JOPLIN | BUILDING BOARD OF APPEALS

Building Board of Appeals

Meeting Minutes

April 28, 2023

Call to order

Mr. Denham called to order the regular meeting of the Building Board of Appeals on April 28, 2023.

Roll call

Mr. Denham conducted a roll call. The following persons were present: Kyle Denham, Garret Wagner, Lance Windsor, Gary Duncan, Christopher Tucker, Steve Brown, Assistant City Attorney, Jordan Paul, City Building Officials Bryan Wicklund, Jeff Oliver and Administrative Assistant Vicky Copeland

Approval of Minutes

Mr. Windsor made a motion to approve the Regular Meeting of Building Board of Appeals minutes from March 24, 2023, and Mr. Wagner seconded the motion. (6 Aye, 0 Nay) Motion carried.

Continued Items

Item 2913, 3615 S. Range Line Rd.

The owner of the property was not present at the meeting. Mr. Oliver stated he believed they were working on funding for demolition. There had been no date committed. Mr. Tucker stated he would like an update from Mr. Bolander and Ms. Haase. Board agreed. **Motion to continue Item 2913, 3615 S. Range Line Rd. to May 26, 2023, Board of Appeals meeting for progress report and demolition hearing made by Mr. Windsor. Seconded by Mr. Tucker. (6 Aye, 0 Nay) Motion carried.**

Item 2947, 2408 Willard Ave.

The owner of the property was not present at the meeting. Mr. Oliver stated he had not had contact with the owner. The facia and soffit had been replaced on the south side. The property was weather tight and secured. Mr. Oliver said the property needed a final inspection. He has attempted to contact owners with no response. **Motion to continue Item 2947, 2408 Willard Ave. to May 26, 2023, Board of Appeals meeting for progress report and demolition hearing made by Mr. Wagner. Seconded by Mr. Duncan. (6 Aye, 0 Nay) Motion carried.**

Item 2968, 217 N. Gray Ave.

Donna Bray, owner of the property was present. She stated she had not done a lot on the outside of the house. She spent the entire month doing yard work and working inside. She said she had been waiting on the release of the Certificate of Existence. It just got released last week. She stated she did not want to put any more physical labor into it until it was released. Also, she could not apply for any other grants that she was eligible for until that was released. She said she has that now and it was printed out. She stated she worked in the yard and instead of putting a dumpster like she had originally planned for $350.00-$400.00 she got access to a 16' trailer and she had been loading stuff on it and hauling it off. Right now, it is full of brush. She said she quit this week because she found poison ivy. So, she has to go today and buy some brush killer. She is waiting on quotes for the roof. Abernathy roofing was supposed to have it to her before now but there was something about and "Eagle Eye." She stated there is a lot of roofing going on right now and he could not get in line for that. She said that is what she had done. But most of the work had been on the yard this month. She stated she had the materials to finish the back side of the house, but she had been working on the yard. Mr. Denham asked if she had all the material for the back of the house. Ms. Bray stated yes, to box in the back of the house. She said she had to fix the back section of the fence because the kids next door kept climbing on the fence until their mom got on to them. Mr. Tucker stated he wanted to add something to the record. He unfortunately missed the last meeting, but he seen five pages from Ms. Bray's attorney came in and went back and forth with the Board. Somewhere in there the attorney said you know the people that sit on this Board likely have a lot of money. Mr. Tucker stated he just wanted to set the record straight that he and his family are a very low-income family well below the Federal poverty level and he just enjoys helping and volunteering for the City. Ms. Bray stated she did not recall that comment by her attorney, but she will look it up. Mr. Denham said that stuck with a few of us. Mr. Paul stated it was definitely made. Mr. Denham stated this building has been ordered demolished and the stay had

