MINUTES
BUILDING BOARD OF APPEALS
REGULAR MEETING
MAY 27, 2016
9:00 AM

Kyle Denham, Chairman, called the May 27th Building Board of Appeals meeting to order with the following Board members present: Kyle Denham, Mark Eastman, Crystal Harrington, Rylee Hartwell, Don Landrith, David Pommert, and Ervin Wilson. City officials present: Bryan Wicklund, Chief Building Official; Jordan Paul, Assistant City Attorney; and Susan Champlin, Notary Public.

Mr. Denham — If you could come up to the mike and tell us your name and address, and the item that you're here to speak on.

ITEM 2652 — **2409 LOCKEWOOD DR.**
OWNER: Vicki Clugston
ADDRESS: 3135 S. Tyler, Joplin MO. 64801
Item previously ordered demolished. A stay was granted. Item continued from April 22, 2016.

Vicki Clugston — Good morning, and I'm here for Number 2652. And the address is 2409 Lockewood Drive. First, I would like to start by apologizing to all of you for missing the last meeting in April. I hope you all are aware, I was in the hospital again with pneumonia. It was totally out of my control why I wasn't here. And I have a _____ (Ms. Clugston distributing documents and pictures to the Board members). Since then, I have ordered the rock and brick. The brick was delivered yesterday, and the bricklayers are starting early this morning. They have everything set up, as you can see in one of the pictures, to start. The back siding is three-fourths done, and the rock should be there by next Tuesday or Wednesday of next week. And it was on back order. I hope the pictures and the summary of the hospital stay will be sufficient to show the Board that I am trying to get this finished. My health and the weather hasn't been on my side. I would appreciate it if the Board is satisfied, to drop the action against this motion.

Mr. Denham — I don't think we're prepared to drop it at all. We've just not seen enough action. In fact, I think most of us are prepared to order it repaired because it sat like this for months. I realize you've had some health issues, but the last time you came here, which I think was approximately two months ago, we were under the impression the brick—you were trying to pick the brick or stone, but it would be done very quickly after that.

Ms. Clugston — I was hoping it would, and my bricklayer wasn't ready. And then the brick and the rock has been on back order. And my health—I wasn't well for the month that I went into the hospital. But it's getting done this week.

Mrs. Harrington — Well, it's good that your bricklayer became available the day before our meeting.

Ms. Clugston — That wasn't my doing—I'm sorry.

Mrs. Harrington — Well—it—yeah, we're kind of—you're the oldest case now on our list here. We've been working with this—when do you think the first time we saw you was two years ago?

Ms. Clugston — I don't—I don't remember it.

Mr. Wicklund — I think it's longer than that. Legal has the file right now; otherwise, I'd have the date, but—

Mrs. Harrington — Yeah.

Mr. Wicklund — I think we—I think we're going on three years.

Mrs. Harrington — I don't know. It feels like too little too late to me. I don't know that I would even extend it for another 30 days.

Ms. Clugston — So are you going to demo my home? I've already got it—

Mrs. Harrington — We could order it repaired, and that means that we hire somebody to go in and finish it, and you pay for it.

Mr. Wicklund — Let me add something. Jeff and I met with the owner and her husband—I think it was about three weeks ago.

Ms. Clugston — I think so. I had just gotten out of the hospital.

Mr. Wicklund — Yeah. One of the things that was discussed was you had said you would consider finding a general contractor to just help you and follow this through to the end.

Ms. Clugston — Charlie Ward is doing that.

Mr. Wicklund — Who?

Ms. Clugston — Charlie Ward—he's helping me.

Mr. Wicklund — Good. Well, I went—I revisited the property Tuesday. The brick, as you had said, wasn't there yet.

Ms. Clugston — Right.

Mr. Wicklund — Another one of my concerns was you acting as the general contractor and not being familiar with how the inspection process worked or even—what

needed to be inspected, and we scheduled what inspections we could for the next day. I don't know—we haven't talked since then. Those inspections failed.

Ms. Clugston — Right.

Mr. Wicklund — Now, I believe some of the corrections have been made, but nobody's ever called for a re-inspection. So as of today, we're still looking at the structure that hasn't passed any inspections other than a footing.

Ms. Clugston — Well, Justin Ward told me a week ago, the first of last week he was going to call and have somebody come out and re-look at it, because he fixed it.

Mr. Wicklund — He hasn't done it.

Ms. Clugston — Okay. I apologize, because I talked to him personally, and they finished it.

Mrs. Harrington — Why didn't you call for the re-inspections?

