MINUTES
BUILDING BOARD OF APPEALS
REGULAR MEETING
May 26, 2017
9:00 AM

Kyle Denham, Chairman, called the May 26th, 2017 Building Board of Appeals meeting to order with the following Board members present: Kyle Denham, Crystal Harrington, Rylee Hartwell, David Pommert, and Ervin Wilson. Absent was Mark Callihan. City officials present: Jeff Oliver, Building Inspector: Jordan Paul, Assistant City Attorney: Bryan Wicklund, Chief Building Official and Lindsay Dunn, Notary Public.

Mr Denham	Do we have a motion to excused Mr Callihan?
Mr Wilson	Mr Chairman, I make a motion to excuse Mr Callihan.
Mr Hartwell	Second.
Mr Denham	**All those in favor say "aye" (Mr Pommert, Mr Hartwell, Mrs Harrington, Mr Wilson and Mr Denham) Those opposed (none). Motion carries.**
Mr Denham	Come to the podium and give us your name and address and which item you are here to talk about, please.
ITEM # 2784	**2108 W 3rd St** **OWNER: 2108 W 3 Tr** **ADDRESS: PO Box 3133, Joplin, MO 64803** **Demolition Hearing has been posted in the Joplin Globe Legal Section. Item continued from the April 28, 2017 meeting for a Demolition Hearing and Progress Report (EIGHTH TIME BEFORE THE BOARD).**
Mr Michael	Bill Michael. Item #2784 - 2108 W 3rd.
Mr Denham	Can you give us an update on the property?
Mr Gilleland	Well, I've framed the inside. That old …
Mr Denham	Can you give us your name, too, please?
Mr Gilleland	Oh, William Gilleland.
Mr Denham	Thank you. Go ahead. Sorry to interrupt.

Mr Gilleland — I reframed the inside of that house. I finally got that done, the old portion of the house and, uh, 'cause the way it was built originally, is after they tore the walls out they just had pieces of, like, pieces of boards that were hooked to each other that were layed sideways and stuff. And the electrician, there wasn't any point in getting the electrician out there until the, the new walls were constructed because they're going to be a different thickness than they are now. So they need, need the right thickness and everything to attach their boxes to. So, anyway, I've got that done. The, the..

Mr Oliver — Have you called for your re-inspect?

Mr Gilleland — They said I didn't need to get another inspection.

Mr Oliver — Framing?

Mr Gilleland — But, no, I haven't done that yet, but I will. I came up to get a building permit and they said it wasn't necessary to get another one for that. I could just work off my existing building permit that I had.

Mr Denham — But you will need a framing inspection before you cover it up.

Mr Gilleland — Yeah, Yeah. So, that's what I've done. I'm supposed to meet with the electrician today so, huh, so …

Mr Denham — You meet with him to get started or just get a bid.

Mr Gilleland — Uh, hopefully, get started. So, by next time, I should have the electric, hopefully the electric done and I will be ready to close the walls up.

Mr Oliver — Who's your electrician?

Mr Gilleland — Well, I had that one guy look at it, that, K&B, but I, uh, he's kind of not getting back with me and stuff so I've called another one to have them look at it to see if, you know, they can do it a little quicker.

Mr Denham — What about plumbing? Have you been talking to a plumber? You have a plumber on…

Mr Gilleland — No not yet. I figured I'd wait 'til I got this done first. Basically, the plumbing's just going back where, where it is now. I mean, it's not, I'm not moving or anything.

Mr Denham — No, but it all takes time.

Mr Gilleland — Yeah.

Mr Denham — And if you could have them lined up, ready to go, and the electrician and plumber, usually can work simultaneously.

Mr Gilleland — Ok.

Mr Denham — Trying to get this wrapped up, get it off our Agenda, if we could.

Mr Gilleland — Right, yeah. I want to do that, too.

Mr Denham — Ok. What do you think you'd have done by our next meeting?

Mr Gilleland — Well, hopefully, the wiring done, if Friday, they can get to it. Uh, and, uh, I will have it insulated and some of the sheetrock put in except, of course, where the plumbing's going. But, uh, unless I can get a hold of a, you know, a plumber who can do it right away. But I should have the insulation and, uh, I've already got the insulation. Uh, and uh most of the sheetrock up. And the rest of it will be just finish work.

Mr Denham — Any other questions? --- Do we have a motion to continue?

Mr Wilson — Mr Chairman, I make a motion that Item # 2784, 2108 W 3rd St be continued to our June meeting.

Mr Oliver — 23rd.

Mr Wilson — Pardon.

Mr Oliver — June 23rd will be the next one.

Mr Wilson — To our June 23rd meeting for Progress Report and Demolition Hearing.

Mr Pommert — Second.

Mr Denham — **Motion by Mr Wilson, second by Mr Pommert that Item # 2784, 2108 W 3rd St be continued to our June 23rd meeting for a Progress Report and Demolition Hearing. All those in favor say "aye" (Mr Pommert, Mr Hartwell, Mrs Harrington, Mr Wilson and Mr Denham). Those opposed (none). Motion carries.** Do you have another one on our Agenda, still?

Mr Gilleland — No. I'm trying to get that one back. I'm getting a lawyer to see if I can get my money back on that deal because he never can give me a good title so I can get a loan to fix it so, I'm going to let it go back.

Mr Denham — Ok, Thanks.

Mr Gilleland — Thanks.

Ms Willhite — Excuse me, Mr Denham.

Mr Denham — Yes.

Ms Willhite — Is your mic on? I don't hear an echo off yours like I do everybody else.

Mr Denham — It is now.

Ms Willhite — It is? Ok. Thank you.

ITEM # 2781 — **519 N JACKSON**
OWNER: Laura Julien
ADDRESS: 317 E Fountain Rd, Joplin, MO 64801
Item previously ordered demolished. At the January 27, 2017 meeting the owner was granted a 90-day window to complete project and gave the building department the ok to issue a permit. Continued from the April 28, 2017 meeting.

Mr Denham — Morning.

Ms Julien — Morning. I'm Laura Julien. The property is 519 N Jackson. Um, I took your advice, uh, worked on the inside instead of the outside because the weather, I had a delay because of that and then he suggested to work on the inside since it was raining. I did that. Um, I'm almost ready for my framing inspection. I think that, probably, by Wednesday, I could, or I could have somebody come out, I could probably call and make an appointment, um, because I know Jeff was concerned with the framing. Uh, so I've got the floors all done. Um, those are the, the posts are all in, the jack posts are up. The 4X4's are up. Everything is level all the way over except for the one at the front door. I've got one more floor joist to put in next to the front door. Um, then, I think I will be ready for the framing inspection and I can get back to finishing the outside. So, I'm, I'm just about there. I'm coming along. I actually having the time of my live crawling in and out of the floor. It's really fun. Um, it's just about there, so, um, um, I'm coming along.

Mr Oliver — Have you lined up electricians, plumbers…

Mr Julien — I actually did. Tom actually came down from Springfield or Pleasant Hope where he lives at because he's doing jobs in Oklahoma. He came and looked at it and, um, when the other inspector was there, he said that there's, there's already a new junction box there and when Tom had looked, we actually tore out, the, the, probably we had was upstairs. Um, someone had just taken, like, wire nuts and, uh, electrical tape and they had

rigged up the, uh, mirror above the, in the bathroom there and it was just, the wires were just stretched. We just ripped all that out.

Mr Oliver — That's fine. I don't need all those details. I just…

Mr Julien — Ok, I'm sorry.

Mr Oliver — I just need to know…

Mr Julien — Yes.

Mr Oliver — That you are getting a licensed electrician…

Ms Julien — Yes.

Mr Oliver — A licensed plumber, getting them lined up.

Ms Julien — Yip.

Mr Oliver — And keeping them…

Ms Julien — There's nothing wrong with the plumbing so, we don't have to worry about that. They've checked all that, so, that's good. I'm not worried about a plumber but it was the electricity and since there's a new junction box, its going, going to be a lot less than what we thought it was going to cost, because all that had already been done before I bought the house. We just didn't know they had connected knob-and-tube to the new boxes and everything they put in.

Mr Denham — Do we have any questions?

Mrs Harrington — Yeah. When are you going to be done?

Ms Julien — Well, I should be done pretty soon now because that was the big thing…

Mrs Harrington — Pretty soon is …

Ms Julien — Was the floors.

Mrs Harrington — When? When, when are you going to be done?

Ms Julien — I would say that within about the next month or two, I should be completely finished with it except for like the cosmetics, the painting inside and that kind of stuff, you know.

Mr Oliver — You plannin' on hanging the sheetrock and stuff yourself?

Ms Julien — Yip.

Mr Oliver — You talked to subs on those?

Ms Julien — Nope, I do all that myself. That's what I do. I do that. We have our tile business, the tile will go in over that.

Mr Oliver — That's a lot of work.

Ms Julien — It is. Um, there's really, most of the stuff is repairing the plaster that's already there. Uh, there's only a few spots that actually need the sheetrock to be done. And one of the ceilings. I don't' like the way it looks so I will take that out and put the sheetrock in there. Uh, everything else is pretty much just repairing.

Mr Denham — So, hopefully, in two meetings, we can get you off our Agenda?

Ms Julien — Yes. I want to be off the Agenda. I mean, the only reason that I'm here is because the neighbor called when, when, you know, it was in such delays because the contractors messed up with me. So, you know, just left me hangin'. Uh, and, and that was the, I mean, the dangerous part that was there, I took care of the first week you guys posted it. It was dangerous. I already took the posts down that very first week. So, that's been taken care of a while ago.

Mr Denham — I've forgotten, have you done the foundation repair already?

Ms Julien — The foundation repair was already done and looked at, yeah.

Mr Denham — And it was inspected?

Ms Julien — Pardon me?

Mr Denham — It was inspected?

Ms Julien — Yeah and he had me go back and pour, um, in the cinder blocks, he had me go in and fill those with cement. So that's all filled in with cement, yeah. It just needs the final inspection on that and we are going to do that with the framing inspection, when we do that. So, one more floor joist just to fix the part next to the very front door is all that is pretty much needed in there and everything else is leveled. Um, which was fun 'cause it was a fun house floor. But, yeah, I think, I probably will call him and make an appointment once I finish that last floor joist. We can get that, that framing inspection done next week.

Mrs Harrington — So you had it inspected but failed the inspection?

