JOPLIN | BUILDING BOARD OF APPEALS

BUILDING BOARD OF APPEALS

MEETING MINUTES

FRIDAY, MARCH 22, 2024

Call to Order

Mr. Denham called to order the regular meeting of the Building Board of Appeals on March 22, 2024.

Roll Call

Mr. Denham conducted a roll call. The following persons were present: Kyle Denham, Lance Windsor, Garret Wagner, Steve Brown, Christopher Tucker, Michael Wicklund, Assistant City Attorney Andrea Knoblock, City Building Officials: Jeff Oliver, Jeff Hadley, Brian Wicklund and Administrative Assistant, Jo Anne Mergenthaler.

Motion to Excuse

Mr. Windsor made a motion to excuse Mr. Duncan from the March 22, 2024, Building Board of Appeals Meeting. Mr. Tucker seconded the motion.
(6 Aye, 0 Nay, 2 Excused). Motion carried.

Approval of Minutes

Mr. Windsor made a motion to approve the Building Board of Appeals minutes from February 23, 2024, and Mr. Tucker seconded the motion. (6 Aye, 0 Nay, 1 Absent). Motion carried.

Item 3015, 117 S Byers Ave; Item 3016, 121 S Byers Ave.
Mr. Dustin Mellies present.

Mr. Mellies spoke and said that they are reframing stairways on the inside, framing HVAC platforms in the attic, replacing all the damaged and rotted studs and joists in the subfloor. They anticipate being done with first building with interior framing by next week. They have a plumber scheduled behind that. The architect and engineer are working on changing some of the electrical plan. As soon as they have that done, they will schedule the electricians to start. They have the HVAC equipment ordered and once they have received and reviewed, they will get that done. He mentioned that if they can get the electrical done, they are looking at July to August completion. If not, they will have electrical parts back ordered until December. Mr. Denham asked if by the next meeting he could have a printed schedule with him and he asked if he was keeping it secure or if they had any problems. Mr. Mellies said that last week they had an officer there, but it was a worker that was allowed to be on the property. Mr. Wicklund asked Mr. Oliver what needs to be done to get this off their agenda. Mr. Oliver responded there are no rough ins for electrical or plumbing. They are still working on framing. Mr. Mellies said that he knows that the drawings for the electrical have been revised so his goal today is to see if they have been submitted to the city. Mr. Denham asked for a motion.

Mr. Windsor made a motion that Item 3015, 117 S Byers Ave and Item 3016, 121 S Byers Ave be extended to our next meeting on April 26th, for progress report and demolition hearing. Seconded by Mr. Brown. (6 Aye, 0 Nay). Motion carried.

Item 2986, 302 S Connor Ave Item 2987, 306 ½ S Connor Ave.
Mr. Levi Babbs present, Blue Shutter Investments.

Mr. Babbs spoke on his progress with 306 – doors, windows, siding, roof is all completed. Plumbers are getting rough ins started and electric is slated for some time in the next week depending on another job they are working on. After that they can get started on the inside. On 302, plumbers rough-in will be next week and electrician one to two weeks out. Monday they will start the siding on big building. Mr. Babbs said that in two or three weeks that it will be completed. Mr. Tucker asked Mr. Oliver if 2987, 306 ½ if they still need to keep on their Board. Mr. Oliver responded that it was up to the Board if they want to see it through completion. The building has been kept secured.

Mr. Tucker made a motion that Item 2987 at 306 ½ S Connor Ave be released from our agenda due to near completion. Mr. Wicklund seconded. (6 Aye, 0 Nay). Motion carried.
Mr. Wicklund made a motion that Item 2986, 302 S Connor be extended to our April 26th meeting, for progress report and demolition hearing. Seconded by Mr. Windsor. (6 Aye, 0 Nay). Motion carried.

Item 3054, 1624 W 4th St.
Mr. Matt Smith present.
Mr. Smith spoke that he had just purchased the property. He has a building permit and have started cleaning up the property. They have the inside all being gutted. Framing is at about 50% done. They are putting in all new floors in the house. All the walls are reframed. The electrical has been started now that they have a temporary pole up. Plumbing and HVAC can be started by the end of next week. Windows are ordered and should be herein about two weeks from today. Mr. Smith said that they should have the windows and doors in, the back half of the roof completed and all enclosed and secured by next meeting. Mr. Denham asked for any questions or comments.
Mr. Wagner made a motion that Item 3054, 1624 W 4th St be extended to our next meeting April 26th for progress report and demolition hearing. Seconded by Mr. Windsor. (6 Aye, 0 Nay). Motion carried.