Ms. Clugston — He said he would, because I asked him. I said, "Do you want me to call, or do you—"

Mrs. Harrington — His name isn't on this list and being held responsible for this property. If you're the general contractor, it's your responsibility to do that.

Ms. Clugston — I thought it was taken care of—I apologize.

Mrs. Harrington — What inspections failed? Bryan, what were they inspecting—framing?

Mr. Wicklund — The framing—the framing and exterior sheathing were the only ones. The plumbing and the electric were not ready yet—whenever—and this is going back about three weeks ago. It's actually on—May the first is the date the inspections were done. So if they have the framing and exterior sheathing, and we haven't been back to do an inspection since May the first.

Mr. Denham — But the siding is going over the exterior sheathing?

Mr. Wicklund — Correct. It's not in the right order. I mean, I don't know—

Mrs. Harrington — It almost sounds like we would be doing a favor to order it repaired because that would put a professional contractor in charge of the process.

Mr. Denham — The person you mentioned—is he a general contractor?

Mrs. Harrington — It's Justin's dad.

Ms. Clugston — Yeah.

Mrs. Harrington Justin Ward—he's a contractor.

Ms. Clugston He's going to finish it, and he knows all the—the bricklayer and the siding and the soffit guy that's almost finished.

Mr. Denham Is he a licensed contractor?

Ms. Clugston Yes.

Mr. Denham If we ordered it repaired, and she already had her own brick there—

Mrs. Harrington Do you have a contract--

Mr. Denham The material out there will just be _____.

Ms. Clugston I'm sorry.

Mrs. Harrington Do you have a contract with Charlie Ward—a signed contract?

Ms. Clugston No, I don't. We didn't make one up.

Mr. Wilson Mr. Chairman—

Mrs. Harrington Are you paying him?

Ms. Clugston Yes.

Mr. Wilson **Mr. Chairman, according to the information that we have at hand now, and that she is working as her own general contractor and not being able to take care of the things that need to be taken care as required by the City building ordinances and codes, I would make a motion that we order this repaired.**

Mr. Denham What are you ordering repaired?

Mr. Wilson As far as the building itself, an order to repair to make sure that all conditions that the City requirements are met, the building is a safe place to live in—

Mr. Denham You're wanting it to be 100 percent turn-key when it is repaired?

Mr. Wilson Yes. That is what I would suggest.

Mr. Paul If I could jump in real quick—Bryan and I discussed this before we came up. Because we have the order to demo on it, we would have to do a couple of things here. We would have to revoke the building permit. We would holding a whole new hearing, and I haven't had time to work through all of the failed notices and stuff. It would be easier for me if we

could plan on doing it next time unless you guys are really wanting to do it today.

Mrs. Harrington — We had this conversation last month.

Mr. Paul — I believe we did.

Mrs. Harrington — And I think we had it the month before that, too.

Mr. Paul — I mean, we can get through it. It would be easier if we did 30 days, but we can go ahead if you all want to. And you've got a motion on the floor so, I mean, you all can vote on it. Well, I guess you need a second first, but—

Mr. Denham — So there's a motion to order the entire structure completed, which I don't—we've not done that before. Usually it's just the exterior. There's a lot of decisions to be made on the interior. I don't know if I'd be real comfortable ordering the whole thing repaired. I think the exterior is really our main concern at this point. I think that would be maybe going beyond what we have ever done before to do a complete building repair.

Mr. Wicklund — I think you have that option, is my opinion. The ordinances are there. When the electric—the house should be habitable when the Board releases it, so the option is there to do that, but you're correct, Mr. Chairman, that in previous cases similar to this, we have just finished the outside.

Mr. Paul — I think also in the past, when there's been an active building permit, the Board needs to rescind that first.

Mrs. Harrington — How old is the building permit? It seems like it was last September. Secondary to that question, I was wondering who pulled it—and it would have been her since she's the general, right?

Mr. Wicklund — That's correct. It was—the original one was pulled July 31st of 2015. Now, the property was before the Board well before that. We first started sending letters to the owner March 11th of 2014.

Mrs. Harrington — So it's been over two years.

Mr. Wicklund — So it's two years and a few months.

Mr. Paul — Also, keep it in mind that it's my opinion that once you proceed with the order to repair, your existing demo order is—I don't know what the right legal word is going to be—but dissolved—so to the extent that at any given moment, you could lift your stay now and, in theory, order it demolished, and in my opinion, Ms. Clugston wouldn't have any relief in Circuit Court because the time for appeal has passed, as it is a new order—a new 30-day period for appeal—a 30-day stay, and so that's also—I don't know if that's something you all could consider, and that's—

Mrs. Harrington — And that's kind of the point for me, that if we ordered it repaired, she would have 30 days to—we couldn't do anything for 30 days.