Ms Julien	Well, he gave me a list of things I needed to do.
Ms Harrington	That's failing the inspection.
Ms Julien	Ok, yeah.
Ms Harrington	And so, when was that? How long ago was that?
Ms Julien	That was like, two or three months ago. And I, I was working on the outside on the foundation and had some things to do with it and then I had, well, you suggested I to work on the inside since it was raining. I couldn't do the outside so I, that's what I've been concentrating on this month is getting all that done so we can get the framing inspection finished this week.
Mr Denham	Any other questions? Do we have a motion to continue? --- We granted you a 90-day window to get this done.
Ms Julien	Right and then we extended it.
Mr Denham	I think that was in January, if I remember right.
Mrs Harrington	Yeah, January.
Ms Julien	Yeah, the last week in January.
Mr Denham	So, you're well past that. We just really want to see this wrapped up. I know you are trying…
Ms Julien	I am there every day working my butt off.
Mrs Harrington	I would be more apt to make a motion on this if you hadn't said the minute you got the Notice, you went in and did this, this, and this. It wouldn't have been ordered demolished if you had gotten right in there, done all this stuff. So, um, I appreciate
Ms Julien	And I contacted …
Ms Harrington	I appreciate the fact that you are working on it. And, and I would really like to see it come along faster because we are way past your 90-day, um, commitment to us in January. And that's why I ask you, you know, one or two months turns into, uh, four and, and I, I don't mean to lecture you, but, um, this was ordered demolished and we gave you 90 days to finish it because you seemed extremely distraught and, and now that's subsided. You are feeling good about it. Let's, I, I just want to see it done…

Ms Julien — OK.

Mrs Harrington — And off this Agenda.

Ms Julien — It's time to pull the friends together and get…

Mrs Harrington — Yeah

Ms Julien — More help.

Ms Harrington — Time to do it, yeah and uh, and, and just finish it.

Ms Julien — OK.

Mr Oliver — Have you approached the bank about getting a loan to finish it.

Ms Julien — It's not necessary to get a loan. I've got, I've got the funds. It's, that's alright. I went and cashed in my 401K a couple of months ago so we are good on that. And all the timber is there. I've already been using the stuff that I've purchased last month or two months ago, three months ago, now. Yeah. It's still sittin' there. I've got the last floor joist in there. The siding is already loaded inside the house. That's what I've been using. So, it's all purchased. It's ready to go. I just had the siding stopped on that because the rain. You know, I've just worked on the inside, now. So…

Ms Harrington — Mr Chairman, I make a motion that Item #2781 at 519 N Jackson be continued until June 23rd for a Progress Report and reinstate the Demolition Order.

Mr Denham — Do we have a second?

Mr Wilson — Second.

Mr Denham — **Motion by Mrs Harrington and second by Mr Wilson that Item # 2781, 519 N Jackson be continued to our June 23rd meeting for a Progress Report and Demolition Hearing. All those in favor say "aye" (Mr Pommert, Mrs Harrington, Mr Wilson and Mr Denham). Those opposed (Mr Hartwell). Motion carries.**

Ms Julien — Thank you. I won't let you down. See you next month.

Mr Denham — Thank you.

ITEM 2802 — **1909 S MOFFET**
OWNER: Donald & Bridget Evans
ADDRESS: 708 Battlefield, Springfield, MO 65807

Demolition Hearing has been posted in the Joplin Globe Legal Section. Item continued from the April 28, 2017 meeting for a Demolition Hearing and Progress Report (SECOND TIME BEFORE THE BOARD)

Mr Denham — Morning.

Mr Davenport — Richard Davenport. 1906 S Moffet. I'm speaking on the item # 2802 – 1909 S Moffet. This house has been abide in our community for a long time. It needs to be torn down, immediately. All of our neighbors agree the house is not habitable. It is a known drug house. Police have been out there numerous times but, apparently, the last several time, they've not been able to, to do anything. But there's people in and out of there all the time and the insides of the house have been torn apart. A realtor, I was told by another neighbor, that a realtor stopped by recently, I think it was Sunday or Monday, and, uh, they looked at it and they said, "No, we're not interested." It needs to come down, please.

Mr Oliver — We have this set out to have a hearing on it.

Mr Denham — This one, I think, this was just brought up on our Agenda last month and we automatically have to continue it thirty day. That's just our procedure. So we've got it set up this month to have a demolition hearing. We will put it off a little bit later in our, uh, in our meeting. You are welcome to stay around for it but, uh, it takes a little bit of time. There is just a process to go through but it is in the works.

Mr Davenport — I know, I've been to a, whatever floor it is that, I've asked several months ago, at least six months ago, uh, I know other neighbors have called or been here too, so, we just like to have it out of the way.

Mr Denham — I appreciate you coming in and let us know about it. Uh, …

Mr Davenport — We have several children on this block. I have a six year old of my own. But we have several children. They don't need to see the police over there all the time. And occasionally we hear boom sounds. We don't know if it is always coming from there but I know some of them have and, uh, …

Mr Denham — We appreciate you coming down and let us know about it. Uh, the procedure is, we will, uh, have a hearing today and if, uh, the motion is made to demolish, then the City, there is a thirty day appeal-waiting process but the City has to take bids. So it takes a few day, uh, maybe sixty days or so.

Mr Oliver — At least.

Mr Denham — So, it, it will be in the process but it will take a little bit of time. Just try to bear, bear that in mind.

Mr Davenport — OK.

Mr Denham — This is just the procedure we have to go through to make sure it is legal.

Mr Davenport — Thank you.

Mr Denham — Thank you.

ITEM # 2779 — **2514 N KINGSDALE**
OWNER: Abruzzo Builders Inc
ADDRESS: 504 N Tom, Webb City, MO 64870
Item previously ordered demolished. At the December 9th meeting the builder was granted a 90-day window to complete project and gave the building department the ok to issue a permit. Continued from the April 28, 2017 meeting.

Ms Battasso — I'm Jewell Bettasso and I'm here on 2514 N Kingsdale. Mostly, I'm here because your minutes take a while to come up on, you know, your system, so I just came to see for myself what the next set of excuses is, why that house is not done today. The permit expired in March. You can look on my phone at the pictures I took 15 minutes ago. They don't look a lot different than they did two months ago. We are a very outdoor neighborhood. We keep our houses nice. Now we are going to have Memorial Day out, outdoor activities, 4th of July activities with that sitting there. And I use to keep a calendar on it. Now I just need a stop watch on how much work is going on over there. So, I'm just basically here to hear what, what you have to say about it. I don't know if the owner is here or not.

Mr Denham — He is.

Mrs Harrington — Have you been reading the minutes?

Ms Battasso — Oh, yeah.

Mrs Harrington — Then you know that we're not just letting, I mean…

Ms Battasso — No, and I also saw that Mr Wicklund said that if you took it off the schedule, his phone would blow up with calls and that would be me.

Mrs Harrington — Absolutely.

Ms Battasso — And there are other neighbors that just don't want to come forward and complain because they don't want to get involved and I really don't care.

Mrs Harrington — You don't care, yeah. I don't blame you a bit. I…

Ms Battasso — And I, I'm an equally opportunity reporter. I got the lot mowed next to him too. I mean, it's not like I'm pickin' on him. If there's anything going on, I would be, you know, I had a rental house. It got reported for lawn, so I got it mowed, then I sold it. And I feel like he's not afraid of you.

Mrs Harrington — I think you're right and I think, you know, when it was ordered repaired and then we, we sarcoma to his request to finish it, I, my personal opinion was that was a mistake.

Ms Battasso — Well, I know that, at least, it said in the minutes that it was to have been finished by today and it was all about rain and stuff. We didn't have any…

Ms Harrington — Yes. We didn't have that much rain.

Ms Battasso — We didn't have that much rain last week.

Mrs Harrington — Right.

Ms Battasso — So, that's all I have to say.

Ms Denham — Ok. Thanks for coming in.

ITEM # 2786 — **211 S. PARK**
OWNER: Lois Shilkett
ADDRESS: 812 N Pearl, Joplin, MO 64801
Demolition Hearing has been posted in the Joplin Globe Legal Section.
Item continued from the April 28, 2017 meeting for a Demolition Hearing and Progress Report (EIGHTH TIME BEFORE THE BOARD)

Mr Denham — Morning.

Mrs Shilkett — Morning. Lois Shilkett, here to talk about 211 S Park.

Mrs Harrington — Did you get my message?

Mrs Shilkett — No, I didn't.

Mrs Harrington — You didn't?

Mrs Shilkett — No.

Mrs Harrington — I left a message on your phone, on your voice mail.

Mrs Shilkett — OK.

Mrs Harrington — So, um, is it ok for me – I apologize. I thought you knew this. Bet called me after you called, um, I'd offered to, um, give her name to a, an organization that does, uh, volunteer work for, for very small jobs that don't take, uh, um, a skilled person. And that's the day that I got a hold of them. The Director was on his way out of the country for two weeks and so, he's supposed to be back either today or tomorrow. I plan to talk to him by Tuesday, the next business day. I feel certain that they will, uh, do this. When I drove by, and you probably have, it looks like two to four hours work. And since you have the materials, this organization, you are the person they, they, will ordinarily help…

Mrs Shilkett — Right.

Mrs Harrington — Um, elderly homeowners that, that are without resources. And the fact that you had paid this guy and the materials are there, um, all it will take is a couple of volunteers to do it. Just time, not materials. So, uh, I feel certain that, on Tuesday, he, uh, will confirm. I will give him your name and number, have him call you after he drives by and make arrangements for that.

Mrs Shilkett — Right.

Mrs Harrington — I apologize that you didn't get my voice mail.

Mrs Shilkett — Well, thank you so much.

Mrs Harrington — Well, it isn't very often that we get a situation where we, where somebody here can help. Uh, if it was inappropriate for me to do that, I apologize. I just thought of it while I was sitting here and mentioned it. So, um, next time, I would probably have gotten a hold of you afterwards. But I feel certain that, here I am, telling you, by next month it will be alright.

Mrs Shilkett — That's right, next month.

Mr Oliver — Be sure and, uh, be sure and answer your phone.

Mrs Shilkett — OK.

Mr Oliver — Answer your phone and be ready for that phone call, OK?

Mrs Shilkett — Yes, Yes. I'm kind of down with the voice mail.

Mr Denham — Do we have a motion to continue?

Mr Hartwell — Mr Chairman, I make a motion that Item # 2786, 211 S Park be continued to our June 23rd meeting for a Progress Report and Demolition Hearing.

Mr Wilson — Second.

Mr Denham — **Motion by Mr Hartwell, second by Mr Wilson that Item # 2786, 211 S Park be continue to our June 23rd meeting for Progress Report and Demolition Hearing. All those in favor say "aye" (Mr Pommert, Mrs Harrington, Mr Wilson and Mr Denham). Those opposed (none). Motion carries.** Good luck.

Mrs Shilkett — Thank you, very much.

Mr Denham — Thanks. Thanks.

ITEM # 2789 — **2514 N KINGSDALE**
OWNER: Abruzzo Builders Inc
ADDRESS: 504 N Tom, Webb City, MO 64870
Item previously ordered demolished. At the December 9th meeting the builder was granted a 90-dat window to complete project and gave the building department the ok to issue a permit. Continued from the April 28, 2017 meeting.

Mr Beuilacqua — Well, uh…

Mr Denham — Go ahead and give us your name and address for the record please.

Mr Beuilacqua — Joe Beuilacqua, 20, uh, 2514 N Kingsdale. I got a call yesterday, from Kevin Southard, who's hauling my dirt, said he was ready. Um, I said I have been waiting for dirt over there, uh, with all this rain. Even though it stops rainin', it still takes days before dirt can dry. Um, got everything scheduled for, well I, I got the gutter scheduled for next week. But once I get the dirt work in, everything else can go. The inside's done. So, I'm just waitin'.