Item 3074, 1711 W A St.
Mr. Lanny Peavler present with a guest.
Mr. Peavler stated that he tried to get the money to tear down the house but now he is trying to sell his property. Mr. Oliver asked if the buyer is looking to tear down the house. Mr. Windsor asked if the tentative buyer is aware that it is on this Board. Mr. Peavler replied yes.
Mr. Wickland made a motion that Item 3074 at 1711 W A St. be extended to the next meeting on April 26th, since this is new business, for progress report and demolition hearing. Seconded by Mr. Tucker. (6 Aye, 0 Nay). Motion carried. Mr. Oliver made them aware that this item might be made to order demolished at our next meeting and for them to let the potential buyer know, as well.

Item 3026, 2611 S Pearl Ave; Item 3027, 2617 S Pearl Ave; Item 3028, 2621 S Pearl Ave.
Mr. David Papen with J Pearl Properties Attorney, Jeremy Brown present.
Mr. Denham asked Mr. Papen if he has it closed yet. Mr. Papen said that they don't have it closed, but they have made progress. They had to have plumbing evaluated by an engineer. There will be a re-inspection on the nail pattern on Monday. They will start siding after the plumbing situation is resolved. Mr. Papen stated that might involve the bathroom being moved. All the materials came in for the siding, roof, and the windows and are ready to go in and they have all materials off site at present to keep them secure. They are ready for the closing. All the trades have been at the property. We have had a productive month but not visibly productive. Mr. Wicklund asked the attorney, Jeremy Brown why they haven't closed. He responded there has been lender and contract issues. They are looking at funding that Mr. Papen can come up with to do the deal. Mr. Papen is looking at selling something to make the purchase. Mr. Brown said that the bank and his client is not happy with the situation. Mr. Tucker asked Mr. Brown if his client has concerns. Mr. Brown said not if Mr. Papen is putting money into it and doing the work. Mr. Wicklund asked if Mr. Brown's client (J Pearl Properties) was facing foreclosure and if it has been put off waiting on Mr. Papen. Mr. Brown said the best solution is to allow Mr. Papen to go forward and purchase the properties. Mr. Wicklund spoke about how four months ago they knocked it off the Board so the closing could take place that week and now four more months with no closing on this. Mr. Wicklund asked the city attorney, Ms. Andrea Knoblock, if they can revoke the permit since Mr. Papen doesn't own the property. She agreed. Mr. Tucker spoke and said he agrees with Mr. Wicklund, but he feels that it he'd like the attorney and his client to benefit from this sale. Mr.

Tucker said that he believes they would all love to see the windows and siding on by the next meeting. Mr. Papen agreed. He is just waiting on the plumbing issue to be resolved so he can move forward. Mr. Wicklund said this is all fine, but you need to get it closed. Mr. Papen feels confident that he is going to close on the property and that he is trying to do it with his own money instead of borrowing. He has significant holdings that are closing. Mr. Oliver asked Mr. Papen about the plumbing and why he can't side the property. Mr. Papen explained about the pipe and lay out of the bathroom. Mr. Oliver mentioned to put siding on one side and show something for the next meeting. Mr. Papen agreed. There was much discussion on why closing hasn't happened yet and how they can go ahead and order it demolished. Mr. Tucker said he would agree if Mr. Papen owned it. Mr. Wicklund said that the seller could have just sold it to someone else. Mr. Papen spoke about he has money coming in, so he is able to close. Mr. Brown asked questions on the setting of a demolition hearing. Mr. Wicklund asked Mr. Oliver about the pictures that they have and when they were taken. Mr. Oliver said approximately two weeks ago. Mr. Wicklund asked if there were updated pictures. Mr. Oliver said no. Mr. Papen said they have cameras on the property, and it is not unsafe. He knows he can get siding on one side. Mr. Papen explained and said that he can do the windows and siding on the front side with no problem. Mr. Bryan Wicklund read (18) the code for a dangerous building. He also said that there is a permit in place for each property and they are making some progress. There are three separate permits. Mr. Denham asked Mr. Papen if he started the fabrication for the other two structures. Mr. Papen responded with he has panels completed and that he would like to get the center building done and he wants to get closed, he is keeping things secured. He doesn't think the plumbing should take more than a week to resolve and he can get the siding on (the front) and get the inspections. Mr. Denham asked if he thought he would have it closed by the next meeting. Mr. Papen said he doesn't think it will be closed but he will have the siding up, because he is closing on other properties to bring in money for this property. He believes it will be mid-May before he can close on this property. He was asked if he will be fully funded for this property once he has closing on his properties, he responded yes. Mr. Denham asked for any questions or comments. Mr. Tucker started to make a motion and was stopped.

