MINUTES
BUILDING BOARD OF APPEALS
REGULAR MEETING
APRIL 22, 2016
9:00 AM

Kyle Denham, Chairman, called the April 22nd Building Board of Appeals meeting to order with the following Board members present: Kyle Denham, Mark Eastman, Crystal Harrington, Rylee Hartwell, Don Landrith, David Pommert, and Ervin Wilson. City officials present: Bryan Wicklund, Chief Building Official; Jeff Oliver, Building Inspector; Jordan Paul, Assistant City Attorney; and Susan Champlin, Notary Public.

Mr. Denham	I would like to welcome Rylee Hartwell as a member of our Board. And Mr. Rhodes has gone off—Bruce Rhodes—I would like to offer appreciation for all his service. I think he was on the Board for a number of years, and we appreciate everything he did. I wish we would have known he was going off at the last meeting, and we could have appropriately—
Mrs. Harrington	I would have brought cupcakes.
Mr. Denham	If you could give us your name and address, and tell us a little bit about your project.
ITEM 2140	**1206 BROADWAY** **OWNER: Omer Hubbard** **ADDRESS: 1206 Broadway, Joplin MO. 64801** **"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the March 25, 2016 meeting for a "Demolition Hearing" and Progress Report (NINETEENTH TIME BEFORE THE BOARD)**
Omer Hubbard	Omer Hubbard, and 1206 Broadway.
Mr. Denham	This is Item 2140. How is your house coming, Omer?
Mr. Hubbard	Okay.
Mr. Denham	Have they been able to get the plumbing worked on this month?
Mr. Hubbard	That guy did the plumbing, and he came out and looked at it, and he redid it—
Mr. Oliver	Alright.
Mr. Hubbard	And then he moved this month.

Mr. Oliver — Yeah. Levi was his name, correct? Levi—is that who was helping you?

Mr. Hubbard — No, the other guy you seen.

Mr. Oliver — Okay. Since the last meeting, we thought the gentleman that showed up with Omer last month was going to finish the plumbing part of it. Apparently, he hasn't. We never got contacted. I ran into Omer yesterday out on his bike and stopped and visited with him on the street for a few minutes. That's how I found out, so there has really been no progress. I did inform Omer that when we inspect again before he covers anything up, but he said that he had spoke to Mr. Spink at Watered Gardens and asked him to call me.

Mr. Hubbard — And talk to Watered Gardens.

Mr. Oliver — Pardon me?

Mr. Hubbard — Talk to Watered Gardens. He was supposed to get in touch with them.

Mr. Oliver — Right.

Mrs. Harrington — Was Levi with Watered Gardens, or was he just a—

Mr. Hubbard — He's the one that was helping me—

Mrs. Harrington — Right.

Mr. Hubbard — Get the plumbing in.

Mrs. Harrington — Did he come from Watered Gardens to help you?

Mr. Hubbard — No.

Mrs. Harrington — Bryan is saying yes.

Mr. Hubbard — Yeah.

Mrs. Harrington — Yeah—so he maybe just isn't interested any more?

Mr. Hubbard — He moved on.

Mrs. Harrington — Don't they all?

Mr. Hubbard — Yep.

Mrs. Harrington — Sorry. We've got to get your house fixed.

Mr. Hubbard — The plumbing is already fixed.

Mrs. Harrington — Yeah, but we've got to get it inspected and covered up so you can live there safe, right?

Mr. Hubbard — Right.

Mr. Denham — Well, if it's fixed, can you inspect it?

Mr. Oliver — I'll stop back in and see if I can catch him and look at it again. The last time I looked at it, they had done some work, but it _____.

Mr. Denham — I wonder if someone like Hearts and Hammers or someone like that could maybe offer some assistance.

Mrs. Harrington — It's just usually so much more than they're—the skilled labor end of it is hard for them to access.

Mr. Denham — Yeah.

Mrs. Harrington — But I'm wondering if somebody besides City staff called Watered Gardens about it, like somebody from the Board calling them.

Mr. Denham — I could call them.

Mrs. Harrington — Just to say we're so close.

Mr. Denham — Yeah.

Mrs. Harrington — You know, maybe it would—I mean, I'm not saying that what you do doesn't help, but maybe one more set of eyes if you could give me—

Mr. Oliver — I agree.

Mr. Denham — I know James pretty well. I'll call him.

Mrs. Harrington — Just—we're so close, and if we could just get Omer's water on.

Mr. Wicklund — The other option that you could consider—I don't think he's very far from having just the minimal amount of facilities on—I think that Watered Gardens has worked with the water company on the bill to where they're just waiting to hear the "okay" and then can get the water back on. If we can't find volunteers, or if Watered Gardens has decided to not follow through to the end on this, the Board could order it repaired. We could hire a plumber to go in there and just get the bathroom and the kitchen roughed in. It wouldn't cost that much.

Mr. Denham — Do you own this house, Omer? Is this your house?

Mr. Hubbard — Yeah, I own it.

Mrs. Harrington — Well, if we—if the City of Joplin can pay hundreds of thousands of dollars to put a roof on a building over here on Fifth and Virginia, then why can't we spend a few thousand dollars to get a man's—

Mr. Wicklund — Well, I don't think it would even cost that.

Mr. Denham — Well, why don't we order it repaired, and that way it can get in the process, and if Watered Gardens can't get to it, it's already in the sequence of getting it done, because it's gone on for quite a while.

Mr. Landrith — **I make a motion that we order it repaired.**

Mr. Eastman — **Second.**

Mr. Denham — Do we need the attorney here to go through that?

Mr. Oliver — Yes.

Mr. Denham — Okay. Why don't we table that to—is he coming today—Jordan?

Mr. Oliver — As far as I know.

Mr. Denham — Okay.

Mrs. Harrington — Omer, we're going to work on this a little bit later.

Mr. Hubbard — Okay.

Mr. Denham — We're going to have a motion to table this. And you're welcome to stay, or if you need to go, that's fine, but we need to get this thing moving. It's the nineteenth (19th) time before our Board. I'll make a call to Watered Gardens and see if we can't get them to do it, but our other recourse is to have the City hire a plumber to do it, and then there would be a tax lien you could pay off later at your convenience.

Mr. Hubbard — Okay.

Mr. Denham — Did that make sense to you?

Mr. Hubbard — Yeah.

Mr. Denham — So you're welcome to stay if you want to. We have to wait for our attorney to show up, but if you to go, that's fine. I don't know that it would make much difference.

Mr. Wicklund — We're going to talk with Watered Gardens, and if we can't figure something out, then we're going to check to see if we could find a plumber that would help you out.

Mr. Hubbard	Okay.
Mr. Wicklund	Okay. Thank you.
Mr. Denham	Do we have a motion to table?
Mrs. Harrington	**So moved.**
Mr. Landrith	**Second.**
Mr. Denham	**All those in favor of tabling Item 2140, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.** Go ahead and step up.

ITEM 2752 — **625 N. PEARL**
OWNER: Logan Steere
ADDRESS: 616 N. Wall Joplin MO. 64801
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the March 25, 2016 meeting for a "Demolition Hearing" and Progress Report (EIGHTH TIME BEFORE THE BOARD)

Mr. Denham	Good morning.
Terry Moody	Good morning.
Mr. Denham	Tell us your name and address and which item you're here for, please.
Mr. Moody	Terry Moody and Jon Bunn, in regard to the property at 625 North Pearl.
Mr. Oliver	I've got it down to release.
Mr. Denham	Oh, okay. It's Item 2752.
Mr. Moody	Thank you. I appreciate you all—
Mr. Denham	I appreciate you getting to it and taking care of it.
Mr. Moody	Absolutely.
Mr. Denham	It looks a lot better.
Mr. Moody	Yes it does. One more beautiful property in the city.
Mr. Oliver	There's a couple of houses just two or three back south of you.

Jon Bunn	There is like one house, and then the next two. Yeah, we've looked at them a couple of times, actually.
Mr. Oliver	I've got a phone number for you if you want it.
Mr. Bunn	Alright. I know that they're about the only thing that's really holding that neighborhood—at least that section of the neighborhood back there. Everybody else has done a lot of work to their properties—upgrading their properties, and this one is kind of kicking them in the behind to get going on it a little bit more now.
Mr. Oliver	Yeah.
Mr. Burn	Great. So we are--we'll be released then?
Mr. Oliver	Yeah.
Mr. Bunn	Fantastic—thank you very much.
Mr. Denham	Do we have a motion to release?
Mr. Wilson	**Mr. Chairman, I make a motion that Item 2752, 625 North Pearl, be released from our agenda.**
Mr. Eastman	**Second.**
Mr. Denham	**I have a motion by Mr. Wilson and a second by Mr. Eastman that Item 2752, 625 North Pearl, be released from our agenda due to the work being complete. All those in favor of the release, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.** Thanks, guys.
Mr. Moody	Thank you.
Ms. Champlin	Did you both sign the sign-in sheet?
Mr. Moody	Yes, ma'am. And if you know anybody that wants to buy a good house.
Mr. Denham	Thanks.
Mrs. Harrington	Thanks.