been put on and then lifted. At this point we either have the options to continue with the demolition or the demolition stay. Ms. Bray interrupted and said she thought she was given 60 days, she stated she did not remember how much, six months. She stated she thought there was an agreement reached that she had six months, but she still had to provide monthly reports. Mr. Denham questioned six months and stated he did not recall that. Mr. Tucker said they would have to go back and read five pages. Mr. Wagner asked where she stood with her financing and does she have enough money to complete the project. Ms. Bray stated she had the money to put the roof on the house, but she had to pay an attorney. She said she was working on that. Her attorney actually put her in touch with someone who would work with her on financing. Abernathy roofing finances but he would not recommend it because the interest was very high. He stated if she could get private financing. She said she was still working on that grant from the government, but they could not do anything until she got that release on her deed. Mr. Tucker stated what about, he knew it had been mentioned a lot in these meetings but what about Habitat for Humanity since it had been released. Ms. Bray stated she physically had to live there for a year. Mr. Tucker asked if that was their criteria. Ms. Bray said that was what they told her. She said last year they did not have any money in Jasper County, but she goes in there a couple of times a month and asks if there is anything new or available. Part of it was the Certificate of Existence but a lot of it is that she had to physically live there and have insurance on the property. She cannot get insurance until she puts a roof on the property. She stated it was a process. Mr. Oliver asked if she allowed Abernathy Roofing to enter the building and look at the framing and structure. Ms. Bray stated no, he did not ask too. He walked around and took measurements and pictures. He stated something about this Eagle Eye program is like a satellite imaging where they get their measurements from. Mr. Oliver said he thinks she will find out there was some framing and structural issues that would need to be repaired before the roof was put on this structure. Ms. Bray stated okay. Mr. Oliver said he did a site visit and gave her a list. He stated she had a wall on the south side that is pretty well shot. Ms. Bray said right. He stated the wall is bowing out, decayed, and rotted. He said there is actually work that needs to be done before a roof is put on it. Ms. Bray said okay. Mr. Oliver said they need to consider that when they are giving you their bid. Ms. Bray said okay that part of the roof had been replaced over where that wall is. She stated she knew the wall needed to be fixed but that part of the roof had been replaced. Mr. Tucker asked her if she had reached out to any local churches or volunteers. Ms. Bray stated she had asked for assistance from the floor center. This Certificate of Existence hanging over the property has made her ineligible for anything. She said now that had been released, she needed to call them back because they said as long as that was there, they could not do anything. Ms. Bray stated she could not remember if she spoke with Hearts and Hammers. Mr. Duncan asked Mr. Paul if they could review the end of last month. He stated they vacated it, but the Board could call another demolition hearing. Mr. Paul stated correct. Mr.

Denham stated he knew 60 days was discussed. Mr. Tucker stated he understood the order to be vacated but it remained on the agenda. Mr. Duncan said for review, but they could order another demolition hearing. Mr. Denham stated there was an issue on notices that he recalled. Mr. Tucker said Mr. Paul had already stated that if the Board ordered it demolished and they do take it to Court Judge Hensley was likely either going to allow it to go through or send it right back to us and make it however many more days. Mr. Paul stated he remembered the conversation about the financing. Mr. Wagner stated that was where he stood on it, 60 days to secure enough financing to complete the project. He felt like that should be the cut off to lift the stay and go back to the demolition. Mr. Tucker said he was not speaking on behalf of the Board just for him right now, say you continue to go out to these places or churches, by the time you get back here could you maybe have some letters from them saying whether they were willing to help you or not. Ms. Bray stated she could ask them if they could do that. Mr. Tucker said most places would issue a letter saying hey, we can help or hey, we can't. Ms. Bray stated yes, she could do that. Mr. Tucker said he was just speculating. Mr. Oliver said as far as securing financing for a project like this and the volunteers and different groups it would be nice to have one group that could do it all. He stated piece milling this was probably not a good idea. In other words, if you just get the roof done and that was all that was done for six months that is not going to get it off this Board. Ms. Bray stated okay. Mr. Oliver said there was structural issues and there were a lot of things going on so securing the financing you really need someone to look at it and everything that would be going on, electrical, framing all that. He stated there are walls that are failing and deteriorating. See if anybody wants to tackle this big project. Ms. Bray stated okay. Mr. Tucker directed a question to Mr. Oliver since he had been to the property and done a walk through on the cost of this project. Mr. Oliver stated it would be better to have a contractor that does this day in, and day out would be better than him speculating or throwing a number out there. Mr. Oliver said the day he went he had a fellow inspector go with him and they were there 25-30 minutes. They asked to go inside, she didn't really want them to go inside but he does have some photos he took the other day. In some of the photos you can see a wall bowing out underneath a window, some of the wood that was removed by the inspector just crumbled in his hand. Mr. Oliver said there is stuff that was hidden. There was a lot going on where it needed to be torn off and looked at. Mr. Tucker asked Ms. Bray the reason why she did not want them to go inside. Ms. Bray stated because right now what made her home a dangerous building was the outside was that room that was collapsing and the roof. She stated to her she was addressing that. The vandals have destroyed the inside of her house. When she moved out, she had all of her personal belongings still in that house. They have gone through and dumped out totes all over the house. They have pulled everything out of cabinets and emptied her closets. It was still a mess. It is a mess inside, a total disaster, not structurally, it is not unsafe. It is just a disaster in there and looked like a storm hit it. But fortunately, since they had put up the lights and