Mr. Ed Kunce asked to speak; he lives at 2630 S Wall and asked why they are continuing this again and what are we waiting on. He asked the Board to go back and read the meeting minutes from the past of what was said in this room. Mr. Tucker asked if he has seen crews out there working. Mr. Kunce said that he can tell without a count of the week of the last Friday of the month where two guys pull up and get out and put a ladder up and work for a few hours every month, that is the realization. He spoke about what he has heard about this property from being on this Board for the last year:

Chain link fence, lights, security cameras, crews working five days a week, the city owned part of the property, the bank had holding company waiting for building permit to be taken off the Board in a special meeting a year ago December, the Board approved demolition because no one showed up to represent the property and that is when he showed up and testified under oath as a concerned citizen and resident of 10 years at that location.

Mr. Kunce said that they need to read the minutes and they will see that it is their fault that this didn't get closed. He thought there was supposed to be permanent siding and interior lights by the last meeting. Mr. Tucker asked Mr. Kunce if he was the only other house on this block. Mr. Kunce responded, no that there is another house and a day care center and a lot in-between. Mr. Kunce said he lost a driveway to Public Works, but they didn't complain. Mr. Kunce said thank you for your time. Mr. Denham said thank you for your comments and that he is sorry that Mr. Kunce and his neighbors have had to live with this for so long. Mr. Wicklund asked Ms. Knoblock, in your opinion as an attorney

do we have substantial cause to revoke the building permit. Ms. Knoblock spoke and said that it is in your discretion as the Board. If Mr. Brown is requesting time to have witnesses available and to present evidence that they don't have here today, just keep in mind that every time we list and post we are prepared to go for a demolition hearing, but in the interest of due process that you be put on notice that next meeting will be the demolition hearing and to have your witnesses and your evidence. Ms. Knoblock asked Mr. Brown is that your wish to continue. Mr. Brown responded that he would be prepared at the next meeting. There was some discussion with the attorneys, and they agreed they are on the same page. Mr. Brown will be prepared for next meeting. Mr. Denham said that it seems a safer approach, that it is best to allow them to continue.

Mr. Tucker said in the light of everything stated, he made a motion that Item 3026, at 2611 S Pearl Ave; Item 3027, at 2617 S Pearl Ave; Item 3028, at 2621 S Pearl Ave be extended to our April 26th meeting, for progress report and demolition hearing. Mr. Wicklund asked the Board if we are giving them their 30 days' notice that we will potentially look at revoking and or tearing down. Attorneys spoke and they are on the same page. Seconded by Mr. Wagner (6 Aye, 0 Nay). Motion carried.

Item 3065, 1032 S Sergeant Ave.

Ms. Nancy Aguero present and with brother.

Ms. Aguero said that it has a demolition order, but she never received a letter and didn't know until she saw the sign. She is requesting some time to fix this house because it only needs the lights and windows. Mr. Denham said that this was ordered demolished in our February meeting. He asked Ms. Aguero if she received any notices. She replied to no. Her father had gotten sick, and they stopped working on the house. There was talk about not receiving mail. Mr. Oliver spoke and said after the demolition order he took a final letter to the property and attached it to the house. They did come in after and spoke with he believes Bryan. They did have a permit before the order in November, but because several months had gone by without anything being done, that is why it got added to this agenda. Mr. Oliver asked Ms. Aguero if she met the inspector out at property several months ago. She replied yes. Mr. Oliver asked was there a reason why she wouldn't let the inspector inside the property. She said she didn't have a key then. Mr. Oliver asked her, why she scheduled a consult and wasn't prepared to let the inspector in. (no reply). Mr. Tucker asked Mr. Oliver if he has already retained a demolition company. Mr. Oliver said it is being advertised today in the paper. Some discussion on the posting of the property. Mr. Denham asked Ms. Aquero what her plan are if we don't demolish the property besides the windows. She replied that she will replace most of the windows and hire an electrician. She spoke with her brother and said that he is hoping for this year to move into the house. Once they have the permits, they will start working on the house this month possibly three to six months to finish. Mr. Wicklund asked do we need to do anything. Mr. Denham said they can put a stay on the demolition and give them a chance to do something. Mr. Bryan Wicklund stated that they can reinstate the original permit. Mr. Denham asked Mr. Oliver if there is any rotted or foundation problems with the structure. Mr. Oliver responded there are areas of the enclosure that have.
deteriorated bad, because of the elements. (Photos were passed around.) Mr. Wagner asked Mr. Oliver if they did a stay, if he could meet them at the property to let them know what will have to happen to get off their agenda. Mr. Oliver replied yes, he knows that if a stay is ordered on the demolition that there is a form that the attorneys have, that they would need to sign. It states that any money they put into the property, if work stops again, it goes back into the demolition process, and any money