ITEM 2699 **1402 S. JOPLIN**
OWNER: Heartland Floral & Gifts Inc.
ADDRESS: 2515 W. 30TH ST. Joplin MO. 64804

"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the March 25, 2016 meeting for a "Demolition Hearing" and Progress Report (FOURTEENTH TIME BEFORE THE BOARD)

Mr. Denham — Good morning.

Gene Hess — Good morning. Gene Hess, here for Item 2699, at 1402 South Joplin. I got a proposal from Bridgewater Roofing to put a new roof. It took them about two and a half weeks to get back to me. I just got it this week. I kind of looked it over and looked it over. It's probably about close to double what I thought it might be to get the work done. So, actually, I went to him because I'm familiar with their work because they put a new roof on my house about two years before the tornado and then right after the tornado, so they've roofed my own house a couple of times. But now that I've kind of looked—I think they've kind of gone overboard with how they put their quote together. They show me what materials they were using and everything, and it looked like it was maybe a little more high tech than what actually needs to be done. So I'm going to spend the next couple of weeks getting more quotes, and if they all come in about this price, I'll probably get a quote on somebody from demolition and maybe go that route. But I can't believe that I can't get this in a little bit less than—their quote they came in with was $40,000. It seemed like a lot of money for—and it could be that they just don't want to—they just only want to put in a new roof and don't want to have to worry about coming back on call-backs or something, which I'm sure roofers do all the time. So I don't know—I just have to kind of look at it and see what I'm going to do. But I'll know something in the next couple of weeks. I'll start contacting some more. I kind of spent some time going over this one, and I can't believe there isn't another alternative of some sort, or somebody else that could do the work.

Mrs. Harrington — You might consider calling the homebuilders' office and get some names of some roofers that you could call.

Mr. Hess — Okay. And how do you—well, all theirs would be—but how do you find out if somebody is licensed and bonded and insured? Who do you call for that?

Mr. Oliver — Call the City.

Mr. Hess — Just the City?

Mr. Oliver — Call the Building Department, and we can check that for you.

Mr. Hess — I mean, I wouldn't want somebody working on my building that—

Mrs. Harrington — Yeah.

Mr. Oliver — Right.

Mr. Hess — That doesn't have all the permits and everything. So, anyway, but I should know something in a couple of weeks, so I know what I'm going to do.

Mr. Oliver — If you want to go ahead and start getting some quotes on demo, I've got a list of guys on that, if you want to get some quotes at the same time you're getting the roofing bids.

Mr. Hess — Yeah, alright. You know, I just think it's—for the type of material and everything they're using, I suspect there's other ways to do it than what—actually, after talking to them, I kind of got the impression they didn't really want to do it anyway—

Mr. Oliver — Yeah.

Mr. Hess — So they just kind of came up with something they knew I wouldn't take—and then, you know, if I ever need my house roofed again, we're still on good terms.

Mrs. Harrington — **Okay, Mr. Chairman, I make a motion that Item Number 2699, at 1402 South Joplin, be continued until our May 27th meeting for a progress report and demolition hearing.**

Mr. Landrith — **Second.**

Mr. Denham — **I have a motion by Mrs. Harrington and a second by Mr. Landrith that Item 2699, 1402 South Joplin, be continued to our May 27th meeting for a progress report and demolition hearing. All those in favor, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.** Thank you.

Mr. Hess — Thanks.

ITEM 2761 — **2311 W. 3RD**
OWNER: William Clemons & Etal Birch
ADDRESS: 134108 Cherry Dr. N. Pinellas FL. 33781
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the March 25, 2016 meeting for a "Demolition Hearing" and Progress Report (THIRD TIME BEFORE THE BOARD)

Mr. Denham — Good morning.

Robert Birch — Good morning. The property is 2311 West Third. My name is Robert Birch.

Mr. Oliver 2761.

Mr. Birch There we go—thank you. I thought I had that written down somewhere, but I couldn't find it. I just think maybe I was trying to get too much. I was trying to get my mother to actually sign a quit claim deed on both of the properties, and I think maybe that put her off from signing away 2311, so I'm going to visit with her again about just signing off 2311 and worry about the one next door probably not too long down the road, but I guess it's one stone at a time. She talked like she would sign off just 2311. I've got quit claim deed forms, and I visited with the recorder over at Carthage a few times. I think we can get it wrapped up where the property would be mine before we get too much more done. I'm looking at demolition if we don't act fast because of some of the openings on the building still. I know they have been in there again, and that's part of my hesitation to get in there and do much more, is I get it boarded up and come back, and a board is taken down off the window. They put one of them back, but you could obviously tell that they had been in there after we got it all closed up, so I'd like to get it in my name, and then I can just call the authorities.

Mrs. Harrington You said—is that kind of where we were last time?

Mr. Birch It is. She had said that she was going to sign off on the forms. I didn't have them ready for her. I do actually have the forms with me now, and they've been approved by the recorder. She said they look perfect as long as they're signed off. I went over and paid for a legal description—or paid for printouts. That way I would have the legal description of the property and everything, to make sure that it checked off with what I already had from you guys. I mean, it did, but she told me to not assume anything there when I spoke with her on the phone. Crossing "T's" and dotting "I's" pretty much is all I was able to get done at this point.

Mr. Oliver I had seen where they had pulled one of the boards off and kind of dragged some stuff out.

Mr. Birch I spoke with her on that. She thought she was helping—

Mr. Oliver I will work with you for another month here, and you can do your best to try to keep it secured.

Mr. Birch Yeah.

Mr. Oliver I haven't had any complaints on it, so—

Mr. Birch Yeah, the neighbors have all seemed happy that we're at least in there trying to do something, but then whenever I turn around—

Mrs. Harrington It looks better than it did, a lot—by a long shot.

Mr. Birch — A few hours work of work, for sure.

Mr. Denham — Well, we appreciate your effort, but if we don't have some positive news next time, we may have to look at other options which might include demolition.

Mr. Birch — I understand.

Mr. Denham — Okay.

Mrs. Harrington — **Mr. Chairman, I make a motion that Item Number 2761, at 2311 West Third Street, be continued until May 27th for a progress report and demolition hearing.**

Mr. Wilson — **Second.**

Mr. Denham — **I have a motion by Mrs. Harrington and a second by Mr. Wilson that Item 2761, 2311 West Third, be continued to our May 27th meeting for a progress report and demolition hearing. All those in favor, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.** Thank you.

Mr. Birch — Thank you.

Mr. Denham — Good luck.

ITEM 2758 — **1116 E. HILL ST.**
OWNER: Jon & Sarah Abernathy
ADDRESS: 2013 Elm St. Seneca MO. 64865
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the March 25, 2016 meeting for a "Demolition Hearing" and Progress Report (THIRD TIME BEFORE THE BOARD)

Mr. Denham — Good morning.

Ruiz Saturnino — Okay, the property is 1116—it's Hill Street.

Mr. Oliver — Item 2758.

Mr. Saturnino — Yeah, my brother—he goes and buys this property, and we just get our paper from the property, and we get one off—we try to start putting it up and remodeling.

Mr. Denham — Do you know what's going to be required by the City to get it off this agenda? Have you met with anyone?

Mr. Saturnino — No, not yet. We want to see if we can get our building permit from the City.

Mr. Wicklund — When did you buy the property?

Mr. Saturnino — He obtained it a couple of months ago. It is my brother's property, yeah.

Mr. Oliver — I talked to, apparently, his brother this morning. This is the first that I found out—that was laying on my desk this morning when I came out. It was bought in March. We've got brand new owners here. This is the first I—as of this morning.

Mr. Wicklund — You need to get with Jeff and walk—he'll go through the property with you and let you know what needs to be done to get it off the agenda.

Mr. Saturnino — Oh, okay—okay.

Mr. Wicklund — Did you put your phone number on that paper there?

Mr. Saturnino — Yeah, my phone number is here.

Mr. Wicklund — Okay, we'll give you a call.

Mr. Saturnino — Okay, let me _____ you'll let me know when?

Mr. Wicklund — Yes, we'll call you later today to set up a time to meet with you next week.

Mr. Saturnion — Okay—okay, thank you.

Mr. Denham — Is this the house that had the fire?

Mr. Oliver — No, it's just—

Mr. Denham — It just needs work.

Mr. Oliver — It's pretty bad.