her neighbor had put up security lights, she does not think anyone had been in there for a couple of months that she can tell. If they had they have not moved anything. Mr. Paul stated he was under the impression that her attorney was going to continue to attend these meetings. Ms. Bray stated no, he said he was not going to this one, but he would come back if she needed him. She said it was agreed upon that she had 60 days at the last meeting and that was why she had been waiting for that. He said that she would be willing to sign a document and you all said, sure that was fine. But she still had to report every 30 days with a progress hearing. She stated it was definitely agreed to at the last meeting cause him and I went out and discussed it after the last meeting. Mr. Paul said given the complexity of this case and he would not recommend doing a hearing today. He stated he thought everyone on the Board was not particularly satisfied with the progress since the last meeting. Mr. Paul stated he thought if they were in the same place 30 days from now the expectation would be to have a hearing at that time. He told Ms. Bray that if her attorney needed to be here then he would recommend having him here. Ms. Bray stated that is just more material money that she would not be able to spend. She said she guessed if he needed to come from Springfield next time then she would just pay for him to come back. Mr. Paul stated the minutes were not clear and there was not a consensus on the 60 days. If you were given the 60 days here on the financing. Ms. Bray asked if it wasn't in the minutes. Mr. Paul stated the minutes were not verbatim. Ms. Bray stated it was on the video. Mr. Paul said sure. Mr. Paul said you are not saying you had more than 60 days, right. He said you think it was 60 days. Ms. Bray stated no, it was six months. Mr. Paul stated he could promise her the Board did not guarantee her six months. Ms. Bray stated okay. Mr. Paul stated he was 100% sure on that. Ms. Bray stated okay she would just have to call him. Mr. Paul said he thought what it was, correct me if I am wrong, he thought the idea that this could extend out six months they were not necessarily opposed to if you had fixed it. So, if you came and you were working along here and there was progress 30, 60, 90 there was no issue extending six months. That was the conversation. Mr. Paul stated it was not six months to come up with a plan and he was 100% sure of that. Ms. Bray said she remembered she was told she was going to have to sign another waiver, a six-month waiver. Mr. Paul said no. Ms. Bray stated she would have to go back and listen to the video. Mr. Paul said he was certain there was no waiver involved because when the Board vacated the previous Stay there would be no need for a further waiver. Ms. Bray stated okay. Mr. Paul stated because the process was going to be if we needed a new hearing, we would have a new hearing. Mr. Paul stated we have cleared up some of this today to the extent it was unclear coming in today. Mr. Paul said it was clear now and she may disagree with it. Ms. Bray stated okay. Mr. Paul stated he was confident with what he was saying on that stuff. Ms. Bray stated okay. Mr. Paul said he thought this expectation at this point was in 30 days certainly have the financing and if not the financing some significant progress on the property otherwise they do intend on having a hearing. This is us telling you on the

record to have your attorney here and be prepared to have a hearing on that day unless things have radically changed. Mr. Paul addressed the Board and asked if he was wrong in anything he had stated. The Board agreed. Mr. Denham pointed out one of the last sentences on our minutes, Mr. Paul stated correct, and he thinks that we would also need to be clear that being the expectation that when we all show up here in 30 days if progress report is not satisfactory then there would be a hearing. Mr. Denham stated that is one of the last things stated before we had our vote and that is today. Ms. Bray stated okay. Ms. Bray stated the minutes are not always word for word I am sure because I have checked them. Ms. Copeland stated the minutes are verbatim. Mr. Paul said he may have misspoken. It was not a transcript we don't do transcripts for these hearings. Mr. Paul said he was going to ask whether the clerk had a copy of the minutes. Mr. Wagner offered his copy. The copy was given to Ms. Bray. Mr. Denham asked about the pictures Mr. Oliver had provided and asked if they were up to date. Mr. Oliver stated Ms. Bray had removed some of the items. **Motion to continue Item 2968, 217 N. Gray Ave. to May 26, 2023, Board of Appeals meeting for progress report and demolition hearing made by Mr. Wagner. Seconded by Mr. Tucker. (5 Aye, 1 Nay) Motion carried.** Mr. Denham stated he wanted to be clear that the Board could order this demolished next meeting. Ms. Bray stated she knew that. Mr. Denham said no six months. Ms. Bray stated okay. Mr. Tucker said he would plan on having your attorney here next meeting. Mr. Paul asked Ms. Bray if she was confused about any of the Board's expectations at this point. Ms. Bray said what, she could barely hear them where she was standing. Mr. Paul reiterated his previous question. Ms. Bray said no she is not. She stated she was at the point right now where nothing she can do short of bringing a contractor in and completely remodel her home. She stated she had sat there and listened to other people who have done nothing or who have talked to this guy or got a bid from this guy and done nothing. She stated she had worked so hard on that place in the past month she could hardly walk at the end of the day. She said she just felt like she was at the point that the Board has decided that there is something personally wrong with her and nothing she does is going to be right. Mr. Denham stated it was nothing personal. He said this had been on the agenda since June 2021. Ms. Bray said let me ask you a question, what is the deal with Misty Gamble. Mr. Tucker stated there are people living there and it is not in that bad of condition as your property. Ms. Bray stated Ms. Gamble had been before the board 20 times. She is never at the meetings Ms. Bray had attended. She stated that she missed two meetings and both times her home was ordered demolished. Mr. Denham stated Ms. Gamble's home is nearly done, it needs a little bit of facia work. Mr. Denham told Ms. Bray that her home had seen very little action. Mr. Paul stated you can not do no progress and not show up. Ms. Bray stated but you have to show up to report the progress, don't you. Mr. Paul stated not necessarily. Mr. Oliver can drive by and observe it. Ms. Bray said she was under the impression that if you were on this agenda then you had to be here. Mr. Paul said he thought that failing to appear was at