they put in is at their own risk. Ms. Aguero said they have part of the money, and she thinks it will cost between 15 to 25,000 to complete. They will let the inspector come into the house. Mr. Wicklund said after they meet with the city inspector can the Board get an email update to let them know the result of the consult. Ms. Aguero asked if she can start the work before next months meeting. The Board said yes and will revisit this at the next meeting, no motion or vote is necessary.

Item 3068, 1518 S Sergeant Ave.
Dale Poindexter present.
Mr. Poindexter asked for an extension. They have an electrician who will be pulling a permit to get started. Mr. Denham asked if it is a complete permit and Mr. Poindexter responded that it is for electric, floor joists, windows, and siding. Mr. Denham asked Mr. Oliver if he has been inside, and he responded no. Mr. Oliver said an inspector has been out for a consult. He asked Mr. Poindexter if he just got the financing for the project. He stated he should have it soon; it's been approved through the bank. Mr. Denham asked Mr. Poindexter how long he thought it would take to complete the project. Mr. Poindexter said about 90 days. Mr. Denham asked if we extend this would he have a time frame of completion by their next Board meeting. Mr. Poindexter said yes, absolutely.
Mr. Windsor made a motion that Item 3068 located at 1518 S Sergeant be extended to the next meeting April 26th, for progress report and demolition hearing. Seconded by Mr. Wicklund. (6 Aye, 0 Nay). Motion carried.

Item 3071, 1822 S Indiana Ave.
Mr. Marty Coss present.
Mr. Coss said he had renters in the property for seven years and they never complained of any issues with the house and paid like clockwork. Then he saw the sticker on the property. He is going through a divorce and doesn't live in Webb City anymore. He lives in Neosho. He was told by Mr. Oliver that there is termite damage. He spoke that after the tornado they had someone come out and take care of the termites and then some time later found out they still had signs of termites, so they had someone come again and drill all around the house to take care of it. Mr. Coss asked if an inspector could come out and let him know how bad it is and if it is worth getting fixed. He doesn't know if he will end up with the house after his divorce which has been dragging out for a year. Mr. Denham suggested that Mr. Coss meet with one of the inspectors and determine what some of the concerns are, but if the building is a dangerous structure, then the Board will have to act. Mr. Coss understood. Mr. Coss said the house is not rented now and the renters left all their things in the house. They did try to get things out a few times, but the police have stopped them and tried to arrest them for going into the house. Mr. Oliver said there was a complaint from the renters and that is why the city went out to look at it and we went in and saw the damage. Mr. Coss said he didn't know. He also stated that he didn't even know when his storage building caught on fire in the back yard. He was never notified by police or fire department and found out from a friend of a friend. Mr. Denham said to meet with Mr. Oliver. Mr. Oliver said to schedule a consult and we can see if it is worth fixing. Mr. Denham mentioned that it is premature to get a building permit at this time.
Mr. Tucker made a motion that Item 3071, 1822 S Indiana Ave be extended to our April 26th meeting for progress report and demolition hearing. Seconded by Mr. Wagner. (6 Aye, 0 Nay). Motion carried.

Item 3073, 512 S Cox Ave.

Mr. Larry Peterson present.

Mr. Peterson spoke about they have the foundation wall done and the painting of the house is not complete replace some trim work still on outside. The house is painted on the outside. The roof is on, and they have made three dumps cleaning the property. Mr. Oliver said they have a permit for everything. It was posted a while ago and new owner came in about a year ago and a permit was pulled and then several months went by with no work done. A few months ago they went in and painted it and made the roof look worse not some real progress and complaints coming in on a high profile road so it was added to the agenda. Mr. Denham said that there is part of the roof with a tarp over it and no decking under it just open joists with the elements getting in for several weeks. Mr. Denham said to focus on the roof getting repaired before painting. Mr. Wicklund said this is new business.