Mr. Denham — Okay.

Mrs. Harrington — Did he know it was on this Board when he bought it?

Mr. Oliver — Sir?

Mrs. Harrington — Sir, did you know that this proceeding was happening when you bought this house, or did they sell it to you without you knowing we were dealing with it?

Mr. Saturnino — (Speaking away from microphone)

Ms. Champlin Oh, I can't pick you up—I need to be able to—

Mr. Oliver Can you come back over to the mike, sir?

Ms. Champlin Come back over to the mike. I can't pick you up.

Mrs. Harrington So when you bought it, you knew that it was either going to be demolished, or you were going to have to get it repaired?

Mr. Saturnino No—I don't know _____. My brother is the one that knows everything about it.

Mrs. Harrington But he sold it to you and didn't tell you?

Mr. Saturnino No, he's my brother. He's not on there.

Mrs. Harrington So he was the one that bought it?

Mr. Denham Yeah.

Mr. Saturnino My brother is the one that bought it.

Mrs. Harrington We need to get an interpreter. Okay, alright—well, it just seems like we're starting from scratch again, right?

Mr. Denham Definitely.

Mrs. Harrington We're back to Square One.

Mr. Denham Are you a licensed contractor?

Mr. Saturnino No—no license.

Mr. Denham Are you going to have a contractor do this work?

Mr. Saturnino Yeah. My brother—he has a company maybe _____.

Mr. Oliver When I spoke with his brother this morning on the phone, I did explain to him that they would have to have licensed electricians and plumbers, etcetera, that they could probably act as the general on just this one project, because we allow one a year. I kind of went over some of that on the phone.

Mr. Denham Okay.

Mrs. Harrington Well, considering—here's what I'm thinking on this. I mean, we're starting from scratch again. I'd say 30 days--you need to make a lot of progress in 30 days, I think. I feel like in 30 days we need to have a

contractor and a permit, or at least the permit that shows some forward motion.

Mr. Saturnino — Oh, okay.

Mrs. Harrington — Because we've juggled this back and forth without anything happening. So in 30 days, we need to know you've already got your building permit, or I'm probably not going to be willing to let it go. We're probably going to—

Mr. Saturnino — Oh, okay.

Mrs. Harrington — I'm probably going to vote to have it demolished or—

Mr. Saturnino — Uh-huh. Okay, I will let my brother know about—

Mrs. Harrington — Thirty days.

Mr. Saturnino — About 30 days, okay.

Mrs. Harrington — Progress.

Mr. Saturnino — Okay. Okay, thank you.

Mrs. Harrington — **Mr. Chairman, I'll make a motion that Item Number 2758, at 1116 East Hill Street, be continued until May 27th for a progress report and demolition hearing.**

Mr. Landrith — **Second.**

Mr. Denham — **There is a motion by Mrs. Harrington and a second by Mr. Landrith that Item 2758, 1116 East Hill Street, be continued to our May 27th meeting for a progress report and demolition hearing. All those in favor, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.** Did you get the owner's phone number or a way to contact him?

Mr. Oliver — Yeah, he's got that—oh, here it is? I've got it here.

Mr. Denham — Okay.

ITEM 2764 — **315 N. WALL**
OWNER: Homes Sweet Homes USA Inc.
ADDRESS: 1302 W. 5th St. Webb City MO. 64870
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the March 25, 2016 meeting for a

"Demolition Hearing" and Progress Report (SECOND TIME BEFORE THE BOARD)

Mr. Denham — Good morning. Can you tell us a little bit about your property?

Doug Wickstrom — Sir, it's 315 North Wall—Homes Sweet Homes USA.

Mr. Denham — Can you give us your name, too?

Mr. Wickstrom — Doug Wickstrom.

Mr. Denham — Thank you. It's Item 2764.

Mr. Wickstrom — I don't know if that's a good last name—my goofy son. Anyway, we've been able to get the door covered and the broken windows covered. And I thought I was going to be able to get a new door knob and lock on the front door yesterday, but I didn't make it. So I'll try to get that today. I'll do my best. And we have a—it looks like we have a buyer for the property.

Mr. Denham — Really—great.

Mr. Wickstrom — Uh-huh.

Mr. Denham — What's their intention? Are they going to try to rehab it?

Mr. Wickstrom — Yeah, uh-huh.

Mr. Oliver — I did go by and verify that the openings had been covered. They just kind of threw a full sheet over the doorway in the back and actually boarded the window up from the inside, but they are covered. It will take some effort to get into the place if somebody wanted to. The new owners—

Mr. Wickstrom — Uh-huh.

Mr. Oliver — Have you got any info on the potential buyers, and if they bought it, would they jump right on it—any information like that?

Mr. Wickstrom — Well, I can—it looks like—I'm sure you guys are familiar with the Fuller Organization, and one of the contractors with Fuller—it's his brother. Yeah, forgive me on memory—I have MS, so my memory went off into oblivion somewhere, and it will be him, is the way it looks. And we have another person that's very interested in it, and he's saying, you know—House Turner.

Mr. Oliver — So they're aware, like Crystal asked the last gentleman, that it's in this—

Mr. Wickstrom — Oh, yeah.

Mr. Oliver Process.

Mr. Wickstrom Yeah. You know, being part of a ministry, I have to tell the truth.

Mr. Oliver Right.

Mr. Wickstrom They won't be too happy with me.

Mr. Oliver Even if it changes hands—just my opinion as a building inspector, something needs to be done with this right away.

Mr. Wickstrom Oh, yeah.

Mr. Oliver It can't sit there any more like this. I mean, it's in pretty bad shape, and if I was a neighbor, I would be upset.

Mr. Wickstrom Yeah. I understand that, you know.

Mr. Oliver The garage—there's a detached garage that sits on the alley—the roof has totally collapsed inside of it.

Mr. Denham Yeah.

Mr. Oliver The size of the house being—

Mr. Denham The house isn't too far behind.

Mr. Oliver Right. So in other words, I guess what I'm trying to say—it's just kind of like the last deal—if somebody buys it and thinks they're going to be able to sit on it for two months—

Mr. Wickstrom Not good.

Mr. Oliver It is my opinion that that wouldn't be a good idea.

Mr. Wickstrom Yeah, okay.

Mr. Denham Yeah, they need to—

Mr. Wickstrom I'll make sure they understand that. We'll make sure of that.

Mr. Denham Okay, I appreciate it.

Mr. Wickstrom Uh-huh.

Mr. Denham Do we have a motion to continue?

Mr. Wilson — **Mr. Chairman, I make a motion that Item 2764, 315 North Wall, be continued to our May 27th meeting for a progress report and demolition hearing.**

Mr. Landrith — **Second.**

Mr. Denham — **I have a motion by Mr. Wilson and a second by Mr. Landrith that Item 2764, 315 North Wall, be continued to our May 27th meeting for a progress report and demolition hearing. All those in favor, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.** Thank you.

Mr. Wickstrom — Thank you so much.

Mr. Denham — I appreciate you coming down.

ITEM 2765 — **2008 S. SERGEANT**
OWNER: Randal Kraft
ADDRESS: P.O. Box 2667, Joplin MO. 64803
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the March 25, 2016 meeting for a "Demolition Hearing" and Progress Report (SECOND TIME BEFORE THE BOARD)

Mr. Denham — Good morning.

Randal Kraft — Good morning. The item number is 2765, Randal Kraft—the property location, 2008 South Sergeant. This is my first update—

Mr. Denham — Just a second.

Mr. Landrith — He is my insurance man. Shall I abstain?

Mr. Paul — This gentleman right here?

Mr. Landrith — Yes.

Mr. Paul — It's always a good idea, even if it gives an appearance, even if there is not an actual conflict, it's just as close, and abstain.

Mr. Kraft — Don, I thought we had you planted as a supporter here.

Mr. Oliver — There go your rates.

Mr. Paul — That's probably the best practice.

Mr. Denham — Go ahead.

Mr. Kraft — Yeah, just doing the update. I was here last month as the initial, and I believe I told you 30 to 60 days when we expected to start on it. I'm still waiting for another project to clear up the equipment, so I've got a lift that I'm waiting on. I've got Dennis Berryhill with Professional Exteriors finishing up on a project here shortly, so hopefully _____.

Mr. Denham — And as I recall, the plan was to—

Mr. Kraft — Cover windows.

Mr. Denham — Cover the windows that aren't covered now?

Mr. Kraft — It's all on that side. I've made arrangements with Empire as far as to cover the lines. They were not wanting to have somebody come out until we're right ready to do it. I can't remember the guy's name—Josh—Jason—it starts with a "J" that said they would get them right out the day we need them to go up, so they didn't have them sitting there.

