or just 2-3 people. The first preference would be to have the residents leave voluntarily but he supposed another tool was a Court order. The order to vacate is an administrative order. He stated it would be the City's preference to get a Judge to say the Sheriff's office would be the entity to step in and order eviction. The City had been working with existing tenants to get them the resources they needed since the beginning of this conversation. The City had posted resources with numbers of several organizations that assist homeless in Joplin. Mr. Wicklund stated they had a representative from the Homeless Coalition there with them the day it was posted. He handed out a packet to every tenant that had a lot of information in it. Mr. Wicklund stated along with the order to vacate posting he posted a sheet with eight different organizations phone numbers who offer assistance. Mr. Oliver stated he had a suggestion, so the vacate order is March 10th, you assume you will close on the property before then, the suggestion would be to go by and do some measuring of all the windows, do a little prefab cutting of plywood to fit those windows and have all that ready to go and as soon as you close on it and as soon as we know it was vacated start boarding those windows and doors. Don't wait. Mr. Oliver stated he was concerned about fire. Mr. Brown asked Mr. Denham if it was within their capacity to have Mr. Oliver go ahead and put this property out for demolition bids so there is no delay or should we have that vote a month from now. Mr. Brown asked if there was any precedent. Mr. Paul stated he did not know if the City normally did that. He does not see that as a problem. It was something they typically advertised so the only thing the City would be out would potentially be the cost of publication. He stated he did not see an issue with that. Mr. Wicklund stated the problem would be the asbestos. The contractors would have to consider the asbestos and there is asbestos inside as well as outside. That would have to be inspected, samples taken and sent off to the lab and that is difficult with the property occupied. Mr. Wicklund stated it could happen once it was vacant. Mr. Wicklund stated his guess was the asbestos was in the plaster, walls, ceilings, possible floor tile, the siding on the outside. Mr. Wicklund stated he believed there were still boilers present in the basement. He does not believe the boilers are functioning so some of the plumbing could have asbestos as well. And probably the insulation in the attic. Mr. Denham asked if the contractors tested for that or would the City. Mr. Wicklund stated they have done it both ways. Mr. Wicklund stated when they rely on the contractors it really slowed things down. He stated they bid the asbestos inspection and abatement separate from the demolition. The bids can all happen at the same time but usually the City coordinates the asbestos bids and remediation separate from the demolition contactors. Mr. Wicklund stated the State had to approve a wet demolition. They do happen when it was determined the structures were not safe to go in and abate it. These currently are in a condition to where the State would make the asbestos be remediated first.

Mr. Tucker made a motion to continue Item 3015, 117 S. Byers Ave. and Item 3016, 121 S. Byers Ave. to the March 24, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Duncan. (5 Aye, 0 Nay, 2 Absent) Motion carried.

Item 3017, 521 S. Moffet Ave.
Item 3018, 523 S. Moffet Ave.