Mr. Wicklund made a motion that Item 3073, 512 S Cox Ave be extended to our April 26th meeting for progress report and demolition hearing. Seconded by Mr. Windsor. (6 Aye, 0 Nay). Motion carried. Mr. Denham said that he would like to see an updated timeline at the next meeting.

Item 3069, 3312 S Moffet Ave.

Ms. Jean Louise Moore and daughter, Melinda present.

Ms. Moore said they are still on a waiting list for an apartment at Memorial Hills. They have talked with McCala and still nothing confirmed. They've contacted Habitat for Humanity so they can tear down old house and get a new house built, since her mother owns the property. Mr. Denham said that this house is unsafe and very dangerous to live in, a section has collapsed. Ms. Moore understood. Mr. Tucker spoke about a temporary solution might be Cardinal Towers in Webb City which have 11 open apartments. Ms. Moore said she will check into this. Mr. Wicklund mentioned that Neosho might be able to help as well since she is a Newton County resident. She will check on this. Mr. Denham said that we have this set for a demolition hearing. Mr. Oliver said you do understand, and you have said previously, that your home is unsafe. If we proceed with a demolition hearing today that you would be moved to the top of the list for those apartments. He also stated that if we do have a hearing today that it takes several months for a demolition to take place, at that time the Board can order it vacated and specify how many days to vacate. Mr. Wicklund asked if they have utilities on. Ms. Moore said they were. Mr. Tucker asked Mr. Oliver if it was open to the elements now. Mr. Oliver responded there is part of it open. Some discussion within the Board and she was asked if she has someone she can stay with and if she has pets. She has no one to stay with and has two dogs. Mr. Wicklund asked if the city has resources to keep her things in. Mr. Bryan Wicklund responded and said he can visit with Thomas Walters on this and see if there is any grant money available. He asked if she wants to save everything in the house and she said yes. Mr. Tucker responded with Cardinal Towers has apartments that are income based. Mr. Oliver asked her if she had anyone that could help her move her items. She responded in tears, no. Mr. Oliver volunteered Mr. Thomas Walters who works for the city that overseas a lot of projects and grants. Mr. Denham asked if we could put this toward the end of the agenda to get others through the agenda.

Item 3063, 320 S Winfield Ave.

Mr. Donald Simmons present.

Mr. Denham said this is not on our agenda that it was ordered demolished last month. Mr. Simmons spoke with a buyer and has a contract to sell. The buyer has earnest money and they have gone through the property, and they want to refurbish and if not, they will tear down. He has a buyer that can close next week, and he has a receipt for earnest money. They have gone through Great American Title. Mr. Oliver asked if he had received a final letter and if he knows that it's been ordered demolished. Mr. Simmons said that is why he is here. He didn't know he had to come last month but was here in January. Mr. Simmons said that the buyer has put a realtor's lock on the door and has boarded up the windows and a padlock on the back door. Mr. Tucker asked Mr. Oliver how bad it is. Mr. Denham read four criteria from last month. Mr. Simmons said that the buyer has money to put into the rehab. Mr. Bryan Wicklund went down and got the folder so the Board could look at pictures. Mr. Simmons said that maybe he didn't convey to the buyer how important it was to come before the Board. Mr. Oliver said that this property is currently advertised for demolition bids. There was some discussion between the Board about putting a stay on the property. Mr. Tucker asked who the new owners might be. Mr. Simmons responded, Jaden Withrow and he doesn't have the name of Mr. Withrow's company right now. Mr. Denham said we take very seriously someone else's structure and to come back next month with the buyer. Mr. Simmons confirmed what is expected and to come back on the 26th of April with the prospective buyer and a stay on the demolition can take place then.

Item 3056, 217 S Pearl Ave.

Ms. Elizabeth Rodriguez present for Ms. Isidro Ruiz.

Mr. Rodriguez hoping to have footings done sooner but an inspector went in today and approved to put in cement. She has pictures on her cell. Contractor will call G&H Ready Mix to see if can pour today to build up porches. They were hoping this was done two weeks ago but their contractor quit on them and didn't tell them. She is asking the Board for another month to get some work done so they can get the home rented out. She hopes that her boss spoke with the inspector this morning about the electrical she knows the wires inside are exposed. Mr. Windsor asked if she has a new contractor, and everything is ready to go and still moving forward. Mr. Denham asked if the cement was being poured today and she replied yes, they are calling them now. Mr. Denham asked if there was a motion to continue.