Mr. Denham — If we continue it 30 days, do you think you might have a better idea of—

Mr. Kraft — Yeah, I expect to—yeah, we've always got other projects going on. That one's just the height issue, is a lift, to take it up there.

Mr. Wicklund — Are you currently renting out spaces?

Mr. Kraft — No. We had done a lot of preliminary stuff before the tornado as far as moving lines over, because all the lines were too close to the building there, which is why that side of the building didn't get done whenever we were doing the other parts, because we had to get Empire to work with us on moving them to the other side of the street, which was a huge undertaking based on how much it takes to move lines just a little bit.

Mr. Denham — Any other questions? Do we have a motion?

Mr. Wicklund — What are your long-range plans?

Mr. Kraft — I don't have any long-range plans. I think we talked last month—you know, what we'd really like to do which, you know, will never happen—oh yeah, a spook house or, you know—anyway, they've got some in other cities. I think Springfield has one that maybe runs year-round—you know, kind of an old building, and fix it up, but yeah, the Fire Department would never go for that. So right now, no plans. It's just being used for personal storage.

Mr. Denham — Any other questions? Do we have a motion?

Mr. Wilson — **Mr. Chairman, I make a motion that Item 2765, 2008 South Sergeant, be continued to our May 27th meeting for a progress report and demolition hearing.**

Mr. Eastman — **Second.**

Mr. Denham — **I have a motion by Mr. Wilson and a second by Mr. Eastman that Item 2765, 2008 South Sergeant, be continued to our May 27th meeting for a progress report and demolition hearing. All those in favor, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Pommert, and Mr. Wilson voted "aye"; with Mr. Landrith abstaining) Those opposed? (None) Motion carries (6 in favor, 1 abstention).** Thank you.

Mr. Kraft — Thank you.

ITEM 2760 — **322 N. MAPLE**
OWNER: Gary C Jones
ADDRESS: 18818 Old 66 Blvd. Carthage MO. 64836
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the March 25, 2016 meeting for a "Demolition Hearing" and Progress Report (THIRD TIME BEFORE THE BOARD)

Mr. Denham — Good morning.

Gary Jones — Hi guys! Gary Jones—I'd thought I'd be nice today and wait until last so you could dress me down without an audience if you like. And, Mr. Oliver, I think you're right—it's not financially feasible—I'll explain.

Mr. Denham — Which property are you here on?

Mr. Jones — 322 North Maple.

Mr. Oliver — 2760.

Mr. Denham — Okay, thank you.

Mr. Jones — The property consists of a nice detached garage, and the house less the two shed rooms that had the fire—I have removed them. The rest of the building is not affected by the fire; however, the rest of the building is the three rooms next to the street that's the original house, and the add-on--the add-on no longer affected by the fire. But your rules say that any fire in any residence gets a dangerous building posting, so it did. And once it has a dangerous building posting, then it's subject to all the latest rules for remodeling it, and they are extreme—too extreme to be financially feasible. A normal remodel would be feasible. This isn't. So I've decided to tear

off the add-on rooms and leave the three rooms in the original house toward the street. And then later, when I have time, I'll build a couple of rooms either onto the garage, or onto the three rooms of the original house. My work load is heavy. I've got the machines. I can do it myself, but it will take me about three months to do that.

Mr. Denham — To do the demolition, or do the expansion?

Mr. Jones — It's demolition. You wouldn't believe the things I've got to do.

Mr. Denham — Or the things you've got to do close to being ordered demolished?

Mr. Jones — What?

Mr. Denham — Maybe you need to shift your priority, because we could order this demolished. This is the type of building we need to some action pretty quickly.

Mr. Jones — I have already added it to my suit on 815 and 815-1/2 Pennsylvania anyway, but I'd ask for some cooperation if I could.

Mr. Denham — If you do the demolition, will you—how would the back—the part that's been demolished—how will that be closed off before you start the construction?

Mr. Jones — Well, it will have to be—it's got a doorway to it—two doorways, so they'll have to be boarded up—closed up.

Mr. Wicklund — I visited with Mr. Jones, along with Jeff, on the property a few weeks ago, and my question is—I agree with your plan. It would be a good idea to go ahead and remove those bedrooms in the back and take it back to the original structure. I think there's some degree with that while we were out there, too.

Mr. Jones — Well, that would—

Mr. Wicklund — That really does not address the structure as a whole which is before this Board, and I cannot sell you a permit to fix the house up. So if you just remove the back—I mean, you've already removed the portion that was damaged the worst by the fire and cleaned it up, and that's good. Removing another portion of the house really doesn't get us anywhere. You're not willing to pull a permit to fix the house up.

Mr. Jones — Well, I'm terribly busy. I'm going to board it up. It's going to sit there for a while while I finish some other work. And probably within a year or thereabouts, I'll do something with it, which will then have to include rewiring—either the three original rooms or the garage because the service,

which was alright, along with the wiring, is alright, but not new, but good--the services on the part I intend to tear off.

Mr. Wicklund — Okay, so like Mr. Denham, I think maybe you may have a lot of other projects going, but hopefully those projects don't involve properties that are getting close to being ordered demolished. But regardless of the fact, if you are wanting to board it up, leave it for a year and then start on the repairs, there is one tool that the Board has that would fit well with that plan as long as you maintain the property. And we've discussed the vacant dangerous building permits before, and you've refused to do that. Are you considering that now?

Mr. Jones — I'm not paying them $250.00 a year, no.

Mr. Wicklund — Okay. So that's not an option either.

Mrs. Harrington — This is a dangerous building at this point, and he's telling us it's going to be a year before he can get to it.

Mr. Jones — It's not a dangerous building. It has a dangerous building posting.

Mrs. Harrington — Okay, well—

Mr. Wilson — If it's not a dangerous building, then why is it being posted as such?

Mr. Jones — I have no idea. I would like to know that.

Mr. Wilson — Excuse me, sir—let me complete my statement. It has been posted because of a fire, which does mean it has to be brought up to code. So if you're unwilling to do that, and you want to leave it sit for a year, my myself would consider saying no, we demo it, as that—

Mr. Jones — That's why I've already added it to _____.

Mr. Wilson — (Speaking at the same time as Mr. Jones)

Mr. Paul — I think we're going to have a hearing. We might as well have a hearing on it, if anybody wants to make a motion.

Mrs. Harrington — Yeah, I'll have a motion—**Mr. Chairman, I make a motion that Item Number 2760, at 322 North Maple, be the subject of a demolition hearing.**

Mr. Wilson — **Second.**

Mr. Denham — **There is a motion by Mrs. Harrington and a second by Mr. Wilson that Item 2760, 322 North Maple, be the subject of a dangerous building hearing. All those in favor, say "aye". (Mr. Denham,**

Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0. Should we go ahead and do the last person in the audience before we get started?

Mr. Paul — That's Mr. Grindle.

Mr. Wicklund — I don't believe he has anything.

Mr. Paul — Yeah, he works here. So should I proceed?

Mr. Denham — The Board turns it over to the City.

Mr. Paul — And just listen to my instruction, Mr. Jones. I don't know if you've been through one of these before. This is the Joplin Building Board of Appeals meeting in the Joplin Municipal Building on this 22nd day of April, 2016, for the purpose of holding 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 Number 2760 on the agenda, also known as 322 North Maple.

Mr. Jones — Okay, would it help if I adjust my agenda and get the add-on rooms torn off within a month. Will that _____?

Mrs. Harrington — Well, we just discussed that.

Mr. Paul — We've got to proceed with the hearing now. You'll have an opportunity to speak after Jeff's testified.

Mr. Jones — Alright.

Mr. Paul — The City calls Jeff Oliver.

Ms. Champlin — Jeff, you do 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 — 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 — Approximately seven years.

Mr. Paul — Have you, in the official performance of your duties, had occasion to inspect the property known as 322 North Maple?

Mr. Oliver — Yes, I have.

Mr. Paul — I'm going to show you what's been marked as Exhibit 1. Can you identify these for me, please?

Mr. Oliver — These are photos taken of the property at 322 North Maple. The photos were taken on January 27th of this year.

Mr. Paul — Do the photographs show a reasonable likeness of the premises in their present condition?

Mr. Oliver — Mr. Jones and his son have done a pretty good job of cleaning the structure out and tearing a portion of it off. I do not have recent photos of that, but you will see in here some of the fire damage. All the junk and stuff around the structure and in the structure has now been removed.

Mr. Paul — Other than the contents of the structure, do the photographs continue to show a reasonable likeness of the premises in their present condition?

Mr. Oliver — The structure itself, with the exception of a portion on the back that has already been removed, yes.

Mr. Paul — Thank you. If there is no objection, I would introduce Exhibit 1 and make sure Mr. Jones has an opportunity to view those.

Mr. Denham — The Board accepts.