your own risk. Mr. Paul stated they would certainly prefer for Misty Gamble to be here, but Jeff certainly had the right to drive by and observe the progress and report to the Board the progress if it was continuing to move and almost complete. They are allowed to accept that. Mr. Tucker said with all due respect ma'am I remember first time meeting you it was me and Mr. Wagner was kind enough we had just got on this Board and even vacated it at that time. Ms. Bray stated she understood and appreciated that. She said it was just no matter what she did it was never enough and there were other people that have been here today that said they have done nothing. She stated she has every single day she does something. She was either working in the house, working out of the house, talking to people, making phone calls, filling out applications every single day. Mr. Duncan stated he appreciated Ms. Bray's frustration, but the Board's frustration was that this has been going on since July 1, 2021. Ms. Bray said she understood. Mr. Duncan said no one in this room today has been on this agenda since July 1, 2021. They are very recent. They are not going to stay on the agenda if they don't. He stated you have had ample time to try and do something. No one else has had that. Ms. Bray stated okay. Mr. Duncan said you are the oldest house on this agenda. Ms. Bray asked how Misty Gamble has been on the agenda twenty sometimes that is twenty some months. Mr. Windsor stated he would like to add that to his knowledge no one has ever had a Stay on a demolition more than once. Ms. Bray stated she understood. Mr. Windsor stated he had gone out of his way before this Board because he felt bad for her and most of them disagreed with him. Ms. Bray stated she appreciated that. Mr. Windsor stated but he did it. Ms. Bray stated she was trying. Mr. Windsor stated he understood that. Mr. Tucker said he was speaking on his own behalf now, there comes a time and a point in your life if you don't have the financials, you don't have them. Exigent circumstances arise day to day. If you can't do it, you just can't do it. No hard feelings against you. Ms. Bray stated she was doing it. Mr. Tucker said if it is just not there it was never going to happen. He said you can have hope and prayer all day long, but it doesn't mean it is going to happen. Ms. Bray stated but I am doing it, it's just not quick enough. It is not fast enough for this Board but there are homes all around her that were worse than her home. Nothing had been done. She stated she has spoken with all of her neighbors. All of her neighbors are perfectly happy. They know she is working on the house, well all except one across the street who is the neighborhood tattletale. She stated everyone knows she is trying, trying really hard. She said her house is not as bad as a lot of houses all around her that have not been posted. Ms. Bray stated she was trying and making an honest effort. She said that is her home and if she gives up on it, she is homeless. Mr. Paul stated you just said you do not live there. Ms. Bray said hmmm. Mr. Paul said he thought she just said she did not live there. Ms. Bray said she doesn't live there; she lives with her son right now and within the next 30 days will be moving to South Carolina. She said but that is my home and she intended on saving her home. She has lived there since 1986. Mr. Tucker asked if her son rented or owned the property he lives at. Ms. Bray stated

he rents not her property but his property. She stated she could not afford $1200.00 rent a month or even $700.00-$800.00 a month. That is what in Joplin it is going for. Mr. Tucker stated he thought based on her financials, don't know your background or anything but there is HUD or several others. Ms. Bray stated she could probably live in a senior citizen complex. She said she qualified for it but would rather be in her own home. Mr. Tucker said trust us we want the property to look nice. Ms. Bray stated she did too, and nobody wants it fixed more than her. She said like she said she will continue to work on it. Yesterday in the rain was the first day she had not worked on it in a couple of weeks.
She said anyway she would do her best and thanked the Board.

Item 2985, 130 S. Moffet Ave.

The owner of the property was not present at the meeting. Mr. Oliver stated he has not had any contact with the owner and there are no permits for the main structure. Mr. Oliver stated he left notice on the property. **Mr. Duncan made a motion to continue Item 2985, 130 S. Moffet Ave. to the May 26, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (6 Aye, 0 Nay) Motion carried.**

Item 2986, 302 S. Connor Ave.

Item 2987, 306 ½ S. Connor Ave.