Mr. Windsor made a motion that Item 3056, 217 S Pearl Ave be extended to our April 26th meeting for progress report and demolition hearing. Seconded by Mr. Tucker. (6 Aye, 0 Nay). Motion carried.

Item 3011, 911 W B St.

Mr. Phillip Bentz present.

Mr. Bentz gave an update on the progress. They had the last rough in inspection yesterday and are ready to insulate and sheetrock next week. Mr. Denham asked Mr. Oliver his opinion on this. Mr. Oliver said that the plumbing inspection failed but it wasn't a major deal. Mr. Tucker mentioned that it has been secured. Mr. Windsor and Mr. Tucker agreed that they are progressing nicely and that it should be off their agenda.

Mr. Windsor made a motion that Item 3011, 911 W B St be released from our agenda. Seconded by Mr. Tucker. (6 Aye, 0 Nay). Motion carried.

Item 3067, 219 N Pearl Ave.
Mr. Kevin Hunter present.
Mr. Hunter is asking for more time. The property is under contract with Mr. Joshua Gilstrap. They are in the process of selling and it is part of 12 property deal, so it is more complex for the bank, and they are asking for more time. Mr. Denham asked if Mr. Gilstrap knew that it is on this agenda. Mr. Hunter said yes, and they were here last month. Some discussion on the closing of the property and that they should make this one a priority. Mr. Denham asked Mr. Hunter if he thought it would be closed by next month. Mr. Hunter said he believes so in the next two or three weeks.
Mr. Tucker made a motion that Item 3067, 219 N Pearl Ave be extended to our April 26th meeting for progress report and demolition hearing. Seconded by Mr. Wagner. (6 Aye, 0 Nay). Motion carried.

Five (5) minute break.

Continued Item 3069, 3312 S Moffet Ave
Ms. Melinda and Jean Moore
Mr. Bryan Wicklund mentioned that he spoke with Troy Bolander, the Director for Planning and Zoning. He confirmed that if the Board went ahead with the order to demolish that it would move the residents to the top of the list for the Homeless Coalition. He also stated that regarding the contents of the house there is no grant money but there is someone that stepped up and would pay for storage temporarily and would move the items to that unit. Mr. Tucker asked the Ms. Knoblock if the Board can be held liable if something happens to them in the home. Ms. Knoblock replied that they are aware of the risks and are liable themselves. Conversation with Mr. Tucker and Ms. Moore about calling Cardinal Towers. Mr. Denham wants to make sure that Ms. Moore understands that Mr. Bryan Wicklund has found someone that is willing to get their belongings into a storage unit temporarily and they will move it for her. She understood. Mr. Windsor wants her to know that they all feel horrible about this situation, but their main concern is their safety. Mr. Denham said that possible Habitat for Humanity can rebuild them a home on their property. Ms. Moore mentioned she has been in contact with them. Mr. Denham said that they should go ahead with the demolition, that the Board has a moral responsibility to them. There was some talk about moving her items out and if she would accept their help. Ms. Moore just asked for one more month of extension. Mr. Denham asked what she thought would happen. She answered she doesn't know how much an apartment will be. Mr. Tucker said it is income based.
Mr. Wicklund made a motion that Item 3069, 3312 S Moffet Ave be subject to a dangerous building hearing with that she has 30 days to vacate. Seconded by Mr. Windsor. (6 Aye, 0 Nay). Motion carried.
Mr. Denham turns it over to the city.

Mr. Brown excused.