Mr. Paul — What, if anything, did you do to ascertain ownership of the property?

Mr. Oliver — We did a title search.

Mr. Paul — I'm going to show you what's been marked as Exhibit Number 2. Can you identify that for me, please?

Mr. Oliver — This is the search we received from Great American Title. On this search, it shows a John Hutchinson, subject to the rights or claims of Gary C. Jones as shown in collector's deed filed January 6, 2015.

Mr. Paul — If there is no objection, I would offer Exhibit 2.

Mr. Denham — The Board accepts.

Mr. Paul — And, again, for all the exhibits, make sure Mr. Jones has an opportunity to view them. I'm going to show you what's been marked as Exhibit 3.

You're understanding that that exhibit from Case.net shows that Mr. Jones purchased this property at a tax sale and then quieted the title?

Mr. Oliver — Correct.

Mr. Paul — And so he's the fee simple title owner as of this date?

Mr. Oliver — Correct.

Mr. Paul — Okay. If there is no objection, I would offer Exhibit 3.

Mr. Denham — The Board accepts.

Mr. Paul — What, if anything, did you do to notify the owner of the property of this action?

Mr. Oliver — We sent certified letters.

Mr. Paul — And I'm going to show you what have been marked as Exhibit 4. Can you identify those for me, please?

Mr. Oliver — Yes, there are several letters here. The first one is a certified letter sent to Mr. Jones dated March 25th, letting him know of today's meeting. I have a signed receipt for that letter. The next letter is a certified letter dated March 9th, letting Mr. Jones know of last month's meeting on the 25th. I have a signed receipt for that. And the last letter here is the "finding of fact" letter that is sent out for the first meeting. It's dated February 8th, sent to Mr. Jones, and I have a signed receipt for that letter as well.

Mr. Paul — Now, Jeff, in addition to these letters here, I noticed in the photographs that were initially passed around that there was a posting on the structure. Can you explain that?

Mr. Oliver — That's normal procedure for this process—is basically one of the first steps that we do as part of this process is to post the structure to let people know that it's dangerous, and they shouldn't be entering it—things of that nature.

Mr. Paul — And also to alert the owner that—

Mr. Oliver — Correct.

Mr. Paul — Okay. And then Mr. Jones, of course, is here today, and I think he's been present at some of the previous meetings, correct?

Mr. Oliver — Correct.

Mr. Paul — And, in fact, he's told us today he's already consulted with an attorney about this case, correct?

Mr. Oliver — Correct.

Mr. Paul — Okay. If there is no objection, I would offer Exhibit 4.

Mr. Denham — The Board accepts.

Mr. Paul — I'm going to show you what's been marked as Exhibit Number 5. Can you identify that for me, please?

Mr. Oliver — Yes, this is a letter that basically is to our—the City of Joplin's Finance Department, making them aware that this property is in front of the Board, and letting them know of today's meeting.

Mr. Paul — Okay.

Mr. Oliver — There is no certified letter or anything, that it's in-house.

Mr. Paul — If there is no objection, Exhibit 5.

Mr. Denham — The Board accepts.

Mr. Paul — What else, if anything, 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'll show you what's been marked as Exhibit 6. Can you identify that for me, please?

Mr. Oliver — Yes, it's a legal notice from the Joplin Globe showing the property at 322 North Maple be advertised. The advertisement dates are Friday, March 4th; Thursday, March 10th; Thursday, March 17th; and Thursday, March 24th, of this year.

Mr. Paul — If there is no objection, I would offer Exhibit 6.

Mr. Denham — The Board accepts.

Mr. Paul — What schooling and education have you had in the building industry which would qualify you as an expert in the construction of buildings?

Mr. Oliver — I have been a general contractor on several residential projects in the Joplin area over a 20-year period.

Mr. Paul — And from an inspection of the property at issue here, 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, on which of the definitions of dangerous building do you base your opinion on, if any?

Mr. Oliver — Yes, I do. Subsection 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."

Mr. Paul — And, Jeff, before you go on to your other definitions, could you just give a brief summary of the facts in this case that explain why this structure fits that definition of dangerous building?

Mr. Oliver — The structure was the subject of a fire—heavy damage to the back portion of the property. With the fire taking place, the damage was pretty severe. Mr. Jones has already removed part of the structure on the back, but with the damage, the house now has been gutted. He has cleaned it up, but sitting in the condition that it is, it certainly does not meet the City of Joplin codes or ordinances the way it's sitting currently. Line 12, "whenever the building or structure, or land it occupies, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure or land provided by this article or other applicable laws or ordinances of this state or city relating to the condition, use, location or maintenance of the building, structure or land." Again, with the condition of this property that it's sitting in right now, it does not meet the City of Joplin's codes or ordinances.

Mr. Paul — And could you just, for clearness, go on and explain again maybe some of the other ordinances that it's currently in violation of?

Mr. Oliver — Well, as far as the building codes go, it's sitting there gutted on the inside. Structurally, it's unstable. There are many things through the building codes that it doesn't meet at this time. I could go on. There's no electrical, no plumbing in it, no heat and air. I mean, it's sort of sitting there as a damaged shell, if you will, at this point. I didn't know where _____.

Mr. Paul — And before we started the hearing, Mr. Jones and the Board were having a conversation, and he'll have an opportunity to speak, of course, here in a couple of minutes, if I'm misquoting him, but he expressed to the Board that he might—he didn't intend to follow the City's requirements as far as pulling a contractor's license, as far as pulling the dangerous building permit, and things like that, correct?

Mr. Oliver — That's correct.

Mr. Paul — And you all have—I think you and Mr. Wicklund had met with Mr. Jones, and Mr. Jones' son back prior to today's meeting, and can you relay where

the City and Mr. Jones were not on the same page as far as that conversation is concerned?

Mr. Oliver — Right. Shortly after last month's meeting, Mr. Jones came in, and we set up a meeting and met with him on site. Most of that conversation while I was there—I'd probably like to defer to Bryan on that. We did go over what we would like to see done on the property. Bryan left basically a correction and informed him of what we would like to see done. I can read that.

Mr. Paul — Is this a copy of that correction notice?

Mr. Oliver — That's correct.

Mr. Paul — And can you explain to me—are these things that are listed here things that he agreed to do, or just things you said he needed to do, and he agreed to do some but not others? Can you explain what the contents of that writing mean?

Mr. Oliver — Yeah, I mean, basically he would need to do all of these things on the list.

Mr. Paul — Does he have a copy of that list?

Mr. Oliver — Yes.

Mr. Paul — And has he agreed to do those things, or has he not agreed to do those things?

Mr. Oliver — Apparently not, at this point.

Mr. Paul — Okay. If there is no objection, I would offer that as an exhibit as well. Are we on—Susan, do you know, are we on—would this be Seven (7)?

Ms. Champlin — It would be—yes, because you had—

Mr. Paul — The publication would have been Five (5).

Ms. Champlin — The publication would be—Exhibit 5 was a letter—an internal letter.

Mr. Paul — And then the City—this would be Seven (7), I think.

Ms. Champlin — This one would be Seven (7) because the Globe would be Exhibit 6.

Mr. Denham — The Board accepts.

Mr. Paul — Mr. Jones—have you gotten those exhibits around to Mr. Jones?

Mr. Denham — No, they're still there.

Mr. Paul — Okay, I would offer that as Exhibit 7.

Mr. Denham — The Board accepts.

Mr. Paul — Alright, Jeff, those are all the questions that I have for you. This would now be Mr. Jones' opportunity to ask Jeff about any of the things we have—that he's testified about so far.

Mr. Jones — Well, you leave me little choice. I'd like to have a little cooperation, and I have always—I have been a contractor for decades. I'm not now—I'm retired. And I do excellent work, and everything I set out to do has always got done. I don't know why we're battling that—this really.

Ms. Champlin — You may need to be a little closer to the mike—that's good.

Mr. Paul — You do have any specific questions for Jeff, because you have a time where you're allowed to talk to the Board if you want. This would be specifically limited to questions for Jeff.

Mr. Jones — Well, for example, I decided it was not financially feasible to remodel it according to the rules under the dangerous building posting because one of the things that I still don't understand was to raise the ceilings to eight foot. They're seven and a half—12 foot wide. I also have to put a beam on each ceiling. I said what's a beam—he said that's three two-by-twelves—a support beam. It doesn't make any sense—very expensive, and the—

Mr. Paul — And, again, Mr. Jones, we're still—as if we were in court, Jeff would still be on the stand now. So I just need to know, do you have any questions for him?

Mr. Jones — Why a beam, Jeff?

Mr. Paul — Pardon?

Mr. Oliver — I'm going to defer to Bryan on that one because he's the one that went over that with him.