Levi Babb, Blue Shutter Investments, owner of the properties was present. Mr. Babb stated the fire suppression issue had been figured out and the remainder of the permits had been pulled. They have been delayed by contractor for two weeks. The interior of the property has been gutted. The property is secure. Mr. Denham asked Mr. Babb if by the next meeting could he have the windows, siding and doors completed. Mr. Babb stated all the exterior would be complete. Mr. Duncan asked if they were replacing all the windows. Mr. Babb stated yes. **Mr. Duncan made a motion to continue Item 2986, 302 S. Connor Ave. and Item 2987, 306 ½ S. Connor Ave. to the May 26, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Tucker. (6 Aye, 0 Nay) Motion carried.**

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

Shaun Grindle, owner of the property was present at the meeting. Mr. Grindle stated the fire damage had been cleared out and the roof was ½ framed. Mr. Denham asked what type of material was being used for roofing. Mr. Grindle stated asphalt shingles. Mr. Denham stated the frame looks good. Mr. Grindle asked for a Stay for 90 days. Mr. Denham said 60 days was possible. Mr. Grindle stated he was working with Mr. Neal and Mr. Neal had a proven track record.

Mr. Tucker made a motion to continue Item 2990, 801,803, 805 W. 1st St. to the June 23, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Brown. (6 Aye, 0 Nay) Motion carried.

Item 3002, 301 S. Winfield Ave.

Anabell Lopez, 301 S. Connor Ave., Joplin, Mo. appeared on behalf of the property. Ms. Lopez stated there were five layers of roof. They had replaced framing and next month they will be 100 % done. Next, they will replace windows and pull the electrical permit. **Mr. Tucker made a motion to continue Item 3002, 301 S. Winfield Ave. to the May 26, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (6 Aye, 0 Nay) Motion carried.**

Item 3003, 129 S. Patterson Ave.

Kylin Smith, owner of the property was present. Ms. Smith stated the exterior was finished and the permits were pulled. Mr. Oliver asked when it would be ready for the final inspection. The owner stated in 60 days. **Mr. Duncan made a motion to continue Item 3003, 129 S. Patterson Ave. to the May 26, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (6 Aye, 0 Nay) Motion carried.**

Item 3004, 630 S. Porter Ave.

Pham Thanh Cong & Cuc Thi, owner of the property was present at the meeting. The owner stated the final inspection on the property was on Monday. The inspection failed citing minor repairs. The owner stated he would make the repairs. Mr. Oliver stated he had the property set to release. **Mr. Wagner made a motion to release Item**

3004, 630 S. Porter Ave. due to completion. Seconded by Mr. Tucker. (6 Aye, 0 Nay) Motion carried.

Item 3010, 1116 S. Jackson Ave.

Patrick Stone, owner of the property was present. Mr. Stone stated the property was placed under contract 3½ weeks ago. The plan was for the property to be completely renovated in 12 weeks. They plan to do a gable roof, HVAC after the plumbing and the walls to be demolished. Mr. Denham asked the plans for the property. Mr. Stone advised the intent was to sell the property. **Mr. Wagner made a motion to continue Item 3010, 1116 S. Jackson Ave. to the May 26, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (6 Aye, 0 Nay) Motion carried.**

Item 3011, 911 W. B St.

Phillip Bentz, owner of the property was present at the meeting. The owner stated there had been no progress. Mr. Oliver stated the owner needed to call for inspection on the porch. The door had been open on the property for three months. Mr. Bentz stated it would be locked today. Mr. Duncan asked if they had replaced the windows on the alley side. Mr. Bentz stated no they were boarded up. Mr. Tucker asked the time frame. The owner said next month. Mr. Bentz asked if the porch soffit needed pulled. Mr. Oliver advised yes. Mr. Windsor stated he was concerned about the front door being open and no permits. He stated there needed to be more progress by the next meeting. The owner agreed. **Mr. Windsor made a motion to continue Item 3011, 911 W. B St. to the May 26, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Tucker. (6 Aye, 0 Nay) Motion carried.**

Item 3012, 832 S. Pennsylvania Ave.

Edwin with J.J. Construction, Joplin, Mo, representative of the owner of the property was present. He stated the demolition was almost complete. They had pulled a permit. He stated his girlfriend had purchased the property and the title work was in her name. Mr. Denham asked if they were trying to get the property rezoned to R3. Edwin stated yes and they had completed an application with Planning and Zoning. He asked if it was possible to keep the garage. He would like to fix the roof of the garage and keep it. Mr. Oliver stated it was an accessory structure to the house north of the property. They would need to pull a permit to repair the garage. Mr. Wicklund stated they had extended the demo permit and all demolition work would need to be done by Wednesday, May 3rd.

Mr. Windsor made a motion to continue Item 3012, 832 S. Pennsylvania Ave. to the May 26, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Tucker. (6 Aye, 0 Nay) Motion carried.

Item 3014, 822 S. Byers Ave.