Dangerous Building Hearing for 3312 S Moffet.
Ms. Andrea Knoblock, City Attorney

Mr. Jeff Hadley, city building inspector, was sworn in. Ms. Knoblock asked Mr. Hadley how long he has worked for the city. Mr. Hadley responded seven months. She presented pictures to him and asked if the 1st picture showed the posting of the property and listed it as Exhibit 1. Mr. Hadley spoke and confirmed that he took the pictures on October 17th, 2023. Ms. Knoblock presented another set of photos and listed them as Exhibit 1.1. Mr. Hadley said he took those pictures on March 21, 2024, and they represent the current condition of the property. Photos presented into evidence. Title search was done with Great American Title to confirm ownership of property at 3312 S Moffet and listed Jean Moore as the owner. (Exhibit 2). Certified letters were sent out with no signed receipts on February 20, 2024. (Exhibit 3). Ms. Knoblock continued questioning and asked Mr. Hadley what else he had done to notify the owners of this action. Mr. Hadley said, an ad in the Joplin Globe. Ms. Knoblock presented another document and asked Mr. Hadley if this was the legal notice that has ran at least four (4) consecutive weeks in the Joplin Globe. He responded yes it was with the address of 3312 S Moffet and was published February 29, March 7, 14, and 21, 2024. (Exhibit 4). Ms. Knoblock continued with her questioning asking Mr. Hadley of his schooling and education in the building industry that qualifies him as an expert in his position. Mr. Hadley spoke being a fire pilot for 10 plus years doing building inspections. Ms. Knoblock asked if he in his expert opinion confirms that this property in issue constitutes a dangerous building as defined in Chapter 26 Article 10 Section 26-612 of the code of ordinances of the City of Joplin. Mr. Hadley responded yes, he does and continued with reading lines 4, 6 and 12 from the code. He also mentioned that seen from the photos the roof is dilapidated, outside wall is missing and multiple windows and doors are nonexistence or covered up. Ms. Knoblock offered Chapter 26, Article 9 and 10 of the Joplin code of ordinances into evidence before the Board and asked that the record be held open to include copies of the Joplin Globe publications also meeting minutes of the Building Board of Appeals. Board accepted. Ms. Knoblock said that the defendant can now ask questions of the building inspector. Ms. Moore said that it doesn't matter, the Board has already decided. The city rests. Ms. Knoblock said Ms. Moore you can come up and testify and be sworn in. Ms. Moore was sworn in. The Board may question the defendant. Mr. Tucker spoke and said that they are doing this for the safety of these individual and doing it out of the kindness of their hearts. Ms. Moore said she truly appreciates this. She also asked if she must be out today. Mr. Denham said the motion is that they have 30 days to get out. Mr. Tucker asked Ms. Knoblock if the Board has the right to waive the fees so she doesn't incur more fees from the demolition. There was some discussion with Mr. Bryan Wicklund, Mr. Tucker, Mr. Oliver, and Mr. Denham. They agreed that they couldn't support it. Mr. Denham said that it's a dangerous path to go down and would be a tax lien on her property, and she might never pay it off. Mr. Denham asked for a motion.

Mr. Windsor made a motion that Item 3069, 3312 S Moffet Ave be declared a dangerous building according to the Joplin code of ordinances Chapter 26, Articles 9 and 10, Sections 26-612 Subsection 4, 5, 6, and 12 and so ordered demolished and to include any outbuildings. Seconded by Mr. Wicklund. (5 Aye, 0 Nay). Motion carried.

Ms. Moore asked about the demolition and if they had to pay for demo. Mr. Denham explained the process. She asked for a ballpark figure, Mr. Oliver said $4,000.00 for a demolition. Ms. Knoblock told her that she can file an appeal with Jasper County Circuit Court and that she has 30 days to file the appeal. Ms. Moore said thank you for letting them know, but we would have to pay for a lawyer so ...thank you.

Item 2990, 801, 803 and 805 W 1st St. Mr. Jeff Oliver.

Mr. Oliver said that he was hoping they would be here to see if they got the funding. They were here 60 days ago. Mr. Bryan Wicklund said the overall application for the permit was approved and was good for six (6) months, six months ago. We are hopeful they will reapply in the next week. Mr. Tucker asked Mr. Oliver if it is still a dangerous structure and he replied they have a fence but that doesn't do too much. Mr. Denham said it won't take long for it to get in worse shape in that area. Mr. Wicklund stated that some of the fencing is already fallen. Mr. Bryan Wicklund said the interior was damaged by fire and it has not been repaired. Mr. Denham asked if there were any structural issues in the floor joists or beams. Mr. Wicklund said that there is structural damage, and they made some repairs to get the roof structure back in shape.

Mr. Wicklund made a motion that Item 2990, 801, 803 and 805 W 1st St be continued to our April 26th meeting for progress report and demolition hearing. Seconded by Mr. Tucker. (5 Aye, 0 Nay). Motion carried.

Item 3002, 301 S Winfield Ave.

Mr. Oliver stated that they do have a permit, but progress is very slow. He stated that there were at attendance at the last meeting. He believes they understand. Mr. Denham would like to see the back porch taken care of.