Mrs Harrington — Why isn't the concrete stamped, around the …

Mr Denham — Retaining walls.

Mrs Harrington — The retaining walls? I thought we were doing that.

Mr Beuilacqua — Well, yeah, yeah, I, I am doing that.

Mrs Harrington — You haven't done it. Last month, you told us you were going to do it.

Mr Beuilacqua — Right, yeah. I, I still plan on doing it.

Mrs Harrington When?

Mr Beuilacqua Probably here within the next few weeks. I want to try and get everything graded. I'm trying to get everything for the Certificate of Occupancy to be, to pass.

Mrs Harrington It's probably not going to pass until the yard's in and the retaining walls, are, are, a stamped or finished. This lady is right about this property. She does, there is no reason she should have to live next to this property.

Mr Beuilacqua Is the Certificate of Occupancy supposed to be given out for astatic look or just be able to be living in there?

Mrs Harrington It's when the property is finished…

Mr Hartwell It's complete.

Mrs Harrington Is that right?

Mr Oliver Correct, however, uh, as far as the walls having finished look, I am sure, in the scenario, that that applies. At this point, he needs, basically, to get his yard in. I believe his house is ready. So, once his yard is in, then he can call for his final.

Mr Denham This project was ordered demolished and in December, we gave you a 90-day window to get it done. Here we are into May and it's still not there.

Mr Beuilacqua Yeah, I know.

Mr Denham I mean, I just can't believe you can't get top soil from somebody. I know it's…

Mr Beuilacqua Well, the whole month of May, I hadn't been able to get nothin'. It's been raining but, I mean, like I said, even if it stops raining it, I can't get it the next day 'cause it's a muddy mess. There are certain areas that are still flooded in placed where, you know, the dirt's comin'. He'd just called me yesterday, Kevin and, you know, I'm getting it from Kevin Southard. He just called me yesterday and said, next week, he can go ahead and bring it in. So this weekend, I gotta go in over there with the skid loader and take all that stuff out and get it ready for the dirt.

Mrs Harrington I think I asked about the, pallets of rock.

Mr Beuilacqua Yeah, that's, that's all, that's all leavin' this weekend.

Mrs Harrington You'll understand if I'm not inclined to really believe that until I see it.

Mr Beuilacqua	Yeah, I understand.
Mr Hartwell	When do you plan on putting the sod or the hydro seed or whatever you plan on doing, in the front?
Mr Beuilacqua	I'm seeding it before I put the black dirt in.
Mr Hartwell	Ok.
Mr Beuilacqua	Then the black dirt's going in on top of the seed.
Mr Hartwell	Ok, so you're doing that, when?
Mr Beuilacqua	This weekend.
Mr Hartwell	This weekend? Ok.
Mr Beuilacqua	Yeah, I mean, the, the dirt's coming up next week.
Mr Hartwell	Right.
Mr Beuilacqua	So, I gotta get it ready this weekend.
Mr Hartwell	Ok.
Mr Denham	Interior of the house, is it completely done?
Mr Beuilacqua	Yeah.
Mr Denham	Painted, fixtures, everything, cabinets, floor?
Mr Beuilacqua	Cabinets.
Mr Denham	Flooring's in?
Mr Beuilacqua	Yeah.
Mr Denham	So it should be ready to sell at the end of next week? You'll have your top soil in next week and …
Mr Beuilacqua	Yeah, um uh.
Mr Denham	Are you going to list it, or, how do you plan on marketing it?
Mr Beuilacqua	I'm going to list it.

Mr Denham	All the inspections have been approved, as far as you know?
Mr Oliver	Yeah, uh, he's just, you know, he's got to get his yard in and then call for his final. So, it's still subject to passing his final.
Mr Denham	Yeah. --- I would say that if it's not finished by the next meeting we will just have to order it repaired. We'll just hire, the, the City can take bids and hire it done. Because, if he can't get it done by our next meeting, I don't know of any option. Its gone way on, beyond the ninety days.
Mr Harrington	Well, haven't we already met our thirty day obligation on that by, I mean, we put a stay on it, we can lift that stay any time, can't we?
Mr Paul	You could. I mean, in the meantime, he could file an appeal, so…
Mr Denham	I don't know that that would save us any time. I think that would just drag it out, at this point.
Mr Paul	Yeah, I mean, I think that you're better off, probably, just, I think his lawyer was supposed to file something this last week or two and didn't, so…
Mrs Harrington	Oh, is that right?
Mr Paul	Yeah, because, I mean, you know, I, I think he, his…
Mrs Harrington	We were working with him.
Mr Paul	Well, yeah, and his attorney also thought that it would be finished as well.
Mrs Harrington	Yeah.
Mr Denham	What was he going to file?
Mr Paul	His brief as to why it shouldn't be demolished.
Mr Denham	Oh, basically, the deal.
Mr Paul	Yeah, well, I mean, you file the petition to put the stay in but then you actually have to brief the issue; why, in this case. After he files the petition, we file a record on appeal which is this and then his attorney has to go through this, identify legal arguments as to why he thinks it shouldn't be demolished and that's what was due in the last week or two. It hasn't been filed so, I guess the next thing for us to do would be to ask the court to require, require him to file that which I'm sure…

Mrs Harrington — Can we order it repaired, today? If we put an order of repair in today, then it's the same process that, he has thirty days to appeal that?

Mr Paul — It's not going to do anything.

Mrs Harrington — He might get it finished in thirty days.

Mr Paul — He might. It could cause more problems for him. I'm not sure, I don't think we've done that before.

Mr Hartwell — What are the disadvantages of doing that, Jordan?

Mr Paul — Ordering it repaired?

Mr Hartwell — Um, huh.

Mr Paul — Uh, it, I think it just gets really messy, because it's already been through the Board once and so, um, you know, these, these, at this point, is, is more, really, informal, what you are doing with him, kind of to the side. I, I'm not sure that, uh, I guess, my main concern would be, if you sit here and have a hearing, what the Board is basically saying is that the house is in a different condition that it was when he filed his appeal. You got a different set of facts now that the court's got to deal with. Really, I wouldn't know of a better way to articulate it, than except it makes everything messy because, now, you've got two different proceeding and two sets of facts, the same owner. Which proceedings apply to which order and it, it makes things harder.

Mrs Harrington — So, if we lifted the stay, today, and his attorney hasn't file appropriate paperwork, what's the length of time that we have until we go ahead and demolish it?

Mr Paul — That would just depend on how much time the Judge is willing to give him. That is a case-by-case deal. Um, I, he's already extended it once. Because it was originally due earlier and he got an extension based on him thinking it would be done quicker. Um, probably, the most effective thing would be to, to, for me to file something with the court and ask him to file it which would, I suppose, in theory, 'cause him to start paying his attorney, because I don't think he's done much since he filed the original petition.

Mrs Harrington — Right. You have a recommendation?

Mr Paul — I don't think it's really proper for the Board to put another order on the property at this point.

Mrs Harrington — Would it be appropriate to lift the demolition order or the stay on the demolition order?

Mr Paul — Sure, if you don't want to, if you're done talking. If you don't think this is productive. If you're not convinced this is going to be done in the next thirty days and you're interested in perusing the demo order, no matter what, then there's, there's nothing that requires you to continue working with the property owner. You could just, kind of, throw your hands up and say we order it demolished and that's what we're going to do here. We're done talking with you.

Mr Denham — And then it goes to the courts?

Mr Paul — Well, it's still over there but…

Mr Denham — But I mean, it could be six months.

Mr Paul — Probably not at this point because it's been pending for a while. Um, there's not a, on these kind of cases, there's not an actual trial on it. What happens is, both sides brief the issue and then the court decides whether this body abused its discression in making the order and at best, there is some kind of an oral argument on the briefs. There's not going to be witness, there's not going to be testimony, not all that.

Mrs Harrington — Your brief would include the number of times we've had the neighbors here and that sort of thing. The complaining about it, then the, community reaction.

Mr Paul — Sure. Pretty much anything in your file and your minutes, previous conversations that you've all had. Uh, all that goes into whether, you know, whether the Board's decision was based on, on uh, there's six or seven factors. But, but the thing with, with administrative decision, when you have a hearing is, your decisions are entitled to deference at the next level. And so, it's usually harder for someone challenging that to move it all the way back the way. There's gotta be, that's why I'm so big on Notice on these, is they gotta say, "Well, gee, I, I didn't know about it." Or, "Your ordinance says you are supposed to give the certified letter. I didn't get a Certified Letter." Those are the kind of things they are typically looking at. It's not really about, uh, it's much less about the facts on the grant. You've all already, uh, held the hearing, had testimony, worked with the property owners, you worked with other property owners and the court is not in that same business, so to speak. And that's why it, it tends to defer to your judgement on issues of fact. It's really looking more for issues of law in terms of, is there some procedural error …

Mr Denham — Some technicality.

Mr Paul — Yeah, did you order something you're not entitled to order. Those kind of things. Does that make any sense?

Mr Denham — Yeah.

Mr Paul — Ok. --- So, if you want to lift the stay and, and, you know, basically say we don't want to hear from you going forward, that's, that's you're prerogative. I don't think it, it hurts you, one way or the other.

Mr Denham — And then the court will decide if it gets demolished or not?

Mr Paul — Yeah, whether the order is valid.

Mr Denham — And if it's found valid, then, at this point, the City would take bids and actually demolish it as it sits?

Mr Paul — Yeah. And that is part of the purpose of Waiver. The Waiver says "All our negotiations going forward, uh, you are not allowed to consider the house in the shape it is at the time of demolition, if you choose to work on it. We're looking at it on the date it was ordered demolished. That's the point of reference.

Mrs Harrington — And we've already met all the time constraints that we're required of the way that we ordered demolished within that thirty days. Actually, I don't know that he appealed within thirty days, did he?

Mr Paul — Yeah, he did. I'm pretty sure he…

Mrs Harrington — There isn't anything holding us up, is what I'm saying. Once we ordered it demolished, if he chooses to fight that order again, then it's in his attorney's hands with the court?

Mr Paul — What do you mean when you say, "Again?"

Mrs Harrington — Well, the first time that we ordered it demolished, his attorney, he brought an attorney in, appealed to us to put a stay on it.

Mr Denham — I think that was the banker.

Mrs Harrington — Oh, that was a banker not an attorney?

Mr Hartwell — There was an attorney at one point, I believe.

Mr Paul — I don't remember, I mean, I, I know who's representing Mr Abruzzo on this…

Mrs Harrington — Was it your banker or your attorney that came with…

Mr Paul — The banker came several times.

Mr Beuilacqua — They both did.

Mr Paul — And I don't know if, if, you know, the uh, banker seemed to be driving the train for a little while. I don't know if Jeff has any interest in reaching out to him again. Because, I think he was here as long as he thought it was a problem and he didn't think it was a problem anymore and stopped coming.

Mr Denham — Well, I mean, he's probably got a bigger interest in it not to, to make sure that it doesn't get demolished than anyone, the banker, I would think.

Mr Paul — You'd think.