Mr. Paul — That's true.

Mrs. Harrington — And that would give her 30 days to get this house to the point where it needed to be. But if she didn't in 30 days, then we could proceed.

Mr. Paul — Yes.

Mrs. Harrington — But she would have a recourse if she would push forward and get the work done that we've been looking for her to do for the last three to four months since we started talking about brick. If she were at that point, then we could rescind the repair order if she performed up to that standard.

Mr. Paul — That's correct. You could take that route if you want to.

Mrs. Harrington — I mean, that would be to me—what we would be doing is giving you an incentive to get what you say you're going to do done in 30 days, because our—if we order it repaired, which means we're going to hire a contractor and get it done, then we can't do that for 30 days. So you would have 30 days to work like a busy little beaver to get this thing where it needed to be, and if we saw pictures of it at that point, then it would be very easy for us to rescind that order to repair. I agree that I don't—I don't know that we want to go the full route on this repair order to finish out the interior.

Mr. Denham — Bryan, how severe were the deficiencies in the framing and the sheathing?

Mr. Wicklund — Minor.

Mr. Denham — Is the siding that's been put on on the back side—is it going to have to be removed to take care of the issues with the sheathing? The issue is you can't really keep proceeding without approval. You know, to start putting siding over sheathing that was failed makes no sense.

Ms. Clugston — I didn't know the sheathing was—

Mrs. Harrington — Your subcontractor, you know, should have known that if it hadn't been inspected—

Mr. Denham — You can tell—it's usually posted on your building permit on the wall what's failed.

Mr. Wicklund — And it was. At least Tuesday when I was there, I found it on the floor in the garage, but I made them put it back up on the nail. It was still present. The only concern I have as far as the sheathing goes in the back of the structure is, there were some framing issues with the deck in the back—that is a deck that's—I don't know, 12 feet off the ground. It doesn't have the

floor boards on it yet, but the floor joists were there, and it was not attached to the house properly, yet they've sided around that ledger. It might—and it covered up that ledger—that would need to be removed. But other than that, I don't think anything would have to be removed at this point.

Mr. Denham Okay.

Mr. Hartwell So, Bryan, what you're saying, it's relative minor things that needs to be done?

Mr. Wicklund Yes.

Mr. Hartwell Okay.

Mr. Wicklund Yeah, they were minor framing things.

Mr. Hartwell So the incentive is for you to get your house completed, and I think that's the goal of everybody on this Board. To do so, I think a repair order for the exterior of the home is on both sides, because of the lack of progress on your end, and that you actually should understand that at this point, that we have to do something as well, okay?

Mr. Paul Should I treat that as a second?

Mr. Denham Do you want to second Mr. Wilson's motion?

Mr. Hartwell Not to do a complete home, no.

Mr. Denham Pardon me?

Mr. Hartwell I don't second a motion to do the house completely.

Mr. Denham Okay.

Mr. Wilson **I would amend my motion to necessary repairs and—**

Mr. Denham To the exterior?

Mr. Wilson **To the exterior.**

Mr. Denham **To the exterior—is that what your motion—**

Mr. Wilson Pardon?

Mr. Denham **Your motion is to do the necessary repairs to the exterior?**

Mr. Wilson **Yes.**

Mr. Hartwell **I second that.**

Mr. Denham **Okay. I have a motion by Mr. Wilson and a second by Mr. Hartwell to order this building repaired on the exterior.** Do we have to take that—do we have to turn that over to the City for an actual hearing, or do we just make that motion?

Mr. Paul We would need to do a hearing unless Ms. Clugston wants to consent to it. That's always an option. But I don't know if you're willing to do that.

Ms. Clugston I'm not sure what you're saying. I don't know what you've decided.

Mr. Paul Well, we can have a hearing on it, or you can consent to an order to repair as described, and that way we don't have a hearing. You just agree that an order will be entered.

Ms. Clugston An exterior—

Mr. Paul Yes.

Ms. Clugston Only.

Mr. Denham And that gives you 30 days to get it started and get it done.

Ms. Clugston Just the exterior?

Mr. Wicklund Yes. But when they're referring to the exterior, I want you to make sure you understand that includes the garage door. That includes the deck on the back. I mean, the outside would be 100 percent complete.