Mr. Paul — Well, and just a question for Jeff, and then we'll actually—we'll call Bryan as a witness, and then you can ask Bryan questions, okay? You do not have any questions for Jeff?

Mr. Jones — Okay, why would I have to have a beam?

Mr. Oliver — Bryan went over that with him.

Mr. Paul — Okay, so you're deferring to Bryan?

Mr. Oliver — Yes, sir.

Mr. Paul — So he doesn't know the answer to your question. Do you have any other questions for Jeff?

Mr. Jones — For Jeff—why would I have to get a registered land survey plat to eliminate the dog-leg on the back section? It jogs—it jogs—it jogs, and make it straight.

Mr. Oliver — That's our standard procedure, so we can show that on our records if we're ever questioned, or somebody in the future comes forward, we would have that on a plot plan.

Mr. Jones — It costs about—

Mr. Oliver — Any time—any time you change the footprint of a structure, we ask for those. It's not just you—it's everybody.

Mr. Jones — It costs about $1,000.00. We're talking about a couple of feet wider, and cut some spots. In the end, it doesn't make sense.

Mr. Oliver — I don't think it would cost $1,000.00. I just had a brand new one done in Webb City, and it was $400.00.

Mr. Jones — Well, if I tear off the addition and later add a couple of new rooms onto the addition, do I have to have a registered land survey then?

Mr. Oliver — Each time you change the footprint—yes, sir.

Mr. Paul — Any other questions for Jeff?

Mr. Jones — No.

Mr. Paul — Okay. Jeff—does the Board have any questions for Jeff?

Mr. Denham — No.

Mr. Paul — Okay, we'll excuse Jeff, and then I guess we'll call Bryan briefly.

Mr. Denham — Okay.

Ms. Champlin — Bryan, you do 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, I do.

Mr. Paul — Jeff—sorry, Bryan, you have been present for the hearing so far. Is there anything that Jeff discussed in particular about the structure that you'd like to add?

Mr. Wicklund — No.

Mr. Paul — Okay, thank you. And now, Mr. Jones—now you may ask Bryan questions.

Mr. Jones — Alright, why would I have to have a support beam?

Mr. Wicklund — Currently, the way the structure sits, the Building Department would not—or the City would not require you to adjust the height of the ceilings. That was something that you asked about doing on your own.

Mr. Jones — Correct.

Mr. Wicklund — Currently the ceiling joists rest on the exterior wall, as they should.

Mr. Jones — And they're very steep walls, and that would go over it far.

Mr. Wicklund — Let me answer your question. Your proposal, when we walked through it, was to raise those ceiling joists from the walls to where they were actually hanging on the rafters.

Mr. Jones — Along—

Mr. Wicklund — The building code does not allow you to do that. You're putting additional weight on the roof system. You could raise the ceiling as you proposed, but you would have to support the ceiling with a beam. That's the reason for the beam.

Mr. Jones — I understood what you just said, but that plays a part in my determining that it's not financially feasible.

Mr. Paul — Do you have any other questions for Bryan?

Mr. Jones — No.

Mr. Paul — Okay. Thank you, Bryan. Does the Board have any questions for Bryan?

Mr. Denham — The seven-foot-six ceiling does not have to be raised? That was his idea?

Mr. Wicklund — That was his idea.

Mr. Denham — Okay, thank you.

Mr. Paul — Any other questions from the Board? The City will rest. And now would be your opportunity—anything that you want to say—any witnesses you want to call—anything else you want to offer to the Board—now would be that time.

Ms. Champlin — I need to swear you in. You do 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. Jones — Yes. I'm at a loss for words. I don't know what to ask—sorry. I guess we'll have to pursue this thing to its bitter conclusion in court and do it then.

Mr. Paul — Well, and I just want to—well, I guess we talk to you afterwards. Is there anything else that you wanted to present at this time?

Mr. Jones — I feel it would be futile for me to even talk about it. I don't know what else to say.

Mr. Paul — Okay, if that's your choice. Now, I guess we'll turn it back over to the Board for a decision.

Mr. Denham — Do we have a motion for demolition?

Mr. Eastman — **Mr. Chairman, I make a motion that Item 2760, 322 North Maple, be considered a dangerous building and so demolished under the City Code, Chapter 26, Articles IX and X, Section 26-612, subsections 6 and 12.**

Mr. Wilson — **Second.**

Mr. Denham — **There is a motion by Mr. Eastman and a second by Mr. Wilson that Item 2760, 322 North Maple, be declared a dangerous building and ordered demolished, including its outbuildings, in accordance to the City of Joplin's Code of Ordinances under Chapter 26, Articles IX and X, Section 26-612, subsections 6 and 12. All those in favor of demolition, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.**

Mr. Paul — And, Mr. Jones, what I was going to say is you're free to continue to try to work something out with Bryan and Jeff if there are new ideas, or you talk with _____ or whoever, and there's some kind of proposition that you want to bring up to them, you're certainly free to do that. There is a 30-day stay on demolition anyway, so the City is not going to be able to do anything for at least 30 days. So if you want to get with your attorney or whoever and get back with them, you're more than welcome to do that.

Mr. Jones — Is that all you want from me?

Mr. Paul — That's all we have.

Mr. Denham — Yes.

Mr. Denham — Do we have any other items we want to look at for demolition today?

Mr. Paul — That was the only one.

Mr. Denham — That was the only one.

Mr. Oliver — I had three other ones set out, and we had a new buyer and a potential sale and wasn't quite ready on the other one. I was hoping.

Mr. Denham — Okay. Anything we can release besides the one we already released?

Mr. Oliver — No, I think that's the only one I had down to release.

Mrs. Harrington — We need to do Omer.

ITEM 2140 — **1206 BROADWAY**
OWNER: Omer Hubbard
ADDRESS: 1206 Broadway, Joplin MO. 64801
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the March 25, 2016 meeting for a "Demolition Hearing" and Progress Report (NINETEENTH TIME BEFORE THE BOARD)

Mr. Denham — Oh, right. We had planned on—we had discussed on Item—we might need you before you leave—Item 2140, 1206 Broadway, to order it repaired—the one we've had 19 times, and it has the plumbing issue. He's had people talking about volunteering to repair it, but it just hadn't come to—

Mr. Paul — Oh, sure.

Mr. Denham — But he hasn't had water for a number of months.

Mr. Paul — Okay.

Mr. Denham — We think that might be the best solution.

Mrs. Harrington — I don't know why we didn't think to order Omer's here if it was that small a deal before.

Mr. Wicklund — Well, a large concern from the beginning—it's actually be a number of years since the water has been off. And a concern from the beginning for me was spending any money making the repairs whenever he had a very large water bill that he couldn't pay in the first place.

Mrs. Harrington — Right.

Mr. Wicklund — Watered Gardens has really helped in that area. It is my understanding that they've really got that worked down to where it's something that is not an issue any more.

Mr. Denham — So if he lives there the rest of his life, the state would basically take care of this lien that would be placed on it, is that correct?

Mr. Wicklund — It should. I don't see the—Jeff is the one that has seen what plumbing has been done, but it's not going to be much just to finish it up and get minimal utilities in there.

Mr. Paul — We can just do this real quick.

Mr. Denham — Do we have a motion to have Item 2140, 1206 Broadway, the subject of a dangerous building hearing?

_____ — We had already had one, and it was tabled, so do we need to just reopen it?

Mrs. Harrington — We need to make a motion to order it repaired.

Mr. Denham — Okay, so we just need to turn it back over to the City. So the Board turns it to the City.

Mr. Paul — Okay. This is the Joplin Building Board of Appeals meeting in the Joplin Municipal Building on this 22nd day of April, 2016, for the purpose of holding 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 Number 2140 on the agenda, also known as 1206 Broadway. The City recalls Jeff Oliver and reminds you that you're under oath.

Mr. Oliver — Yes.

Mr. Paul — Would 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?

Mr. Oliver — Approximately seven years.

Mr. Paul — And have you, in the official performance of your duties, had occasion to inspect the property known as 1206 Broadway?

Mr. Oliver — Yes, I have.

Mr. Paul — What, if anything, did you do to ascertain ownership of the property?

Mr. Oliver — We did a title search.

Mr. Paul — I'm going to show you what's been marked as Exhibit Number 1. Can you identify this for me, please?

Mr. Oliver — Yes, this is a title search we received showing Omer Sylvester Hubbard as the owner of the property.

Mr. Paul — If there is no objection, I would offer Exhibit 1.

Mr. Denham — The Board accepts.

Mr. Paul — And what, if anything, have you done to ascertain ownership of the property?

Mr. Oliver — Notify—

Mr. Paul — Yeah, I'm sorry. What, if anything, have you done to notify the owner of the property of this action?