Joe Micklson, owner of the property was present. Mr. Micklson stated he had torn down the first floor. There was a temporary barricade around the basement. The debris had been hauled off. He was negotiating with a potential buyer and there was a possible contract. He was recovering a lot of the materials inside making the progress slow. Mr. Wicklund stated he needed to get a demolition permit now and get this finalized. Mr. Oliver stated he needed to stay on top of the fence. **Mr. Tucker made a motion to continue Item 3014, 822 S. Byers Ave. to the May 26, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (6 Aye, 0 Nay) Motion carried.**

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

Tyler Casey, owner of the property was present. Mr. Casey stated the fire suppression bids were accepted. They had removed all asbestos siding. Mr. Denham asked for a completion date. Mr. Casey stated by the end of the year. Mr. Tucker asked if everything inside had been gutted and asked about historic tax credits. Mr. Casey stated yes, they had removed all contents. He had met with Ms. Phillips, and no one can confirm the validity that these apartments were brought up from Crowder. No one can confirm historic content or value. He stated in general these would be new buildings. **Mr. Windsor made a motion to continue Item 3015, 117 S. Byers Ave. and Item 3016, 121 S. Byers Ave. to the May 26, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Duncan. (6 Aye, 0 Nay) Motion carried.**

Item 3020, 1309 S. Jackson Ave.

Mr. Oliver stated the property can be released. **Mr. Windsor made a motion to release Item 3020, 1309 S. Jackson Ave. due to the completed demolition. Seconded by Mr. Duncan. (6 Aye, 0 Nay) Motion carried.**

Item 3022, 326 N. Walnut Ave.

A representative for the property was present. She stated she thought the property was sold. Mr. Oliver asked for Item 3022, 326 N. Walnut Ave. to be continued. **Mr. Duncan made a motion to continue Item 3022, 326 N. Walnut Ave. to the May 26, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (6 Aye, 0 Nay) Motion carried.**

Item 3023, 2715 S. Pennsylvania Ave.

The owner of the property was not present. Mr. Denham asked for a Motion for a Dangerous Building Hearing on Item 3023, 2715 S. Pennsylvania Ave. **Motion to hold a Demolition Hearing on Item 3023, 2715 S. Pennsylvania Ave. made by Mr. Duncan. Seconded by Mr. Wagner. (6 Aye, 0 Nay) Motion carried.** Mr. Paul called Mr. Jeff Oliver, Building Inspector City of Joplin under oath. Ms. Copeland administered the oath. Mr. Paul questioned Mr. Oliver if he had the opportunity to inspect the property at issue and show reasonable likeness for the matter at issue. Mr. Oliver stated yes, he had inspected the property and it does qualify for demolition, and that can be seen in the photographs. (Exhibit 1.1 and 1.2). Exhibit 1.1 was taken on 01-31-23 the date the property was posted and 1.2 was taken on 04-26-23. Mr. Paul stated the photographs reflect the current condition of the residence. Mr. Oliver stated he had posted the property and it is reflected in the photographs. Mr. Oliver explained that he had a title search done using Great American Title showing Bradley Morris as owners of the property. (Exhibit 2). Mr. Oliver stated he sent certified letters to the owner at 401 S. Elm, Carterville, Missouri, and he had no signed receipts. (Exhibit 3) Mr. Oliver stated this item was advertised in the Joplin Globe with the publication dates of April 6, 13, 20 and April 27, 2023. (Exhibit 4) Mr. Oliver expressed that he had based his opinions off the Code of Ordinances with sub-section line 6, 13 and line 18. (Exhibit 5) Mr. Oliver stated that in his professional opinion, he would recommend demolition of the structure. The property was the subject of a fire and currently remains open for unlawful entry. **Motion Item 3023, 2715 S. Pennsylvania Ave. be declared a dangerous building in accordance with the Joplin Code of Ordinances and so ordered to be demolished including any outbuildings and any storm shelters and ordered to be vacated made by Mr. Duncan. Seconded by Mr. Windsor. (6 Aye, 0 Nay)** Mr. John Schemenarr, 2719 S. Pennsylvania Ave. voiced concerns as a neighbor. The property was wide open and there was a problem with homeless camping in the residence and in his yard.

Item 3024, 430 N. Byers Ave.

Joshua LaForest with JBL Capital, owner of the property was present. Mr. Oliver asked how soon the property would be demolished. Mr. LaForest stated they started taking bids yesterday. **Mr. Wagner made a motion to continue Item 3024, 430 N. Byers Ave. to the May 26, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Duncan. (6 Aye, 0 Nay) Motion carried.**

Item 3025, 310 N. Main St.

The owner of the property was not present. Mr. Oliver stated the demolition permits had been pulled and paid. The asbestos inspection had been paid and the property had been remediated. **Mr. Windsor made a motion to release Item 3025, 310 N. Main St. due to the demolition permits being in place. Seconded by Mr. Tucker (6 Aye, 0 Nay) Motion carried.**

Item 3026, 2611 S. Pearl Ave.
Item 3027, 2617 S. Pearl Ave.
Item 3028, 2621 S. Pearl Ave.