Mr Denham — There's a lot of material, I'd hate to see it demolished at this point. There's a lot of materials there. It just a big waste of resources and…

Mrs Harrington — Yeah.

Mr Denham — Of resources and material. I, I'd feel bad about that.

Mrs Harrington — I would too. We have to be responsible to the community, though. This lady that has been here over and over, the other neighbors that have come. You know, ordering, again, Kyle, Mr Chairman, you know, your statement that, you know, that, that it feels like a failure every time we have to order one demolished, is so on the nose. It's not what we are here to do. It is what we are here to do but it's not what we want to do. It doesn't feel like we've, we've been able to change anything or make a good resolution when that happens. But I don't know how we can continue to, uh, have the people in the neighborhood come here and they are looking at us for responsibility as well. They are not just looking at him to do his job. There are some situations that have gone on, that it just feels, to me, like, it's like Mrs Battasso said, she just came to hear what the excuse would be this time because she's read the minutes. She knows what he's promised all along. She knows what he said and that doesn't come to fruish and …

Mr Paul — Yeah, I just checked, uh, CaseNet and he's out of time by a couple of weeks, at this point, so…

Mrs Harrington — He's out of time?

Mr Paul — His brief's late.

Mrs Harrington — His brief is late.

Mr Paul — And, I mean, that's not a jurisdictional issue. It's not something that prevents them from proceeding but, uh, I guess, I'll tell the Board I'll file a motion to compel his compliance with the scheduling order, if you all think that will be helpful.

Mr Denham — What would that mean?

Mr Paul — It is asking the court to order him to comply it or have his case dismissed.

Mr Harrington — So what's our move, then?

Mr Paul — Uh, I mean…

Mrs Harrington — Every time we continue it, to me, what's that, what that's say is, "OK, we are giving you another shot at doing this" and it's the same thing that we've done over and over. So, when we continue it, it seems like us agreeing that he's done what he said he'd do.

Mr Paul — He is definitely operating in gray area on these, this whole waiver; Post Demo, Post repair area. Um, I mean, I think if you all are, are done and this would be the time, if it were another case, you'd, typically, throw up your hands and have a demolition hearing. I think the, the appropriate thing to do today, really the only thing you can do, is to lift the stay and say, "We, we don't want to see any more. We're done. We're going to pursue our Demo Order in court and, you know, we're just, we're done trying to work with you."

Mr Denham — And if that's the case, he can't get a, uh, C of O, if there's a pending demolition order?

Mr Oliver — I'd refer to you (Mr Paul) on that but if he's got everything done…

Mr Denham — I mean, if he actually gets it done next week…

Mr Oliver — We will probably go in, do the inspection.

Mr Denham — Didn't know if that prevented that or not.

Mr Paul — I don't know the answer to that off the top of my head. I think, all things being equal, if it gets repaired in the next seven days, that the Building Department, the City would be inclined to go ahead and issue the…

Mr Denham — I'm just looking for the clearest, quickest path to get it done, satisfy the neighbors and not tie up the courts, not make the City spend a lot of money defending this action.

Mrs Harrington — Yeah.

Mr Hartwell — Yeah, I think that I am of the opinion that we've came very far, uh, I mean we, honestly, are at the end and you would agree with that. Uh, I'm not saying that this is, is, this is not me affirming your actions, or affirming what's happened, uh, outside of our 90-day window. I'm not a fan of granting these. Uh, you saw the lady before you. We granted her a stay and now we are operating in a gray area with her. Uh, it seems to me that the City is on the, un, bad, short end of stick on these deals. And I'm not inclined to do this really, again after these get off our Agenda. Uh, unfortunately, that's for the people who will come after you. But, I think it is just as important for you to remember, that these people are very upset. I'm upset. I think some of my colleagues on the Board are even more upset than I am. And, uh, however, I don't think it is in the best interest of the City to, to put this show on that we are going to demolish your house because we are not going to demolish that house. As far as I'm concerned, uh, there will be no reason to with all the work that you've put into it, is my opinion, as a single Board Member. So, I would just say, please get it done. I, I, uh, I'm not into the begging business but you need to get it done and, uh, it would be my opinion, I would like Jeff to call your Banker. I would like Bryan or Jordan, excuse me, to do something with your attorney as well. I think that is probably the best way for us to proceed and, uh, lifting the stay is just too messy for me so I'm not in favor of that. But moving forward, just, we have to get this done and, uh, it would be a bad thing for the neighborhood as well, to take this house. That's insane, to me. So, uh, moving forward, I think that's what is a good recourse for the City and that is what I'm incline to support.

Mr Paul — And, and I'll file something today. It won't take long to get it done.

Mr Hartwell — Yeah. That's what I would do, if I were giving direction. And Jordan, that's what I'd suggest you do.

Mr Denham — Any other comments. Is there anything you want to add?

Mr Beuilacqua — No.

Mr Denham — You'll get it done next week?

Mr Beuilacqua — Yeah, as long as the dirt comes in there and… I know, next week, we are looking at Wednesday, Thursday, Friday, Saturday and Sunday, rain. That's what it says, but, I mean, it could be pushed off.

Mr Hartwell — And a major storm on Saturday.

Mr Beuilacqua — I mean, I don't know. I, I'd be doing more of a mess if I ran that with mud, my skid loader in there with mud, than anything else. I mean, I'd be creating more work for myself. The reason why I know is because, we are doing it at these other job sites. Just to get them done we are creating a mess. A bigger expense for me in the long run and I don't want to, I'm tired of coming up with expenses just because I gotta run things. I mean…

Mr Denham — I don't know about rushing things.

Mr Hartwell — I don't care how much it costs, it better get done.

Mr Beuilacqua — No, I can understand, if the dirt is all well and good and it's soft and it's dry and I can work with it, by all means, I'm good.

Mr Hartwell — Right.

Mr Beuilacqua — You know. I got the skid loader coming in there this week. I'm clearing it out, getting it ready for it.

Mr Hartwell — Right.

Mr Beuilacqua — But, you know, uh, Saturday, it's supposed to rain, I, I… The only thing I do at night, when I go home and go to bed, I hope to God it don't rain the next day or not when it is supposed to. I mean, I do, I have a concrete company and its hurtin' that, big time. But, you know, what I'm I to do.

Mr Oliver — One thing I've noticed in the picture here, and you may be aware of it, as you are working on it, getting your yard in, uh, you are going to need some handrails.

Mr Beuilacqua — Yes. I've already called that in.

Mr Oliver — It will have to be done before you call for your final or you will fail.

Mr Beuilacqua — I already know it.

Mr Denham — Do we have a motion?

Mr Hartwell — Mr Chairman, I make a motion that Item # 2779, 2514 N Kingsdale be continued until your June 23rd meeting for a Progress Report and Demolition Hearing.

Mr Wilson — Second.

Mr Denham	**Motion by Mr Hartwell, second by Mr Wilson, that Item # 2779, 2514 N Kingsdale be continued to our June 23rd meeting for a Progress Report and Demolition Hearing. All those in favor of the continuance say "aye" (Mr Pommert, Mr Wilson, Mr Hartwell and Mr Denham) Those opposed (Mrs Harrington). Motion carries.** Let's get it wrapped up.
Mr Beuilacqua	OK.
Mr Denham	You won't even have to come next week, next month if it's done.
Mr Beuilacqua	Alright. Thank you.
Mr Oliver	Mr Abruzzo, Sir, I've noticed that a couple of your letters, uh, that I've sent to Webb City, have come back. Are you still there, just not signed for them or, I'm glad you are hear today, I don't know how you knew but…
Mr Beuilacqua	Well, I know when the meetings are all the time.
Mr Oliver	Yeah.
Mr Beuilacqua	Um, Uh, I haven't gotten anything.
Mr Oliver	Are you still on Tom?
Mr Beuilacqua	Yeah, but I don't stay there. I go there every once in a while. That's where my office is at.
Mr Oliver	OK. Alright.
Mr Hartwell	What's this address on 4th St in Pittsburg?
Mr Oliver	Pardon Me?
Mr Beuilacqua	That use to be a warehouse I owned but, um, I'm not longer registered at that address. My business cards still have that there, though.
Mr Hartwell	That's on our Agenda, so that's why I asked.
Mr Oliver	Thank you. I'll change that.
ITEM # 2802	**1909 S MOFFET** **OWNER: Donald and Bridget Evans** **ADDRESS: 705 Battlefield, Springfield, MO 65807**

Demolition Hearing has been posted in the Joplin Globe Legal Section. Item continued from the April 28, 2017 meeting for a Demolition Hearing and Progress Report (SECOND TIME BEFORE THE BOARD)

Mr Denham — We want to go back to that Item # 2802? I think the neighbor is still here and we can…

Mr Paul — Sure, we're ready for...

Mr Denham — Are you all ready?

Mr Paul — I, I'm ready. I didn't know if we had any other business or…

Mr Denham — Is anyone else to speak on any particular Item? Do we have a motion that Item # 2802, 1909 S Moffet, be the subject of a Dangerous Building Hearing?

Mr Pommert — Mr Chairman, I'd like to make a motion that Item # 2802 at 1909 S Moffet be the subject of a Demolition Hearing.

Mr Denham — Do we have a second?

Mr Hartwell — Second.

Mr Denham — **Motion by Mr Pommert, second by Mr Hartwell, that Item # 2802, 1909 S Moffet be the subject of a Dangerous Building Hearing. All those in favor of the continuance say "aye" (Mr Pommert, Mr Wilson and Mr Denham) Those opposed (none). Motion carries. The Board turns it over to the City.**

Mr Paul — This is the Joplin Board of Appeals meeting in the Municipal Building, this 26th day of May, 2017, for the purpose of conducting a demolition hearing. The City will present its evidence first, after which the public has a right to cross-examine witnesses and be heard, as well as present witnesses or exhibits. The case for today is Item # 2802 on the Agenda, also known as 1909 S Moffet. The City calls Jeff Oliver.

Ms Willhite — Jeff, do you solemnly affirm, under the penalty of perjury, that the testimony you shall give in the matter at issue shall be the truth, the whole truth and nothing but the truth?

Mr Oliver — Yes.

Mr Willhite — Thank you.

Mr. Paul	How long have been employed in your ---- Please state your name and occupation.
Mr Oliver	Jeff Oliver, Building Inspector for the City of Joplin.
Mr Paul	How long have you been employed in your current position with the City of Joplin?
Mr Oliver	Eight years.
Mr Paul	Have you, in your official performance of your duties, had the occasion to inspect the property known as 1909 S Moffet?
Mr Oliver	Yes, I have.
Mr Paul	I'm going to show you what's marked Exhibit #1. Do you recognize Exhibit #1?
Mr Oliver	Yes, these are photos that I've took of the property on, uh, 3/7 of this year.
Mr Paul	And do the photographs show a reasonable likeness of the premises in their present condition?
Mr Oliver	Yes, they do.
Mr Paul	If there's no objection, I'd offer Exhibit #1.
Mr Denham	The Board accepts.
Mr Paul	Since it's in front of you, can you identify the first page of Exhibit #1, the one with the Exhibit sticker.
Mr Oliver	That is a posting that is placed on all structures, uh, that, eventually, end up on this Board, letting the public know and possibly the owner, that this is a dangerous structure.
Mr Paul	But the Notice is posted on the structure, right?
Mr Oliver	Correct.
Mr Paul	Thank you. Um, I'd offer Exhibit #1.
Mr Denham	The Board accepts.
Mr Paul	What, if anything, did you do to ascertain ownership of the, the property?