Ms. Clugston Okay.

Mr. Paul I mean, is that something that you're okay with then?

Ms. Clugston Yes, because they're starting on it next week.

Mr. Paul Okay. I'm trying to make it procedurally the best way to do this. I guess, Bryan, could you just briefly give a—you just mentioned some "for instances." Could you give a comprehensive list of what she's agreeing to do within the next 30 days? Or was it—or did you just cover everything?

Mr. Wicklund Cover everything—

Mr. Paul Is that list you just gave her a comprehensive list of what she's doing?

Mr. Wicklund No—no. I believe the intent of the Board would be that the outside be 100 percent complete. At this time, that would mean—and I know the fascia and soffit are almost done, but it would be the fascia and soffit 100 percent

complete. Any exterior doors that are not there now would need to be installed. That includes the garage door, the front door, back door, deck doors—any of those. All brick, rock, siding—any of the exterior finishes would be included in that order, as well as the ground around the house would be cleaned up so as to give the perception to the neighborhood, unless you are inside that house itself, that the house is 100 percent done.

Ms. Clugston — Are you talking the landscaping, too? In 30 days, I don't know for sure if I can get that all done.

Mr. Denham — I don't think we're talking about landscaping.

Mr. Wicklund — No, we're not. I'm talking about piles of gravel, construction materials—

Ms. Clugston — Okay.

Mr. Wicklund — All of that gone.

Ms. Clugston — Everything that's out there is for the exterior.

Mr. Wicklund — I understand. That's just part of completing the exterior is once it's done, all that stuff needs to be removed.

Ms. Clugston — Okay.

Mrs. Harrington — And the re-inspections need to be called today.

Mr. Wicklund — And before—yeah, before—I should have included that—before we would proceed with covering up the exterior sheathing, your framing and your exterior sheathing inspections have to pass, because sometimes that involved redoing something on the outside. So you don't want to put siding, rock, brick, garage doors—the framing and exterior sheathing has to pass inspection first.

Ms. Clugston — Okay.

Mr. Wicklund — So this—the order that the Board is entertaining would include completing the interior to a point where the framing and sheathing inspections would pass.

Ms. Clugston — Okay.

Mr. Paul — Is that everything?

Mr. Wicklund — Yes.

Mr. Paul — Do you understand all that, Ms. Clugston?

Ms. Clugston — I think so. Then so, should I call in for an inspection for everything?

Mrs. Harrington — To verify the corrections have been done.

Mr. Wicklund — Yeah, somebody needs to verify those corrections were done, and then call in the inspection so that the inspectors can go back out—

Ms. Clugston — Okay.

Mr. Wicklund — And verify it.

Ms. Clugston — I'll do that today.

Mr. Denham — And if there's any questions, get with Bryan or Jeff. And don't wait until the last week, because 30 days is going to go pretty quickly. There's a lot of work. It's not going to matter—it doesn't matter if it rains every day from here on out. You've got to get this work done.

Ms. Clugston — Okay. I know if it rains, they can't—

Mr. Denham — Oh, they can—if they're content, they can do a lot of things. They're going to have to do it if you want to get it done.

Ms. Clugston — Okay.

Mr. Denham — So, you know, I mean, 30 days will go very quickly.

Mr. Paul — And I would like to build a brief record real quick. So we had a motion, and we had a second.

Mr. Denham — We have not voted yet.

Mr. Paul — So I guess we should do a—

Ms. Champlin — We have not voted—no.

Mr. Paul — We could do a vote real quick and just do a brief record indicating she has appeared. She has waived the hearing. She has agreed to make the repairs as reflected in the minutes as described by Bryan. Does that sound good to everybody?

Mr. Denham — Yes.

Mr. Paul — So let's do that real quick.

Mr. Denham — **There is a motion to have the entire exterior complete and ordered repaired. All those in favor of the motion, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith,**

Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.

Mr. Paul — This is the Joplin Building Board of Appeals meeting in the Joplin Municipal Building on this 27th day of May, 2016, for the purpose of holding a dangerous building hearing. The City will present its evidence first, after which the public has a right to cross-examine witnesses and be heard, as well as present witnesses or exhibits. The case for today is Item Number 2652 on the agenda, also known as 2409 Lockewood Drive. I'm Jordan Paul. I'm the Assistant City Attorney. Ms. Clugston is here. The minutes reflect that she has had a conversation with the Board over the last couple of minutes. Ms. Clugston has waived her hearing and consented to an order to repair. Mr. Wicklund, the Building Official, has given some specific instructions as to what that order to repair encompasses. She has agreed to do that within 30 days. Ms. Clugston, I guess if we could swear you in real quick and just have you acknowledge that we're on the same page that you're understanding of the consent that you have agreed to today.