David Papen, owner of the properties was present. Mr. Papen stated it had been set aside to get financing. He provided approval documents to Mr. Wicklund on April 19, 2023. They have maintained property and provided temporary power and a temporary fence. The bank is in a holding company right now and there was a lot of arduous paperwork to get to where he is presently. He sent an email to the architect of Record, and they were to begin work on May 1st. They will be pulling permits. They have 1.2 million dollars in loans. They have been pushing the banks and it has been a very expensive project, but they are over the hurdle. Mr. Papen stated he did not think they needed a long continuance. They were requesting a one-month extension of the Stay. They have not yet closed on the property. Mr. Paul asked why the closing did not happen in December 2022. Mr. Papen stated according to the title company because the holding company owns the bank, they are trying to move the product there and start it before they close. He sent a copy of the letter from Elevated Equities that they intend to close, and they have their financing in place. They had to put the cash up prior to close. They have to move the product there because they cannot get title insurance. Basically, that is the deal. They have to get the product on the loan to the property. Mr. Paul asked for clarification on the word, "product." Mr. Papen stated

building materials. Mr. Paul asked if it took four months to do that. Mr. Papen stated no, sir, they did not have permission until the 19th and again the bank is being held by a holding company. Mr. Paul stated it was his understanding that Mr. Papen had a number of entities that were in bankruptcy, foreclosed or being sued for breach of contract related to business transactions. Mr. Paul asked Mr. Papen how he intended to pay on this loan. Mr. Papen stated he did not have any business entities involved with this in bankruptcy. Mr. Paul said you are not involved in the transaction on that building in Neosho in foreclosure on Monday that filed bankruptcy. Mr. Papen stated he was involved in that, but it was not related to this at all. Mr. Paul stated he understood that, but didn't he have something. Mr. Papen interrupted and stated that company is not related to these companies. Mr. Paul stated he understood that and that is how he would structure it. Mr. Paul asked how you intend, you are getting financing, how do you intend to pay on this loan. Mr. Papen stated he had funds for that. Mr. Paul stated okay. Mr. Papen stated he had other companies not in bankruptcy and doing quite well. Mr. Tucker stated after the special meeting the property remained dormant. Mr. Wicklund stated the Board was told in December the transaction could not happen while the property was on the agenda. The Building Board held the special meeting in December. However, the transaction still has not occurred. He stated it was the second month it had been back on the agenda, why is the transaction able to move forward now with it on the agenda but months ago they said no it could not move forward. Mr. Papen stated he could not answer that question. He said they crossed their hurdle. They are ready to go. He has every intention on bringing the product up and getting this closed. He stated once the materials and wall sections are moved to the site, which is a two to three week process, it had to do with the title insurance. He said it was a technical thing. He stated the bank wanted the other two buildings on site, so they have adequate collateral to close on the loan. They have the buildings ready to move up. They are ready for that to happen. Mr. Denham stated he understood this would be built on site. Mr. Papen stated no. They would be moving buildings more like a panelized system. Mr. Denham asked if the existing structure on site would be demolished. Mr. Papen stated no it would be brought up to code. Mr. Paul asked why they were not on site now. Mr. Papen stated they had to have an agreement from the holding company to put them on site, to cover the insurance, to cover everything. Once they are on site because they are in the bank's name, he had to be able to cover them through an insurance policy before he set them on site. Mr. Oliver stated he does not recall but there were some issues dealing with the inspections that need to be corrected. Mr. Wicklund directed the Board's attention to their screens. Mr. Wicklund stated the last time they were on site doing an inspection was March 18, 2020, that was soon after that building had been delivered maybe even the day it was delivered. Mr. Wicklund stated the framing inspection failed that day. He stated that was the last time they had done any inspections. He said the three slabs passed but nothing as far as the above ground structure had passed any inspections.

Mr. Duncan made a motion to continue Item 3026, 2611 S. Pearl Ave., Item 3027, 2617 S. Pearl Ave., Item 3028, 2621 S. Pearl Ave. to the May 26, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (4 Aye, 2 Nay) Motion carried.

New Business

Item 3029, 508 N. Cox

David Latham, represented the owner of the property and was present. Mr. Latham stated the property was his grandmother's property and she wanted to sign the property over to Mr. David Latham. He planned to secure the building and put a new roof on the property. Mr. Denham stated he drove by the property yesterday and noticed campers in the yard. Mr. Oliver stated the campers were told to move on. Mr. Tucker asked Mr. Latham's intent with the property. Mr. Latham stated to live in the residence. **Mr. Duncan made a motion to continue Item 3029, 508 N. Cox Ave. to the May 26, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Tucker. (6 Aye, 0 Nay) Motion carried.**

Item 3030, 1010 E. 20th St.