Mr Oliver	Had a title search done.
Mr Paul	I'm going to show you what's marked as Exhibit # 2, do you recognize Exhibit # 2?
Mr Oliver	This is, uh, the title search received from Great American. Uh, let's see, received April 28th of this year. Shows a John Riley and Elizabeth Riley, husband and wife. Nope, excuse me. Don L Evans, Sr and Bridgett M Evans, husband and wife.
Mr Paul	Ok, and those are the fee owners?
Mr Oliver	Correct.
Mr Paul	Now, I'm going to show you what's marked Exhibits # 4 and # 3 here. Um, let me started with, I offer Exhibit #2.
Mr Denham	The Board accepts.
Mr Paul	Do you recognize, let me start with #4, do you recognize Exhibit # 4?
Mr Oliver	Uh, yes. This is a page I printed off the, uh, Jasper County Beacon, uh, website.
Mr. Paul	And the Beacon website is maintained by the Jasper County Assessor, is that right?
Mr Oliver	That's correct.
Mr Paul	And this is where, um, basically, the county tax bills go, correct?
Mr Oliver	Yes.
Mr Paul	And so, as far as this property is concerned, where does it show where the tax bill goes each year?
Mr Oliver	Shows Mr and Mrs, uh, Evans, with the address of 705 West Battlefield in Springfield, MO.
Mr Paul	Ok, Thank you. And as far as we know, on this property, at least in the last couple of years, the taxes were paid on it because it hasn't gotten a tax sale, right?
Mr Oliver	Correct.
Mr Paul	And what, if anything, did you do to notify the owners of this action?

Mr Oliver — Sent Certified Letters.

Mr Paul — I'd show you what's marked as Exhibit # 3. Do you recognize Exhibit # 3?

Mr Oliver — Yes. These are Certified Letters that were went to Mr and Mrs Evans. Uh, the top one here is dated May 5th, letting them know, uh, of the uh, today's meeting, May 26th. I do not have a signed receipt for that letter. And I also have one dated April 10th of this year. Uh, it was a "Finding of Fact" letter sent to them, uh, letting them know of the April 28th meeting and I do not have a signed receipt for that letter either.

Mr Paul — And what, if anything else did you do to notify the owners of this action?

Mr Oliver — Published in the Joplin Globe.

Mr Paul — I'm going to show what's marked as Exhibit # 5. Do you recognize Exhibit # 5?

Mr Oliver — Yip. This is a legal notice that was sent over, uh, to the Joplin Globe for publication and the publication dates are, uh, May 4th, May 11th, May 18th and May 25th of this year.

Mr Paul — And so, just to be clear on the documentation, do you notice, reference in his case, you posted notice on this structure, you sent certified mail to the last known address and you published it in the Joplin Globe, correct?

Mr Oliver — That's correct.

Mr Paul — Thank you. If there's no objection, I'd offer Exhibits # 3, # 4, and #5.

Mr Denham — The Board accepts.

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

Mr Oliver — I've been a General Contractor on several residential projects in the Joplin area over a twenty year period.

Mr Paul — And from an inspection of the property that's been issued here, do you have an expert opinion as to whether or not these premises constitute a Dangerous Building as defined in Chapter 23, Article X, Section 26-612 of the Code of Ordinances of the City of Joplin and if so, which of the definitions of Dangerous Building do you base your opinion, if any?

Mr Oliver — Yes, I do. Subsection, Line 10: Whenever the building or structure, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, trash, filth, inadequate light, air ventilation or sanitation facilities, or otherwise is determined to be unsafe, unsanitary, unfit for human habitation, or in such a condition that it cause, or is likely to cause sickness or disease. Uh, you can see by the photos being passed around, uh, this property, in its current condition, is not a habitable, uh, property. It would also tie in here with 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, the photos, you can tell that, uh, the structure is in a very dilapidated condition.

Mr Paul — So, does that talk about things like, uh, the building, the electric and, the plumbing. Is that what that's talking about?

Mr Oliver — Correct. Uh, structural. The outside enclosing. It doesn't have, uh, any finished material, uh, rated for the outside of the structure. There's sheets of wafer board on it. It is not like a finished product. Uh, the shingles are failing. Multiple different things; deterioration. And also, Line 13: Whenever the structure has become an attractive nuisance to children or is open to unauthorized or unlawful entry. Again, with the photos you can see that the doors are open for unlawful entry. And lastly, uh, Line 18: Whenever the building or structure is in such condition as to constitute a public nuisance known to the common law or in equity jurisprudence. It, obviously, does not meet the City of Joplin's Code of Ordinances in its current condition.

Mr Paul — Thank you, Jeff. Uh, now would be the opportunity for any defendant to cross-examine the witness. Um, there's not a defendant here today. Uh, we were not told that there was going to be a defendant here. Does the Board have any questions for Jeff? Uh, Sir, would you mind to come up, for the purpose of this hearing, uh, mention some of the things you discussed earlier?

Mr Davenport — Uh, Richard Davenport. Uh, there has been, occasionally, a tremendous smell, I assume that's some kind of drugs. Uh, also, the weeds are above my waist right now. I think the neighbor on the south side has told me that he's seen snakes and other varmints around. Uh, I was, I've not been inside the house, 'cause a police officer told me that if I went in there I would be trespassin'. But these, these kids are in there all the time and nothin' happenin' to them. They go back.

Mr Paul — Are you talking about, uh, teenagers or …

Mr Davenport	They're, they're really not teenagers. They're over twenties, thirties not but, uh, one of them use to live there with his family but, uh…
Mr Paul	They weren't tenants, to your knowledge?
Mr Davenport	No, they are not. I know, I know because his dad has told me and he was the last tenant.
Mr Paul	So these are just folks, kind of passin' through.
Mr Davenport	Right.
Mr Paul	And, um …
Mr Davenport	They stay there as much as possible, at least at night.
Mr Paul	But I think you, also said, that you, among others, have kids in the neighborhood.
Mr Davenport	Right.
Mr Paul	You're concerned about them…
Mr Davenport	Right.
Mr Paul	Wandering into it since its not secured.
Mr Davenport	Well, we try to keep them away from that part but, but just the overall scenery and, and the dangers of it.
Mr Paul	And you said the police have been out there on, uh, for drug use multiple times?
Mr Davenport	Yes.
Mr Paul	Anything else?
Mr Davenport	Not that I can think of right now.
Mr Paul	Thank you. We appreciate it. Does the Board have any questions for this gentleman? --- Thank you, Sir.
Mr Paul	Uh, again, at this time, a defendant would also have the opportunity to cross-examine the witness, but there is not defendant present. Uh, I ask that the, uh, record be held open to include dates of publication.

Mr Denham — The Board accepts.

Mr Paul — And the City rests. Now would be the defendant's opportunity to testify. Again, there is not defendant here. We weren't aware of any defendant that was coming today and, uh, therefore, the City turn it back over to the Board for deliberation and a decision.

Mr Denham — Do we have a motion for demolition?

Mr Pommert — Mr Chairman, I would like to make a motion that Item # 2802, 1909 S Moffet be ordered demolished subject to Joplin Code of Ordinances, Chapter 26, Article IX and X, Section 26-612, Subsections Lines 10, 12, 13 and 18, including all outbuildings.

Mr Wilson — Second.

Mr Denham — **Motion by Mr Pommert, second by Mr Wilson that Item # 2802, 1909 S Moffet be declared a Dangerous Building and ordered demolished in accordance with the City of Joplin Code of Ordinances under Chapter 26, Articles IX and X, Section 26-612, Subsections 10, 12, 13 and 18. The demolition shall include all outbuilding, if any. All those in favor say "aye" (Mr Pommert, Mr Wilson, Mrs Harrington, Mr Hartwell and Mr Denham) Those opposed (none). Motion carries.** Thank you for coming down Mr Davenport. Uh, like I say, it will take a little time. They have to go through the procedure but it will come down. Thank you.

ITEM # 2797 — **2130 S BIRD AVE**
OWNER: Jerry David
ADDRESS: 2130 S Bird Ave, Joplin, MO 64804
Demolition Hearing has been posted in the Joplin Globe Legal Section. Item continued from the April 28, 2017 meeting for a Demolition Hearing and progress Report (THIRD TIME BEFORE THE BOARD)

Mr Paul — I've got # 2797, 2130 Bird. I think it was a house fire, if I'm not mistaken.

Mr Denham — Do we have a motion to hold a Dangerous Building Hearing?

Mr Hartwell — Mr Chairman, I make a motion that Item # 2797 also known as 2130 Bird, be a subject of a Dangerous Building Hearing.

Mr Wilson — Second.

Mr Denham — **Motion by Mr Hartwell, second by Mr Wilson that Item # 2797, 2130 Bird Ave be the subject of a Dangerous Building Hearing. All those in favor say "aye" (Mr Pommert, Mr Wilson, Mrs Harrington, Mr**

Hartwell and Mr Denham) Those opposed (none). Motion carries. The Board turns it over to the City.

Mr Paul — Thank you. This is the Joplin Board of Appeals meeting in the Municipal Building, this 26th day of May, 2017, for the purpose of conducting a Dangerous Building Hearing. The City opens 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 # 2797, also known as 2130 Bird Ave. The City recalls Jeff Oliver. I remind you that you are under oath. Will you please state your name and occupation?

Mr Oliver — Jeff Oliver, Building Inspector for the City of Joplin.

Mr Paul — How long have you been employed in your current position with the City of Joplin?

Mr Oliver — About eight years.

Mr Paul — Have you, in your official performance of your duties, had the occasion to inspect the property known as 2130 Bird Ave?

Mr Oliver — Yes, I have.

Mr Paul — I'm going to show you what's marked as Exhibit #1. Do you recognize what's marked as Exhibit #1?

Mr Oliver — Yes, these are photos, um, that I've taken of the property at 2130 Bird. This property was posted on January 4th of, uh, this year.

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

Mr Oliver — Yes.

Mr Paul — If there's no objection, I offer Exhibit # 1.

Mr Denham — The Board accepts.

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

Mr Oliver — Had a title search done.

Mr Paul — I'm going to show you what's marked as Exhibit # 2. Do you recognize Exhibit # 2?

Mr Oliver — This is the, uh, title search we received from, uh, Great American Title.