Ralph Watkins, 602 W. 5th St. #107, Joplin, Mo. owner of the properties was present. Mr. Watkins stated if everything had gone as planned the properties would already be demolished and new structures built. He stated he had plans into the City which were approved but he went to pick them up and they said by the way you need a lead report. He stated he talked to the County about a lead report, and they said they would not do it until the buildings are torn down. He then attempted to hire a private inspector to provide a report. Jasper County gave him a list of inspectors and he called every one of them. He stated in the meantime he was told his plans had been approved and pick up the permits. They had a trip planned. They went on their trip. He came in to pick up the plans and the City told him his permit had expired and they had disposed of his plans. He said in the meantime he had a post of his property that generated this meeting. He stated this was posted 06-30-21. He never saw a posting on this date. The one he received was about a month ago. His question was if it was posted on 06-30-21, he had a phone number and an address, why did someone not contact him to let him know what was going on. He stated he thought that would be a courtesy. He stated the demolition of the properties are predicated on getting the lands approved and construction loans so he can pay for everything. Mr. Denham asked if he was going back with single family residences on each of these lots. Mr. Watkins stated there were two duplexes sitting on the property now. He was going to put four townhouse units on the property. Mr. Denham stated so each structure had been subdivided into duplexes. Mr. Watkins stated presently there were two duplexes there on two lots. They were combining the two lots to make it four lots with townhouse units. Mr. Denham asked Mr. Wicklund if they were already zoned R-2. Mr. Watkins stated he already had plans submitted to the City and approved for the structure. Mr. Wicklund stated he had spoken with Mr. Watkins personally on the phone several months before they disposed of the plans. Mr. Wicklund stated he let him know that was going to happen. Mr. Wicklund stated that was when he encouraged Mr. Watkins to get with a private contractor to do a soil analysis. Mr. Wicklund asked if he had ordered the test to be done. Mr. Watkins stated he could not order the test until he had the buildings demolished. Mr. Tucker asked if the City ordered the soil test. Mr. Wicklund stated the County ordered the test. Mr. Denham asked Mr. Watkins if he was going to proceed with the demolition. He asked if he had to abate lead contaminated soil would this halt the project from proceeding. Mr. Watkins stated if the cost was $50,000.00 then yes, he

would just have a vacant lot sitting there. Mr. Denham questioned but you still need to demolish the building. Mr. Watkins replied, evidently. Mr. Watkins stated the buildings need to be torn down. Mr. Tucker stated Mr. Watkins stated he had a soil analysis done 15 years ago by the EPA. He asked was the City's concern when the building was torn down if all the old lead out of the house would be on the soil. Mr. Wicklund stated, again, it was not the City. It was a County requirement and yes, their concern would be the disruption of the soil in removing the foundation and could expose some lead. Mr. Denham explained the procedure to Mr. Watkins and stated it would be in his best interest to attend the March meeting with an update because the Board could order the properties demolished. Mr. Oliver addressed Mr. Watkins and explained that if he moved ahead with demolition, because there were two properties there would need to be asbestos inspections on both properties. Mr. Watkins acknowledged Mr. Oliver did indeed state that requirement. **Mr. Duncan made a motion to continue Item 3017, 521 S. Moffet Ave. and Item 3018, 523 S. Moffet Ave. to the March 24, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (5 Aye, 0 Nay, 2 Absent) Motion carried.**

Item 3019, 1818 S. Pearl Ave.

Mr. Oliver stated the family came in and signed a Consent form. **Mr. Duncan made a motion to release Item 3019, 1818 S. Pearl Ave. Seconded by Mr. Tucker. (5 Aye, 0 Nay, 2 Absent) Motion carried.**

Item 3020, 1309 S. Jackson Ave.

The owners of the property were not present. Mr. Oliver stated Code Enforcement is in the process of an exterior abatement. Mr. Oliver asked for this Item to be continued. **Mr. Duncan made a motion to continue Item 3020, 1309 S. Jackson Ave. to the March 24, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (5 Aye, 0 Nay, 2 Absent) Motion carried.**

Item 3021, 1314 ½ S. Byers Ave.

The owners of the property were not present. Mr. Oliver stated there was a structure fire on a secondary structure that had an apartment above the garage. He said the fire happened several months back. **Mr. Tucker made a motion to continue Item 3021, 1314 ½ S. Byers Ave. to the March 24, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Duncan. (5 Aye, 0 Nay, 2 Absent) Motion carried.**

Other Business

Mr. Denham asked for a motion to adjourn the meeting. Motion made to adjourn the meeting by Mr. Tucker. Seconded by Mr. Duncan. (5 Aye, 0 Nay, 2 Absent) Motion carried.

Approved _____

Mr. Kyle Denham, Chairman

Approved Vicky Lynn Copeland

Vicky Lynn Copeland, Notary Public

My commission expires: May 22, 2026

VICKY LYNN COPELAND
Notary Public - Notary Seal
STATE OF MISSOURI
Newton County
Commission Expires 05/22/2026
Commission Number #09804844