Allyn Burt, owner of the property was present. Mr. Burt stated the property had been vacant for several years. At the first of the year vandals damaged the south side of the building and presently the east side of the building was damaged. He said they are attempting to replace the windows, but they have been unable to match the color or style. They ordered the windows over three months ago. The outside is in very good condition. Mr. Burt did question why the City did not just tell him to board it up. Mr. Denham asked Mr. Oliver if there were other issues with the property. Mr. Oliver stated obviously it is an unfinished structure and that is what prompted the posting. He said before the windows were broken there was a door left unsecured. Could be people were going in and out of it prior to that anyway. Mr. Oliver stated there had been a lot of complaints coming into the City on this commercial building over the years and especially the last several months. Mr. Oliver said they are coming in through a site the City has called, "SeeClickFix." The City staff was getting pounded pretty bad with complaints on this building. Mr. Burt said he would say yes when the windows were all broken but before that no. Mr. Wicklund stated he took issue with a phone conversation between the two of them months ago soon after the windows had been broken out and Mr. Burt was given 45 days to either get glass in them or board them up. Mr. Wicklund said he told Mr. Burt then if one or the other wasn't done by a certain date that he

didn't have any other choice than to bring it before the Board because of the condition that it was in. Mr. Burt stated he did not remember any of that conversation. Mr. Wicklund stated we did have that conversation and that is why Mr. Burt was in front of the Board today. The broken windows and the current condition of the building. Mr. Burt stated that obviously they don't want the building like that. Mr. Burt said the building will be fact to the original state right before the vandals hit it. Mr. Burt stated an interesting fact was that when they locked the doors, they always had a homeless person breaking the glass out so they replaced the front door so many times and finally he just said, leave it open and then they had no problem for two years after that. Mr. Burt said then they had the police contact them and tell them they needed to lock the doors and he said are you sure you want us to do that. The police said they would watch it and even put a special designation. He stated he went to the police department and signed something that said they would watch it and they could take them into custody the minute they go in there. Mr. Burt said fine and locked the door and guess what happened. Vandals broke everything and completely tore the property up. Mr. Burt stated he was not arguing with anyone. He was just saying they did everything that they could to make that building look great and no one was complaining. The only question that had been proposed to him was why they were not back there. Mr. Denham asked Mr. Burt his long-term plans for the structure. Mr. Burt stated they had a family issue. Working on getting the permits, called the architect and had the engineer on site. He stated everything was moving forward. Mr. Duncan asked if the building was complete on the inside. Mr. Burt stated the structure is empty and in the framing stage. Mr. Duncan asked if it had been for sale since it was erected. Mr. Burt stated the building had tornado damage and they have always wanted to go back but there was a family issue. Mr. Burt said they are definitely going back. He stated he imagined the Board's concern was the safety of the building and he was just as concerned about safety. Mr. Duncan stated the issue is that it was so close to the school making it a dangerous building. Mr. Tucker said especially since it had been abandoned for so many years. Mr. Burt stated there had been a lot of people in it and it wasn't dangerous then, with the sharp glass, yes. Mr. Windsor stated this had been an issue for 12 years. Mr. Burt said it shouldn't be an issue, they did exactly what the City said which was to finish the outside, bring it to that position. Mr. Burt stated there was no way anyone had an issue and if they did no one had informed him. He said they have only had an issue since they were told to lock it up. Mr. Denham stated vacant buildings tend to attract problems over time. Mr. Denham said he appreciated Mr. Burt's efforts. **Mr. Tucker made a motion to continue Item 3030, 1010 E. 20th St. to the May 26, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (6 Aye, 0 Nay) Motion carried.**

Item 3031, 109 S. Forest Ave.

Owner of the property was not present. Mr. Oliver recommended continuance. **Mr. Duncan made a motion to continue Item 3031, 109 S. Forest Ave. to the May 26, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (6 Aye, 0 Nay) Motion carried.**

Item 3032, 912 S. Sergeant Ave.

Owner of the property was not present. Mr. Oliver stated the owner lived in California. The structure was rehabbed a couple of years ago and was the subject of a fire. **Mr. Windsor made a motion to continue Item 3032, 912 S. Sergeant Ave. to the May 26, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Duncan. (6 Aye, 0 Nay) Motion carried.**

Other Business

None

Mr. Denham asked for a motion to adjourn the meeting. Motion made to adjourn the meeting by Mr. Windsor. Seconded by Mr. Duncan. (6 Aye, 0 Nay,) Motion carried.

Approved _____

Mr. Kyle Denham, Chairman

Approved Vicky Lynn Copeland

Vicky Lynn Copeland, Notary Public

My commission expires: May 22, 2026

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