Ms. Clugston — Yes, sir.

Ms. Paul — Susan, do you need to swear her in before she says that?

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

Ms. Clugston — Yes.

Mr. Paul — The answer is still yes?

Ms. Clugston — Yes.

Mr. Paul — Okay, thank you. Does the Board have any clarification questions, or anything like that?

Mrs. Harrington — We want to be sure that we don't need to rescind the building permit in order to do this. It has to remain in place, right?

Mr. Paul — If she is going to continue to do the work on this, I would think the building permit would need to stay in place, yes. Any other questions? Okay, then we'll turn it over to the Board for a vote.

Mr. Denham — We did vote.

Mr. Paul — We voted to have a hearing, and I think you should—

Mr. Denham — Oh, okay.

Mr. Paul — Still vote on the order. And she's also consented to the order, and it's more of a complete record that way.

Mr. Denham — Do we have a motion for the same order?

Mr. Wilson — **Mr. Chairman, I make a motion that the order to repair be enacted.**

Mr. Denham — Is there a second?

Mr. Pommert — **Second.**

Mr. Denham — **I have a motion by Mr. Wilson and a second by Mr. Pommert that Item 2652, 2409 Lockewood Drive, be ordered repaired to the exterior. All those in favor, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") All those opposed? (None) Motion carries, 7-0.** Good luck. Do you want those photographs back?

Ms. Clugston — No.

ITEM 2704 — **1826 S. BYERS**
OWNER: Olga Gutierrez
ADDRESS: 1729 Sophia Carthage MO. 64836
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the April 22, 2016 meeting for a "Demolition Hearing" and Progress Report (FOURTEENTH TIME BEFORE THE BOARD)

Mr. Denham — Good morning.

Malicio Gutierrez — I'm here for 1826 Byers. Her name is Olga Gutierrez.

Mr. Denham — It's Item 2704. How are you coming on progress?

Mr. Gutierrez — I did some work. It's slow. It's working every day. It's going next week, to get _____ and the condition.

Mr. Denham — This is a fairly recent picture?

Mr. Wicklund — I'm going to pass around a picture from yesterday. That's fairly recent.

Mr. Denham — That's pretty recent.

Mr. Wicklund — I want you to—I appreciate you being here, and I saw you yesterday out on the property. Jeff Oliver, the building inspector that you've been working with and is normally here, actually has a note from the last time this was

before the Board—no progress had been made, and he was recommending a demolition order, so—

Mr. Gutierrez — Yeah.

Mr. Wicklund — So that's why yesterday, when I went by the property and saw you there working, I was very glad to see that. But it's been very slow. The progress has been very slow.

Mr. Gutierrez — Yeah, I'm sorry.

Mr. Wicklund — I mean, I guess—

Mrs. Harrington — This is the fourteenth time, it says in our minutes.

Mr. Wicklund — Yeah, and in the last—really, in the last few months, the only progress that has been made is there is a small addition to the house where he's doing a new footing and foundation because it just was not in good shape. He still hasn't poured that footing. He's got it formed up and cleaned up. It's actually passed inspection ready to pour, but it's sat that way for the last few months. But he was there working yesterday. He said the concrete is supposed to be there next week.

Mr. Gutierrez — Yes.

Mr. Denham — Well, what's been the delay? Are you just working on other projects, or are you waiting for funds—money, or what's caused this slowdown?

Mr. Gutierrez — I did some—my wife—sometime for sick—it's paid for doctor, everything. I just don't have too much money for fixing a home. It's just piling up.

Mr. Denham — So do you have the money now?

Mr. Gutierrez — No—no, I don't have too much money for everything. But it's all in for cement for next week. It's _____.

Mr. Denham — What's next week?

Mr. Gutierrez — For our foundation.

Mr. Denham — Foundation—to pour the foundation next week?

Mr. Gutierrez — Yeah.

Mrs. Harrington — For an addition to it. Bryan, is that right?

Mr. Wicklund — Well, I say addition. It was an area that was just dilapidated to the point that he knew he needed a new footing and foundation. It's actually under the original roof.

Mr. Denham — Is that what we're seeing right there? And that's the floor mark for the footing?

Mr. Wicklund — It is, yes.

Mr. Denham — Okay.