Mr Paul	Who does it show as the owner?
Mr Oliver	Uh, Jerry David.
Mr Paul	I'm also going to show you what's been marked as Exhibit # 3, here. Can you tell me what Exhibit #3 is?
Mr Oliver	Um, Judgement of Dissolution of Marriage, uh, from Jasper County.
Mr Paul	It looks like Jerry David is also a party in this, correct?
Mr Oliver	Yes.
Mr Paul	And does this, first of all, it looks like this decree's dated March 20, of 2017, so it's relatively recent.
Mr Oliver	Yes.
Mr Paul	And does this, uh, Decree discuss the property at issue here?
Mr Oliver	Yes, it does.
Mr Paul	And who does it award the, uh, property to?
Mr Oliver	The Petitioner
Mr Paul	And the Petitioner is actually the, uh, wife in this case, right?
Mr Oliver	Yes, that's Margaret.
Mr Paul	That's Margaret Ashton.
Mr Oliver	Yip.
Mr Paul	So even if the title work it was initially titled with Jerry David, it looks like the court has actually awarded this to the wife. Um, I'm also going to show you what's been marked Exhibit # 4, here. Does this give you any, any indication about, uh, good contact information for the, uh, property owner?
Mr Oliver	Uh, for Jerry Davis, you got 2130 Harlem.
Mr Paul	And how about for Margaret Ashton?
Mr Oliver	It has the 2130 Bird address.

Mr Paul — And to be clear, I mean, unlike some of the other properties, it looks like someone was living here before the fire, right?

Mr Oliver — Yes.

Mr Paul — And what, if anything did you do to, uh, notify the owners of this action?

Mr Oliver — Sent certified letters.

Mr Paul — I" showing you what's marked as Exhibit # 5. Do you recognize Exhibit # 5?

Mr Oliver — Yes, uh, this, these are certified letters that were sent out. Um, the first one is dated May 5th, sent to Margaret, um, letting her know of today's meeting, May 26th. I do have a signed receipt for that letter. Another, here, is to Jerry David, letting him know of the April 28th meeting, um, that was held. I do not have a signed receipt for that one letter. I also have one here dated March 10th, uh, which was a Finding of Fact letter sent out to Jerry David, letting him know of the meeting on March 24th and I do not have signed receipt for that letter.

Mr Paul — I notice, that Exhibit #5, they were all sent to 2130 S Bird, right?

Mr Oliver — Uh, correct.

Mr Paul — If there's no objection, I'd offer Exhibits # 2, # 3, #4 and # 5.

Mr Denham — The Board accepts.

Mr Paul — I'm going to show you what's marked as Exhibit # 6. Do you recognize Exhibit # 6?

Mr Oliver — This is a certified letter sent to Jerry David at the address of 2130 Harlem letting him know of today's meeting, May 26th and I do not have a signed receipt for that letter.

Mr Paul — I'm going to show you what's marked Exhibit # 7. Do you recognize Exhibit # 7?

Mr Oliver — Yes, these are, uh, certified letters that has been sent to Cornerstone Bank in Goodman, MO letting them know to today's meeting, May 26th. I have a signed receipt for that. Um, there was also another certified letter sent to them for a meeting that was held on April 28th of this year and I have a signed receipt for that letter as well.

Mr Paul — And they were notified because they're a lienholder, right?

Mr Oliver — Correct.

Mr Paul — If there's no objection, I offer Exhibit # 6 and # 7.

Mr Denham — The Board accepts.

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

Mr Oliver — It was advertised in the Joplin Globe.

Mr Paul — I show you what's marked as Exhibit # 8. Do you recognize Exhibit # 8?

Mr Oliver — Yes, this is the, uh, Affidavit of Publication, um, received from the Globe with the publication dates of 4/6, 4/13, 4/20 and 4/27 of this year.

Mr Paul — If there's no objection, I offer Exhibit #8.

Mr Denham — The Board accepts.

Mr Paul — What school and education have you had in the Building Industry that qualifies you as an expert in the construction of buildings.

Mr Oliver — I've been a General Contractor on several residential projects in the Joplin area for over a twenty year period.

Mr Paul — In the inspection of the property do you have an expert opinion as to whether or not these premises constitute a Dangerous Building as defined in Chapter 26, Articles X, Section 26-612 of the Code of Ordinances of the City of Joplin and if so, which of the definitions of a Dangerous Buildings do you base your opinion, if any?

Mr Oliver — Yes, um, 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. And then also Line 18: Whenever the building or structure is in such condition as to constitute a public nuisance known to the common law or in equity jurisprudence. You can see by the photos that have been passed around, uh, this property was subject to a fire. That fire occurred on December 31 or 2016. Uh, so basically, it's been, uh, in my opinion, uh, damaged pretty severely. Uh, because of the fire, I have had a conversation with an insurance adjuster about this property. Uh, they do not intend to total this property out, um,

but, at the same time, we can't leave it setting in this condition. We are going on six months.

Mr Denham — Sure.

Mr Paul — Does the Board have any questions for Jeff?

Mr Denham — I think I've asked this before, but does the City have an opportunity to get some of the funds from the insurance company to help pay for the demolition?

Mr Oliver — Correct, uh, I'm not going to say it's one hundred percent of the time but most of them know that they are supposed to send twenty-five percent to the City to hold.

Mr Denham — Thank you.

Mr Paul — I now would, also give the opportunity for any defendant to cross-examine the witness, however, we have no defendants here. No defendant informed us they would be here. Um, I'd also ask that, uh, Chapter 26, Articles IX and X of the Joplin's Code of Ordinances be offered in evidence before the Board and the record be help open to include the date of the Globe on the dates of publication.

Mr Denham — The Board accepts.

Mr Paul — The City rests. Now would be the opportunity for any defendant to testify or present their case. Again, there is not one in the audience and I am not aware that anyone wanted to be here today. Um, the City turns it back over to the Board for deliberation and a decision.

Mr Denham — We have a motion for Demolition?

Mr Wilson — Mr Chairman, I move that Item # 2797, 2130 Bird Ave be declared a Dangerous Building in accordance with the Joplin Code of Ordinances, Chapter 26, Articles IX and X, Section 26-612, Subsections 18 and 19 and so ordered demolished to include any out buildings, also Lines 6 and 18.

Mr Denham — I think Subsections and Lines are the same thing. It's just lines or just Subsections 6 and 18.

Mr Wilson — Ok, Subsections 6 and 18.

Mr Denham — Do we have a second.

Mr Pommert — Second.

Mr Denham — **Motion by Mr Wilson, second by Mr Pommert that Item # 2797, 2130 S Bird Ave be declared a Dangerous Building and ordered demolished in accordance to the City of Joplin's Code of Ordinances under Chapter 26, Articles IX and X, Sub or Section 26-612 and Subsections 6 and 18. All those in favor of the demolition, including outbuilding, say "aye" (Mr Pommert, Mr Wilson, Mrs Harrington, Mr Hartwell and Mr Denham) Those opposed (none). Motion carries.**

ITEM # 2799 — **1108 S McKINLEY**
OWNER: Michael Ellis
ADDRESS: 15806 County Rd 48 Rd, Rosharon, TX 77583
Demolition Hearing has been posted in the Joplin Globe Legal Section. Item continued from the April 28, 2017 meeting for a Demolition Hearing and Progress Report (THIRD TIME BEFORE THE BOARD)

Mr Paul — Now, we've got Item # 2799, 1108 McKinley.

Mr Pommert — Mr Chairman, I'd like to make a motion that Item # 2799 at 1108 S McKinley be the subject of a demolition hearing.

Mr Hartwell — Second.

Mr Denham — **Motion by Mr Pommert, second by Mr Hartwell that Item # 2799, 1108 S McKinley be the subject of a Dangerous Building Hearing. All those in favor say "aye" (Mr Pommert, Mr Wilson, Mrs Harrington, Mr Hartwell and Mr Denham) Those opposed (none). Motion carries. The Board turns it over to the City.**

Mr Paul — Thank you. This is the Joplin Board of Appeals meeting in the Municipal Building, this 26th day of May, 2017, for the purpose of conducting a demolition hearing. The City will present its evidence first, after which the public has a right to cross-examine witnesses and be heard, as well as present witnesses or exhibits. The case for today is Item # 2799 on the Agenda, also known as 1108 S McKinley. Um, the City recalled Jeff Oliver. I remind you that you're under oath. Will you please state your name and occupation?

Mr Oliver — Jeff Oliver, Building Inspection for the City of Joplin.

Mr Paul — How long have you been employed by your, um, in your current position with the City of Joplin?

Mr Oliver — Approximately eight years.

Mr Paul — And have you, in the performance of your duties, had the occasion to inspect the property known as 1108 S McKinley?

Mr Oliver — Yes, I have.

Mr Paul — Let me show you what's been marked as Exhibit # 1. Do you recognize Exhibit # 1?

Mr Oliver — Yes. These are photos that I, uh, took of the property when it was posted, uh, on February 20th of this year.

Mr Paul — And do the photographs show reasonable likeness of premises in their present condition?

Mr Oliver — Yes.

Mr Paul — If there's no objection, I offer Exhibit # 1.

Mr Denham — The Board accepts.

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

Mr Oliver — We had a title search done.

Mr Paul — I'm going to show you what's marked as Exhibit # 2. Do you recognize Exhibit # 2?

Mr Oliver — This is the title search received from Great American. Um, it shows the owner of a, as a Michael Ellis.

Mr Paul — Did you make efforts to locate Michael Ellis?

Mr Oliver — Yes.

Mr Paul — I'm going to show you what would have been marked as Exhibits # 3 and # 4. Can you identify Exhibits # 3 and # 4?

Mr Oliver — Uh…

Mr Paul — I offer Exhibit # 2

Mr Denham — The Board accepts.

Mr Oliver — Uh, Exhibit # 3 is a, uh, printout of a, of a search done on Jasper County Beacon, um, of the property at 1108 S McKinley giving the address for Mr Ellis at 15806 County Road 48, uh, Rosharon, I guess?

Mr Paul — Sure.

Mr Oliver — Texas.

Mr Paul — And so, again, for the purpose of the record, the Assessor's website is the, uh, Beacon is maintained by Jasper County for taxing purposes, right?

Mr Oliver — Correct.

Mr Paul — And so, that's the address they have on file for where the tax bill goes and presumable where it's been paid for the last couple of years since its, uh, it's not delinquent?

Mr Oliver — That's correct.

Mr Paul — And what is Exhibit # 4?

Mr Oliver — This is from the Missouri courts. Uh, shows Mr, uh, Ellis. Oh, here we have an address of 5580 Hickory Place, Joplin, MO.

Mr Paul — And that looks like a 2013 case numbers. That's relatively recent, right?

Mr Oliver — Yes.

Mr Paul — Um, what, if anything, did you do to notify the owner of this action?

Mr Oliver — Sent certified letters out.

Mr Paul — I'll show you what's marked as Exhibit # 5. Do you recognize Exhibit # 5 here?

Mr Oliver — These are certified letters sent to Mr Ellis. Uh, the first one here is, uh, dated May 5th, sent to the address of 5580 Hickory Place, letting him know of today's meeting. May 26th, I do not have a signed receipt. The next, uh, letter sent to Mr Ellis at the address I mention before in Texas, letting him know of a meeting that was held on April 28th. I do not have a signed receipt for that letter. And, um, I have a Finding of Fact letter dated March 10th sent to Mr Ellis at the address in Texas, as well, letting him know of a meeting that was held on March 24th. I do not have a signed receipt for that letter.