Mr. Oliver — We sent certified letters.

Mr. Paul — I'll show you what I'm going to mark as Exhibit Number 2. Can you identify these for me, please, and you don't necessarily have to tell me—you might tell me the date of the most recent letter, but tell me what that package of letters is.

Mr. Oliver — Sure. Exhibit 2 is a bunch of certified letters over the last several months that have been sent to Omer Hubbard. The first one here is dated April 6th, sent to Omer, letting him know of today's meeting, and we do have a signed receipt for that letter.

Mr. Paul — And can you maybe give me the date of the first letter?

Mr. Oliver — Alright, the first letter was actually sent when this case started back in January, 2011.

Mr. Paul — And do you have signed receipts for most of those letters?

Mr. Oliver — Early on—I'm going to say no.

Mr. Paul — How about the last year?

Mr. Oliver — There are several here—there's about five or six here that I do not.

Mr. Paul — How about for the last year?

Mr. Oliver — Yeah, at least the last six or eight months Omer has signed for letters.

Mr. Paul — And in addition to him signing for the letters, he regularly attends these meetings, correct?

Mr. Oliver — That's correct.

Mr. Paul — So he has actual knowledge this is something that his property is basically on this agenda every month?

Mr. Oliver — Correct.

Mr. Paul — Okay.

Mr. Oliver — I might add, the date back in January 2011—we had been trying to work with Omer back then for several months. When the tornado hit, and at that point this just kind of got pushed back and was brought back to the Board approximately a year ago.

Mr. Paul — Okay. If there is no objection, I would offer Exhibit 2.

Mr. Denham — The Board accepts.

Mr. Paul — Did you post the property in this action?

Mr. Oliver — I did.

Mr. Paul — And what, if anything else, did you do to notify the owner of the property?

Mr. Oliver — We advertised it in the Joplin Globe.

Mr. Paul — I'll show you what's been marked as Exhibit 3 here. Can you identify this for me, please?

Mr. Oliver — This is the affidavit of publication in the Joplin Globe, with the publication dates of February 3rd, February 10th, February 17th, and February 24th of 2011.

Mr. Paul — If there is no objection, Exhibit 3.

Mr. Denham — The Board accepts.

Mr. Paul — What schooling and education have you had in the building industry which would qualify you as an expert in the construction of buildings?

Mr. Oliver — I have been a general contractor on several residential projects in the Joplin area over a 20-year period.

Mr. Paul — And from an inspection of the property at issue here, 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, on which of the definitions of dangerous building do you base your opinion on, if any?

Mr. Oliver — Yes, line 16, "whenever the plumbing system is totally or partially damaged, destroyed, removed or otherwise made inoperable or unsanitary." That is the main issue with this property. We need to get the plumbing repaired so Omer can get his water turned back on.

Mr. Paul — And can you just expand on that a little bit on the issues with the status of the plumbing in this structure?

Mr. Oliver — Correct, okay. Omer has had a couple of volunteers that have done pieces of his plumbing. Portions of it I have inspected, and they were okay. The most recent gentleman who was trying to help—I had gone out last month to inspect. The inspection failed, and currently Omer has no one trying to help him with that. Basically, we just—we need to get the plumbing repaired and inspected and try to get the water back on for Omer.

Mr. Paul — So he doesn't have running water right now?

Mr. Oliver — That's correct.

Mr. Paul — And that's the primary issue with the property, is that our ordinances don't permit someone to live in a structure without water, correct?

Mr. Oliver — That's correct.

Mr. Paul — Okay. Thank you, Jeff. Does the Board have any—now will be the defendant's opportunity to testify. I don't see a defendant here in the audience today. I believe Omer was here earlier today, is that correct?

Mr. Oliver — Yes.

Mr. Paul — And did he have an opinion as to an order to repair?

Mr. Oliver — Yes.

Mr. Paul — Do we know what it is? Is that reflected in the minutes?

Ms. Champlin — Yes.

Mr. Paul — Okay. We'll release you, Jeff. Now would be his opportunity to testify. I guess since he was here earlier, we'll just ask the Board to take notice of whatever he had to say earlier and incorporate that into their decision-making process. With that, we'll turn it back to the City for a decision—or the Board, rather.

Mr. Denham — Do we have a motion to order repair?

Mr. Wilson — **Mr. Chairman, I make a motion that Item 2140, 1206 Broadway, be the subject of an order to repair.**

Mr. Pommert — **Second.**

Mr. Denham — **I have a motion by Mr. Wilson and a second by Mr. Pommert that Item 2140, 1206 Broadway, be declared a dangerous structure and ordered repaired in accordance to the City of Joplin Code of Ordinances under Chapter 26, Articles IX and X, Section 26-612, subsection 16. All those in favor of the repair, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.**

Mr. Denham — Any other items to address individually, or just continue?

Mr. Oliver — I can go over a few of them here.

Mr. Landrith — What about our favorite client, Jim Ames?

Mr. Oliver — I did speak with Jim by phone this morning. The three new items on your list today are all Jim Ames' properties. In my conversation this morning with him—of course, he's living in Florida now, so I have a feeling we might have more of these pop up. He did say that he's already spoke to Wheeler Construction and Excavation about demolishing Item 2766, 2109 West 10th. The other two, apparently he's contacted some contractors, and he's hoping to get numbers back. He believes they are worth saving.

Mr. Denham — Are all three vacant?

Mr. Oliver — That's correct. Those all would be continued to May 27th. You can combine them with some others if you'd like.

Mr. Denham — Okay.

Mrs. Harrington — These two next to that one that we released today?

Mr. Oliver — Yes.

Mrs. Harrington — These two you were talking about?

Mr. Oliver — Yeah.

ITEM 2652 — **2409 LOCKEWOOD DR.**
OWNER: Vicki Clugston
ADDRESS: 3135 S. Tyler, Joplin MO. 64801

Item previously ordered demolished. A stay was granted. Item continued from February 26, 2016.

Mr. Denham — What's the status of Ms. Clugston on Lockewood Drive? Have you been out there lately?

Mr. Oliver — I have been by it twice this month. I haven't really spoke with her. I know last month she was kind of wondering why she still needed to show up.

Mrs. Harrington — She was glad to see I wasn't here.

Mr. Oliver — The last trip I made this week, or yesterday, there wasn't anyone out there working on it. The one I made a couple of weeks ago to get the photos, there were some people there working on it. It does appear she has some siding and material laying in the driveway to start on the exterior, but as of right now, the exterior I don't believe is any further along than it was three months ago.

Mrs. Harrington — That's the status that it was the last night—let's see, I was at a meeting—I missed the meeting in February where she was. In January, she was ready to start siding it and requested to release it because she was done. And I led a charge not to do that. And she assured us that she would have it done in no time.

Mr. Denham — It's the same contractor that pulled the permit?

Mrs. Harrington — Does she still have a contractor?

Mr. Oliver — The framing I believe was done by Justin Ward, and I don't think he's involved with it any more.

Mrs. Harrington — I thought he was going to finish it.

Mr. Oliver — Is he?

Mrs. Harrington — Well, that was the word that he gave at that point, but that's when her fiancé requested that we release it after Justin was done framing it. We've had four contractors—a son, a realtor, a friend, an attorney, and one other person with her—oh, fiancé, that have appeared with her over the months to help get this project under way.

Mr. Oliver — There is a permit in place.

Mrs. Harrington — Well, I know that, and there's also a demolition order in place.

Mr. Denham — It's much closer now than it was.

Mrs. Harrington — You're killing me.

Mr. Denham — Well, if they had siding on it, and doors and windows, we could release it.

Mrs. Harrington — Well, or we could order it repaired.

Mr. Wicklund — The last time she was here, if I remember right, her excuse was she was just having a lot of trouble picking out the brick and the siding.

Mrs. Harrington — Oh, that's when I was gone.

Mr. Wicklund — I'm not sure the City would be able to pick out the right brick and siding and make her happy.

_____ — That sounds about right.

Mr. Denham — Do you want to be in charge of that?

Mrs. Harrington — I wonder about having the staff make contact with her and tell her that there was a member of the Board that was anxious to order it repaired today but was asked to hold that for 30 days until we could see if there was some progress by May 27th.

Mr. Oliver — Okay.

Mrs. Harrington — Would that be a good approach. I am prepared in 30 days to say—I mean, I don't see this—we've had neighbors at this meeting complaining about this property—what, five of them testified one month because of this property, and I just—I can't—this doesn't tell us when it started. But, Jeff, seriously, I'd like a date when this started in the record--

Mr. Oliver — I can get it for you.

Mrs. Harrington — So that we can—

Mr. Paul — It's a fourteen (14) easily, isn't it?