Mr. Wagner made a motion that Item 3002, 301 S Winfield Ave be extended to our next agenda on April 26th for progress report and demolition hearing. Seconded by Mr. Wicklund. (5 Aye, 0 Nay). Motion carried.

Item3010, 1116 S Jackson Ave.

Mr. Oliver said that he has a note to release this one. There is no final but very close. Mr. Denham asked for a motion.

Mr. Tucker made a motion to release Item 3010, 1116 S Jackson Ave from their agenda. Seconded by Mr. Wagner. (5 Aye, 0 Nay). Motion carried.

Item 3033, 1010 W 3rd St.

Mr. Oliver stated that he spoke with Mr. James Ledford last week. They talked about the windows, and he believes they are ready to start, and they do have a permit. Mr. Denham asked for a motion.

Mr. Tucker made a motion that Item 3033, 1010 W 3rd St continue to our April 26th meeting for progress report and demolition hearing. Seconded Mr. Wicklund. (5 Aye, 0 Nay). Motion carried.

Item 3039, 810 W 17th St.

Mr. Oliver said structure is sided but no rough-in inspections have been done but he recommends the Board to continue until they get further along.

Mr. Wicklund made a motion that Item 3039, 810 W 17th St. be extended to our April 26th meeting for progress report and demolition hearing. Seconded by Mr. Tucker. (5 Aye, 0 Nay). Motion carried.

Item 3051, 2131 Nashville Ave.

Mr. Oliver spoke that Mr. Hadley spoke with the owner this morning by phone and she said she couldn't make it today. They plan on being here next month. There is a permit for the windows. Mr. Oliver has been pressing her for the last couple of months to get an electrical contractor. Mr. Denham asked if someone was living in the camper. Mr. Oliver said that they are not supposed to be but thought her son might be. Mr. Denham said when you see a waste line connected to the city sewer it makes you wonder. Mr. Oliver said it's been an issue for a long time. Mr. Wicklund asked Mr. Oliver what needs to be done to get it off our agenda. Mr. Oliver replied originally, she wouldn't even let them inside. So, to know the full extent of what is going on inside we don't know. When it was posted there were broken windows, it was open and they have remedy some of those things, but Mr. Oliver has dealt with her a few years ago on a few things and she did enough to not proceed any further. When she pulled the permit for the windows Mr. Oliver told her she would need to follow this project through, and he pressed her on the electrical.

Mr. Wicklund made a motion that 3051, 2131 Nashville Ave be extended to our April 26th meeting for progress report and demolition hearing. Seconded by Mr. Windsor. (5 Aye, 0 Nay). Motion carried.

Item 3070, 902 S Sergeant Ave

Mr. Oliver said that this one can be released, and that the owner is demolishing the building.

Mr. Tucker made a motion that Item 3070, 902 S Sergeant Ave be released from the Board's agenda due to the demolishing occurring. Seconded by Mr. Wicklund. (5 Aye, 0 Nay). Motion carried.

New Business

Item 3072, 220 N Byers Ave

Mr. Oliver said that they have a permit in place, but very little work had been done. There have been several complaints. There is a two year back story on this that Mr. Oliver went over previously. He has spoken with current owner and expected him to be here today. They have done some work without inspections. Inspector has been out there to discuss the work without inspections. This is new business so we will have to continue for 30 days.

Mr. Wicklund made a motion that Item 3072, 220 N Byers Ave be extended to our April 26th meeting for progress report and demolition hearing. Seconded by Mr. Wagner. (5 Aye, 0 Nay). Motion carried.

Item 3075, 1617 S Ohio Ave.

Mr. Hadley was a result of a fire, and we haven't had much communication with the owners. The owners were waiting on insurance.

Mr. Wicklund made a motion that Item 3075, 1617 S Ohio Ave be extended to our April 26th meeting for progress report and demolition hearing. Seconded by Mr. Tucker (5 Aye, 0 Nay). Motion carried.

Motion to Adjourn by Mr. Wicklund and seconded by Mr. Tucker. (5 Aye, 0 Nay) Motion carried.

Mr. Wicklund made a motion to adjourn the meeting. Seconded by Mr. Tucker.

(5 Aye, 0 Nay, 2 Absent) Motion carried.

Approved _____

Mr. Kyle Denham, Chairman

Approved _____

Jo Anne Mergenthaler, Notary Public

My commission expires: Sept. 17, 2027