Mr Paul — And so, to be clear, Exhibit # 5 reflects that, um, you sent certified letters to both the addresses listed, um, with the Assessor and also listed on CaseNet?

Mr Oliver — Correct.

Mr Paul — If there's no objection, I offer Exhibits # 3, # 4, and # 5.

Mr Denham — The Board accepts.

Mr Paul — I show you what is marked as Exhibit # 6. Do you recognize Exhibit # 6?

Mr Oliver — Yes, these, uh, certified letter here, sent to James and Grace Williams and addressed to, uh, Pearland, Texas, letting them know of a meeting, today, May 26th. I do not have a signed receipt for that. Uh, I have another here sent to Mr and Mrs Williams letting them know of a meeting held on April 28th. I do not have a signed receipt for that letter. And, uh, I've got one dated May 5th, uh, sent to, uh, Mr and Mrs Williams addressed to a PO Box in Carthage, letting them know of today's meeting, May 26th. I do not have a signed receipt for that letter. And then I have another, um, dated April 7th, that was sent to Mr and Mrs Williams to the Carthage, PO Box, letting them know of the April 28th meeting. And I do have a signed receipt for that letter.

Mr Paul — I think, those are actually, two sets of Williams', right?

Mr Oliver — Yes.

Mr Paul — And the reason that they were sent notices, is that the title work reflected that they may have some kind of, uh, property lien of some kind, perhaps?

Mr Oliver — Correct.

Mr Paul — If there's no objection, I offer Exhibit # 6.

Mr Denham — The Board accepts.

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

Mr Oliver — Published in the Joplin Globe.

Mr Paul — I'm going to show you what's marked Exhibit # 7. Do you recognize Exhibit # 7?

Mr Oliver — Yes, this is the Affidavit of Publication, uh, received from the Joplin Globe, uh, publishing this property, uh, with the dates of 4/6, 4/13, 4/20 and 4/27 of this year.

Mr Paul — Thank you. If there's no objection, I offer Exhibit # 7.

Mr Denham — The Board accepts.

Mr Paul — And, so again, uh, just to be clear, since we don't have a certified letter here, you posted the property which is reflected in Exhibit #1, right?

Mr Oliver — Correct.

Mr Paul — Then you sent certified, uh, letters to the last know addresses and you also published, right?

Mr Oliver — Correct.

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

Mr Oliver — I've been a General Contractor on several residential projects in the Joplin area over a twenty year period.

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

Mr Oliver — Yes, I do. Subsections Line 10: Whenever the building or structure, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, trash, filth, inadequate light, air ventilation or sanitation facilities, or otherwise is determined to be unsafe, unsanitary, unfit for human habitation, or in such a condition that it is likely to cause sickness or disease. 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. And then also, Line 18: Whenever the building or structure is in such condition as to constitute a public nuisance known to the common law or in equity jurisprudence. You can see by the photos that have been passed around, this is a vacant property that is, uh, pretty severely dilapidated. Uh, while I could not gain access to the inside of the property, uh, there are boards over multiple windows. The outside of this structure is decaying, in very poor condition. Um, there has been a history, uh, while I don't have the date, several years back, it had been visited before. There were sewer issues with it. Um, it's been an ongoing problem with this, uh, with this property. But in general, it's in just a very dilapidated condition throughout.

Mr Paul — I think you said, um, it looks clear from the photos, it, it's, I've forgotten the question. Does the Board have any questions for Jeff --- Thank you, Jeff. Um, again, now would be the opportunity for the defendant to ask questions. There is no defendant here. We were not aware that any defendant was going to be here. Uh, the City will rest. Or, rather, first I need to ask if you've, uh, I offer Chapter 26, Articles IX and X of the Joplin Code of Ordinances as evidence before the Board. I'd also request that the record be held open to include a copy of the Globe on the dates of publication.

Mr Denham — The Board accepts.

Mr Paul — Now the City will rest. So now would be the defendant's opportunity to testify. Again, no defendant is here and we were away of any defendant who plans to be here, therefore, uh, I return it to the Board for deliberation and a decision.

Mr Denham — Do we have a motion for demolition?

Mr Wilson — Mr Chairman, I move that Item # 2799, 1108 S McKinley be declared a Dangerous Building in accordance with Joplin Code of Ordinances, Chapter 26, Articles IX and X, Section 26-612, Subsections, 10, 12 and 18 and so order demolished to include any outbuildings.

Mr Pommert — Second.

Mr Denham — **Motion by Mr Wilson, second by Mr Pommert that Item # 2799, 1108 S McKinley be declared a Dangerous Building, ordered demolished in accordance to the City of Joplin, Code of Ordinances under Chapter 26, Articles IX and X, Section 26-612, Subsections 10, 12 and 18 and the demolition would include all outbuildings. All those in favor of the demolition, including outbuilding, say "aye" (Mr Pommert, Mr Wilson, Mrs Harrington, Mr Hartwell and Mr Denham) Those opposed (none). Motion carries.**

ITEM # 2801 — **2016 W 4TH ST**
OWNER: Frank Mc Griff
ADDRESS: 2016 W 4th St, Joplin, MO 64801
Demolition Hearing has been posted in the Joplin Globe Legal Section.
Item continued from the April 28, 2917 meeting for a Demolition Hearing and Progress Report (SECOND TIME BEFORE THE BOARD)

Mr Oliver — Ok, uh, I've got one here. I received an e-mail this morning that was sent at 8:40 last night on, uh, property on 4th Street, uh, 2016 W 4th Street. Uh, a gentleman came to the meeting last month and kind of visited with

everybody, uh, about what his intentions were. Has everybody got to read the, or seen the e-mail that I printed out? Ok. He's picked up the paperwork, um, started the process as far as getting the signoffs for the utilities to do the demo. However, at the same time, in this e-mail, he is asking for ninety days. Uh, we do have it set out here to hold a demolition hearing if you would like. I will try to e-mail him back today and if he thinks he can get it done a little quicker. It's up to guys. You can have the hearing and might save a month or two. You don't know how quickly he will move. He is asking for ninety days, so…

Mr Denham — Is it on our Agenda?

Mr Oliver — Yes.

Mr Denham — What's the item number?

Mr Oliver — # 2801.

Mr Denham — 2801. OK, thank you. Well, I mean, theoretically, it could save the City some money if he does it himself and we don't order it demolished, is that correct?

Mr Paul — Probably.

Mr Denham — Well, if we continue for thirty days and you communicate with him…

Mrs Harrington — Did it come on your Agenda as a result of a windshield survey or were there neighbors that…

Mr Oliver — There was City staff who received a complaint from someone and it got passed to us. Upon visiting the property, it was posted.

Mr Hartwell — Well, I think the gentleman, Mr McGriff has been good to deal with. Uh, so far, he appears he has acted in good faith. I think this letter is nicely written and it appears he's taken the proper steps to do so. So I'm comfortable putting it out further so that the City doesn't incur any additional cost on this.

Mr Denham — And if we don't see any action on this by the time of next meeting, we can have a demolition hearing at that point.

Mr Hartwell — Yeah, I would make sure he knows that but …

Mr Oliver — I will try to send him an e-mail and let him know that, uh, not try, I will, uh, that it's been continued but the Board would preferably like to see something within the next thirty days, not ninety days.

Mr Hartwell — Mr Chairman, I make a motion that Item # 2801, 2016 W 4th St be continued to our June 23rd meeting for Progress Report and Demolition Hearing.

Mr Wilson — Second.

Mr Denham — **Motion by Mr Hartwell, second by Mr Wilson that Item # 2801, 2016 W 4th St be continued until June 23rd for a Progress Report and Demolition Hearing. All those in favor say "aye" (Mr Pommert, Mr Wilson, Mrs Harrington, Mr Hartwell and Mr Denham) Those opposed (none). Motion carries.**

ITEM # 2635 — **502 VIRGINIA**
OWNER: AMAS
ADDRESS: 1736 Southern Dr, Neosho, MO
Demolition Hearing has been posted in the Joplin Globe Legal Section. Item continued from the February 24, 2016 meeting for a Demolition Hearing and Progress Report (SIXTEENTH TIME BEFORE THE BOARD)

Mr Oliver — OK. Let's start running down through these. Starting at the beginning. Um, 502 Virginia is back on here. Uh, been going about every three months with it. Um, I have the big ole file back here if anybody wants to see it. Don't really have any new information.

Mr Denham — The county ended up not taking it over, is that correct, for due, uh, back taxes?

Mr Paul — No, the County is the owner, at this point. We did, I mean, this may be interesting to the Board. We had something come through on the list serve out of St Louis where they have a similar issue and trying to compel the county to do something to the properties it owns. They've taken the position up there that, um, the county doesn't really own it. It is acting as Trustee for the preservation taxes only and doesn't think it can, of course in its opinion, doesn't think it can be ordered to do anything. So, I'm not sure if that's the law or not. I'm not sure that anyone litigated that to the Court of Appeals but, um, it came through and I thought I would pass that along. I, I know in the past we've discussed whether the Board should take action and attempt to get the county to do anything on this since it's the owner at this point.

Mr Denham — Ok. Something is going to have to be done one of these days.

Mr Paul — One of these days.

Mr Denham — I don't know whose going to step up and do it but…

Mr Wilson — Probably happen when the building falls in.

Mr Hartwell — That's the only way they will deal with it.

Mr Denham — Yip.

Mr Oliver — Three months would be August 25th.

Mr Wilson — Mr Chairman, I make a motion that Item # 2635, 502 Virginia be continued to our August 25th meeting for a Progress Report and Demolition Hearing.

Mr Pommert — **Motion by Mr Wilson, second by Mr Pommert that Item # 2635, 52 Virginia be continue to our August 25th meeting for a Progress Report and Demolition Hearing. All those in favor say "aye" (Mr Pommert, Mr Wilson, Mrs Harrington, Mr Hartwell and Mr Denham) Those opposed (none). Motion carries.**

ITEM # 2746 — **2610 S OLIVER**
OWNER: Higdon Homes
ADDRESS: 3639 Austin, Joplin, MO 64804
Demolition Hearing has been posted in the Joplin Globe Legal Section. Item continued from the February 24, 2017 meeting for a Demolition Hearing and Progress Report (TENTH TIME BEFORE THE BOARD)

Mr Oliver — Item 2746, 2610 S Oliver. Uh, this Higdon Homes, they had bought two slabs, uh, that were setting out here. Uh, they, basically, got one almost complete. There is a permit in place for this address and I do believe they just had their temporary inspected this week. So, hopefully, they'll get started framing here pretty quick.

Mr Denham — Can we go a little more than thirty days? Give them time to get moving on it. If you go thirty day and they are moving, maybe release it? They followed through on the other one. You want to give them it thirty days and see if we can't release it next time? Construction started and their moving?

Mr Wilson — Mr Chairman, I make a motion that Item # 2746, 2610 S Oliver be continued to our 20th, June 23rd meeting for Progress Report and Demolition.

Mr Hartwell — Second.