Mrs. Harrington — Oh, easily

Mr. Paul — Yeah.

Mrs. Harrington — It was one of the first ones I dealt with when I came on Board.

Mr. Denham — Yeah, the fire was a long time ago. I remember the fire. The Graddy's lived there.

Mrs. Harrington — And she bought it.

Mr. Oliver — It sat quite a while before it was even—

Mrs. Harrington — Look how much money the City has spent on registered letters to this woman to come to this meeting. I mean, there are easily 25 letters there.

Mr. Oliver — The "finding of fact" letter was dated—is dated March 28th of 2014.

Mrs. Harrington — Two years later we've got the structure wrapped. It's my opinion that if she doesn't move on this in short order, that we either rescind our stay on the demolition, or we order it repaired.

Mr. Denham — Oh, it's a similar situation that we've had in the past where a building permit is already in place, and that can be a stall tactic in some cases.

Mrs. Harrington — Well, when we're considering a—I mean, it doesn't matter whether it's a luxury neighborhood or a neighborhood similar to the one that Mr. Jones's home property is in, nobody wants to live next door to it. Nobody should have to live next door to it. And the fact that the neighbors took the time to come down here a year and a half ago and ask us to do something, and we pressed forward and we ordered it demolished, and then let her bring her attorney and talk us out of it makes me wonder how heartfelt she was at that point about really pursuing it. So I'd say that two years is plenty of time to get this structure, especially when she has a goal, which is to live in it or sell it eventually.

Mr. Landrith — I'm not really sure she knows what she's going to do. At the same time, we gave Allyn Burt almost four years to get his little building pulled off the list. This is where we could draw so much criticism as _____ (speaking away from microphone). It just seems like we've heard every excuse—I think some of these people come in and say I'm going to use an excuse _____ I used Number Five last week, or last month. This Jones fellow—he'll never get any sympathy, if he wants to sue us, if he's such an expert in construction.

Mr. Denham — Are we able to continue the balance of them, or are there other ones to consider?

ITEM 2070 — **212 S. JOPLIN**
OWNER: Neal Group
ADDRESS: 307 Metalwood, Carl Junction MO. 64834
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the March 25, 2016 meeting for a "Demolition Hearing" and Progress Report (SIXTEENTH TIME BEFORE THE BOARD)

Mr. Oliver — I actually had the first one, Neal Group, to continue it out to June. I mean, that's just a note I made. The Board can do whatever it would like. He's working with the state, and it's slowly moving along. I think having him

here monthly is not going to speed anything up on his end, but that's up to you guys.

Mrs. Harrington — There's no point in spending the money on a letter if they're not going to show up, and they're not going to make any progress. That one is—I don't want to use the word "legitimate" necessarily, but at least there's more of a reason for this red tape with the state holding that historical project up than there is for a homeowner who can't choose their brick.

Mr. Denham — I'll have to abstain from this project since I've been involved in it, but I know plan are complete, and he just is waiting for approval. And I really think it will be a nice project once it gets going. I think he'll follow through. I know he's done some structural work on the adjacent building. They've both kind of worked together for this project to work, as one building was to provide parking and some retail space. And the other building will be retail and office, or something.

Mrs. Harrington — Is 60 days enough on that first one, or would 90 days be better?

Mr. Denham — The last I heard he was hoping to know something by now. The state just has really drug their feet, but 60 or 90, either one.

Mr. Oliver — I had June down, but it's up to you guys—the 24th.

Mrs. Harrington — Shall we deal with that one alone?

Mr. Oliver — Yes.

Mrs. Harrington — **Mr. Chairman, I make a motion that Item Number 2070, at 212 South Joplin, be continued until June 24th for a progress report and demolition hearing.**

Mr. Wilson — **Second.**

Mr. Denham — **There is a motion by Mrs. Harrington and a second by Mr. Wilson that Item 2070, 212 South Joplin, be continued to our June 24th meeting for a progress report and demolition hearing. All those in favor, say "aye". (Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye"; with Mr. Denham abstaining) And I'm going to abstain. Those opposed? (None) Motion carries (6 in favor, 1 abstention).**

Mr. Oliver — Okay, all the rest, I believe May 27th. I think we have 506 East 33rd—if they don't do something soon, we'll probably have to push a little harder or do something with that one.

Mr. Denham — Yeah.

Mr. Oliver That property sold once for sure, if not twice. I know it has once.

Mr. Denham Which one?

Mr. Oliver The 506 East 33rd.

Mr. Denham Right.

Mr. Landrith What's Excuse Number 8?

Mr. Oliver Missouri, Byers—they all have permits, so I think we'll be ready on 506 next month—506 South Cox. Yeah, the rest of them, May 27th.

ITEM 2652 **2409 LOCKEWOOD DR.**
OWNER: Vicki Clugston
ADDRESS: 3135 S. Tyler, Joplin MO. 64801
Item previously ordered demolished. A stay was granted. Item continued from February 26, 2016.

ITEM 2678 **218 N. WALL**
OWNER: Entrust Group Inc.
ADDRESS: 555 12TH ST. Oakland CA. 94607
Stay of Demolition was granted on March 25, 2015. Item continued from the February, 2016. Eleventh time before the board.

ITEM 2684 **506 E. 33RD ST.**
OWNER: Bradley Edge
ADDRESS: 21086 Hwy 96 Webb City MO. 64870
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from March 25, 2016 meeting for a "Demolition Hearing" and Progress Report (TENTH TIME BEFORE THE BOARD)

ITEM 2689 **1310 MISSOURI**
OWNER: Greg Carpenter
ADDRESS: 1545 Rip Rd. Webb City MO. 64870
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the February 26, 2016 meeting for a "Demolition Hearing" and Progress Report (TWELFTH TIME BEFORE THE BOARD)

ITEM 2704 **1826 S. BYERS**
OWNER: Olga Gutierrez
ADDRESS: 1729 Sophia Carthage MO. 64836
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the March 25, 2016 meeting for a "Demolition Hearing" and Progress Report (THIRTEENTH TIME BEFORE THE BOARD)

ITEM 2763 **506 S. COX**
OWNER: Paul Allen & Barbara Chilton
ADDRESS: 9360 Hwy 43 Seneca MO. 64865
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the March 25, 2016 meeting for a "Demolition Hearing" and Progress Report (SECOND TIME BEFORE THE BOARD)

ITEM 2766 **2109 W. 10TH ST.**
OWNER: Jim and Pamela Ames
ADDRESS: 1444 Crestwood Dr. Joplin MO. 64801
"Finding of fact Hearing" scheduled for this date"

ITEM 2767 **607 N. PEARL**
OWNER: Jim and Pamela Ames
ADDRESS: 1444 Crestwood Dr. Joplin MO. 64801
"Finding of fact Hearing" scheduled for this date"

ITEM 2768 **609 N. PEARL**
OWNER: Jim and Pamela Ames
ADDRESS: 1444 Crestwood Dr. Joplin MO. 64801
"Finding of fact Hearing" scheduled for this date"

Mr. Denham Do we have a motion to continue all the remaining items to May 27th?

Mr. Landrith **So moved.**

Mr. Eastman **Second.**

Mr. Denham **I have a motion by Mr. Landrith and a second by Mr. Eastman that all remaining items be continued to our May 27th meeting. All those in favor of continuing, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.**

Mr. Oliver One other note, Item 2678, 218 North Wall—I tried to get them to do a couple of things. Bryan and I visited the property. We felt like there were two minor things that could be done, and we could get that off our Board. So shortly after the meeting last month, I visited with them. I have actually visited with them a couple of times this month, and they have failed to do those two things. So I will get back ahold of them before next month's meeting and inform them that the Board may choose to order those two things done. They're very small—

Mr. Denham Is this one 218 North—

Mr. Oliver And a tax lien would be put on the property if they can't get them done.

Mr. Denham	218 North Wall—is that the one? They're California owners?
Mr. Landrith	California.
Mr. Denham	Yeah, it was pretty minor.
Mr. Oliver	Yeah—moving an old junky heat and air unit—boxing it off and getting a cover over the crawl space.
Mrs. Harrington	You did talk to them, Jeff?
Mr. Oliver	Yes.
Mr. Denham	Do we have a motion to adjourn?
Mr. Wilson	**So moved.**
Mr. Denham	**All those in favor? (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Motion carries, 7-0.**

There being no further business to come before the Building Board of Appeals, the meeting stood adjourned at 10:25 a.m.

Approved _____
Kyle Denham, Chairman

Approved _____
Susan E. Champlin, Notary Public

My Commission expires: November 18, 2016

STATE OF MISSOURI NOTARY SEAL

SUSAN E. CHAMPLIN
Notary Public
Jasper County
My Commission Expires
November 18, 2016
Commission # 12528995