Mr Denham — **A motion by Mr Wilson, second by Mr Hartwell, that Item # 2746, 2610 S Oliver be continued to our June 23rd meeting for a Progress**

Report and Demolition Hearing. All those in favor say "aye" (Mr Pommert, Mr Wilson, Mrs Harrington, Mr Hartwell and Mr Denham) Those opposed (none). Motion carries.

ITEM # 2785

417 S PARK
OWNER: Dawn Morian
ADDRESS: 6720 Woodson, Raytown, MO 64133
Demolition Hearing has been posted in the Joplin Globe Legal Section. Item continued from the April 28th, 2017 meeting for a Demolition Hearing and Progress Report (EIGHTH TIME BEFORE THE BOARD)

Mr Oliver — Item # 2785, uh, 417 S Park. Um, Dawn and I played phone tag quite a lot this month., Uh, she did, after the meeting, purchase a permit, however, we have found out that some of the subs on there did not know that they were put on there. So we're trying to work that out. The, uh, last message I received from her, I believe, on Wednesday, is that her intent is to be here next week. She's to get the Temporary pole set, get that window on the back that's still missing put in. Um, we will see how that goes. There's a permit in place.

Mr Denham — Eighth time before the Board. There hasn't been much done. About time to just order it repaired, isn't it?

Mr Oliver — I mean, when they, when it first got put on, they did a really good job of getting in there and cleaning it up and got a new roof on it. But it's just kind of, stalled. I know at some point in there, um, she was in the hospital a little bit. But …

Mr Denham — Can't see that anything's changed in the last several months that I have driven out there.

Mr Hartwell — I'd like to see this go.

Mr Denham — Like to see what?

Mr Hartwell — Go. I mean be repaired. Move on.

Mr Oliver — The permit that was applied for is actually good 'til November 1st.

Mr Harrington — Does that make a difference in us repairing it?

Mr Oliver — I mean, you could, uh, strip them of that permit and order it repaired. Uh, a variety of things that could be done.

Mrs Harrington — You told her last month, if she would just call you, give you an update that she didn't have to come here from Raytown.

Mr Oliver — Yip.

Mrs Harrington — But she hasn't called?

Mr Oliver — No, she has. We've played some phone tag this year, or this last month and, uh, the last one, I got a message from her, I believe it was Wednesday.

Mr Paul — I was kind of surprised she came the first time. The hike.

Mrs Harrington — Yeah.

Mr Oliver — She apparently has some relatives in Webb City, 'cause they've got on the address on their application for the permit, there's a Webb City address.

Mr Denham — Why don't we give her thirty days and see if we get any action, then order it repaired at that point?

Mr Paul — We should probably let her know she needs to come back.

Mr Denham — Yeah. Because we specifically told her she didn't have to come down. I think that's reasonable.

Mr Pommert — Mr Chairman, I'd like to make a motion that Item # 2785 at 417 S Park be continued to our June 23rd meeting for a Progress Report for Demolition Hearing.

Mr Wilson — Second.

Mr Denham — **Motion by Mr Pommert, second by Mr Wilson that Item # 2785, 417 S Park be continued to our June 23rd meeting for Progress Report and Demolition Hearing. All those in favor say "aye" (Mr Pommert, Mr Wilson, Mrs Harrington, Mr Hartwell and Mr Denham) Those opposed (none). Motion carries.**

ITEM # 2793 — **1935 LAUREL ST**
OWNER: Benjamin and Diana Burns
ADDRESS: 1935 Laurel St., Joplin, MO 64801
Demolition Hearing has been posted in the Joplin Globe Legal Section.
Item continued from the April 28, 2017 meeting for a Demolition Hearing and Progress Report (FIFTH TIME BEFORE THE BOARD)

Mr Oliver — Item # 2793, 1935 Laurel St. Um, there is a permit in place. Um, the permit is good 'til August 7th of this year. Um, I believe, now, they are starting to get rolling pretty good on it.

Mr Denham — Yeah, I looked they have done some, little bit of demolition so they can get moving on it. Who's the contractor?

Mr Oliver — Mayberry.

Mr Denham — I don't know that we need to do this every thirty days. I think they'll continue on but it's up to the Board.

Mr Harrington — Sixty or ninety days?

Mr Denham — Give 'em time to knock it out.

Mr Hartwell — Mr Chairman, I make a motion that Item # 2793, 1935 Laurel St be continue to our August 25th meeting for a Progress Report and Demolition Hearing.

Mr Pommert — Second.

Mr Denham — **Motion by Mr Hartwell, second by Mr Pommert, that Item # 2793, 1935 Laurel St be continued to our August 25th meeting for Progress Report and Demolition Hearing. All those in favor say "aye" (Mr Pommert, Mr Wilson, Mrs Harrington, Mr Hartwell and Mr Denham) Those opposed (none). Motion carries.**

ITEM # 2798 — **2415 E NATALIE CT**
OWNER: Joost and Brandi Schol
ADDRESS: 2415 Natalie Ct., Joplin, MO 64801
Demolition Hearing has been posted in the Joplin Globe Legal Section.
Item continued from the March 28, 2017 meeting for a Demolition Hearing and Progress Report (THIRD TIME BEFORE THE BOARD)

Mr Oliver — Item # 2798, 2415 E Natalie Ct. Uh, this house was also the subject of a fire. Uh, Mayberry actually, uh, has bought this property from the owner who, uh, had it when it did catch fire. Uh, there is a permit in place, um, they are putting up rafters right now.

Mr Denham — Yeah, they've got a lot done in a month.

Mr Oliver — Basically, on this one, I think, kind of like a new construction, sort of, as far as the permit's concerned. So, it'd be up to guys whether you want to hang on to it or release it.

Mr Denham — I really don't have any problem releasing it. I'm pretty confident they'll follow through and get it done, especially since they own it.

Mr Oliver — I will, say that the City is holding some insurance money on that so that's going to be some incentive, you know and they are a reputable company.

Mr Denham — That's kind of their specialty is, it's a market for them to take care of damaged properties.

Mr Harrington — Mr Chairman, I make a motion that Item # 2798 at 2415 E Natalie Ct be con --- be released from our Agenda.

Mr Hartwell — Second.

Mr Denham — **Motion by Mrs Harrington, second by Mr Hartwell, the Item # 2798, 2415 E Natalie Ct be released from our Agenda due to a permit, uh, being in place. All those in favor of the release say "aye" (Mr Pommert, Mr Wilson, Mrs Harrington, Mr Hartwell and Mr Denham) Those opposed (none). Motion carries.**

ITEM # 2804 — **1604 MINNESOTA**
OWNER: 1604 Minnesota TR
ADDRESS: PO Box 3133, Joplin, MO 64803
Demolition Hearing has been posted in the Joplin Globe Legal Section. Item continued from the April 28, 2017 meeting for a Demolition Hearing and progress Report (SECOND TIME BEFORE THE BOARD)

Mr Oliver — Item # 2804, 1604 Minnesota. Uh, that property has been demolished by the new owner and can be released.

Mr Hartwell — Mr Chairman, I make a motion that Item # 2804, 1604 Minnesota be released from our Agenda.

Mr Wilson — Second.

Mr Denham — **Motion by Mr Hartwell, second by Mr Wilson, that Item # 2804, 1604 Minnesota, be released from our Agenda due to the demolition already occurring. All those in favor of the release say "aye" (Mr Pommert, Mr Wilson, Mrs Harrington, Mr Hartwell and Mr Denham) Those opposed (none). Motion carries.**

ITEM # 2805 — **730 S PICHER**
OWNER: 430 Picher TR (Bill Michael)
ADDRESS: PO Box 3133, Joplin, MO 64803
Finding of Fact Hearing scheduled for this date.

Mr Oliver	New Business. Item # 2805, 730 S Picher. This is a Bill Michael property. Everybody's familiar with him. Um, he is selling this on a contract for deed. Uh, you can see the gentleman's name is listed. Um, they have come in, visited with me, uh, about the property. There is a dumpster set out back so they've begun the cleanup of the property.
Mr Denham	There are interesting columns on that porch.
Mr Oliver	Yes.
Mr Denham	The landscape timbers stacked up like Lincoln logs. I really question how structural that is, but…
Mr Oliver	Yes, but, hopefully, there's something good underneath.
Mr Denham	Yeah, I'm hoping there's a 4X4 or something in there. That took some time, though.
Mr Oliver	Yeah.
Mrs Harrington	I wouldn't count on anything being under there.
Mr Denham	It looks really, I mean, maybe it's just the photograph but it's pretty…
Mr Harrington	Yeah, they may of thought that made it secure.
Mr Denham	Cockeyed. Well this is under New Business. We have to continue thirty days, automatically, anyway. We have that motion?
Mrs Harrington	Mr Motion--- Mr Chairman, I make the motion that Item # 2805 at 730 S Picher be continued until June 23rd for our Progress Report and Demolition Hearing.
Mr Pommert	Second.
Mr Denham	**Motion by Mrs Harrington, second by Mr Pommert that Item # 2805, 730 S Picher be continued 'til, until our June 23rd meeting for Progress Report and Demolition Hearing. All those in favor say "aye" (Mr Pommert, Mr Wilson, Mrs Harrington, Mr Hartwell and Mr Denham) Those opposed (none). Motion carries.**
ITEM # 2806	**2126 S EMPIRE** **OWNER: Richard Daniels** **ADDRESS: 2126 S Empire Ave., Joplin, MO 64804** **Finding of Fact Hearing scheduled for this date.**

ITEM # 2807	**1110 S MOFFET** **OWNER: Phyllis Walden and Twana Baker** **ADDRESS: 1110 S Moffet Ave., Joplin, MO 64801** **Finding of Fact Hearing scheduled for this date.**
Mr Oliver	Item # 2806 and # 2807. Um, I really don't have any information other than that they have been posted and brought to you guys. I haven't had no contact with, uh, anybody, yet, at this point so those can be continued.
Mr Denham	Do we have a motion to continue both items?
Mr Wilson	Mr Chairman, I make a motion that Item # 26, Item # 2806, 2126 S Empire and # 2807, uh, 1110 S Moffet, be continued to our June 23rd meeting for Progress Report and Demolition Hearing.
Mr Pommert	Second.
Mr Denham	**Motion by Mr Wilson, second by Mr Pommert, that Items # 2806, 2126 S Empire and # 2807, 1110 S Moffet be continued to our June 23rd meeting for Progress Report and Demolition Hearings. All those in favor say "aye" (Mr Pommert, Mr Wilson, Mrs Harrington, Mr Hartwell and Mr Denham) Those opposed (none). Motion carries.**
Mr Denham	Any other business to bring to the Board? Do we have a motion to adjourn?
Mr Wilson	So moved.
Mr Denham	Second?
Mr Pommert	Second
Mr Denham	**All those in favor say "aye" (Mr Pommert, Mr Wilson, Mrs Harrington, Mr Hartwell and Mr Denham) We stand adjourned.**
Mr Oliver	Thank you, everyone. Appreciate you!

There being no further business to come before the Building Board of Appeals during regular session, the regular session meeting stood adjourned at 11:57 a.m.

Approved _____
Kyle Denham, Chairman

Approved _____
Elizabeth A Willhite, Notary Public

My Commission expires: 11/8/2020