Mrs. Harrington — Okay—okay.

Mr. Denham — The windows are in. Some doors are in. The next—after the foundation is in, he'll have to frame up those walls?

Mr. Wicklund — Yeah, and the inside is gutted.

Mr. Denham — Okay.

Mr. Wicklund — The floor joists are exposed over most of it, if I remember right. There was some replacement of the floor joists that needed to happen, but all of that was going to happen after the foundation was poured.

Mr. Denham — What kind of schedule—when do you think you could have the outside done?

Mr. Gutierrez — Outside?

Mr. Denham — Yeah—the siding, the walls.

Mr. Gutierrez — Yeah, siding—everything.

Mrs. Harrington — When?

Mr. Gutierrez — That's only finishing the back one—maybe next month—next month's—I want to finish for cement for the addition—I would say for a big one—maybe one room—big one.

Mr. Wicklund — Well, we want to know, when can you get it to where somebody just walking around the outside, all of the outside would be done?

Mr. Gutierrez — Oh, okay.

Mr. Wicklund — All the siding.

Mr. Gutierrez — Yeah—yeah.

Mr. Wicklund — How long?

Mr. Gutierrez — Months.

Mr. Wicklund — Two months?

Mr. Gutierrez — Yeah.

Mr. Wicklund — Six months?

Mr. Gutierrez — Or two.

Mr. Hartwell — Where are you going to get the money to do this in the next two months? This is the thirteenth time before the Board.

Mr. Gutierrez — Yes.

Mr. Hartwell — So what's going to change? Is there a monumental change that's going to happen?

Mr. Gutierrez — Yeah, there's change. We don't have too much money _____.

Mr. Hartwell — Okay.

Mr. Wicklund — What was the plan? Are you going to try to sell it when it's done?

Mr. Gutierrez — No—no.

Mr. Wicklund — Who's going to live there? Are you going to live there?

Mr. Gutierrez — Yeah, it's on the _____.

Mr. Denham — I don't know if you understood what Mr. Wicklund was saying was, we're this close to ordering the whole building demolished—

Mr. Gutierrez — Yeah.

Mr. Denham — And I know you've got some money invested in this, and a lot of time and work, but you need to come up with a plan to get this finished—and a reasonable plan that includes how you're going to pay for it because it's not fair to this neighborhood to just let it sit like this for what has it been—fourteen (14) times—thirteen (13) times?

Mr. Gutierrez — Uh-huh.

Mr. Denham — You've got a lot of debris.

Mr. Gutierrez — Yes.

Mr. Denham — Concrete block—old wood framing. There is no reason for that to sit around. Even if you don't have the money to make the repairs, at least clean up the site. That doesn't cost anything other than just taking it somewhere—disposing of it. After visiting there, do you think it's feasible with this to get repaired in a timely manner?

Mr. Wicklund — Is there anybody helping you, or you're doing all of it—just you by yourself?

Mr. Gutierrez — Only me. I don't have somebody. There's no money to pay somebody for fixing it up.

Mr. Wicklund — And I assume you have a job, so you can't spend all day every day there at the house working because you have to go make money, yes.

Mr. Gutierrez — Yeah.

Mr. Wicklund — I think he would be doing very well if he got the footing and foundation, floor joists, and just that corner—the wall sheathing up. That would be—

Mr. Denham — By the next meeting.

Mrs. Harrington — By the next meeting.

Mr. Wicklund — It would be significant progress for him.

Mr. Denham — It definitely would. But then that would lay the ground work to get the siding on.

Mr. Wicklund — Yes.

Mr. Denham — The windows are in, it looks like.

Mr. Hartwell — Bryan, so Jeff had a note that this needed to be demolished?

Mr. Wicklund — Well, Jeff is on vacation this week, so as he was making notes and updating me on each item, when he left at the end of last week, there was no progress that was visibly done for the last few months. And, actually, if I had not caught the gentleman there working yesterday, I would have agreed. Nothing has been done in the last few months, but he was there working yesterday. Do you think you could, in a month—in 30 days from today—

Mr. Gutierrez — Uh-huh.

Mr. Wicklund — Have the footing and the foundation and the walls—

Mr. Gutierrez — Yes.

Mr. Wicklund — Built—framed?

Mr. Gutierrez — Yes, correct. This month?

Mr. Wicklund — Yes.

Mr. Gutierrez — Yeah.

Mr. Denham — Well, I'd be willing to continue it for 30 days under that scenario, understanding that if progress isn't done—

Mr. Gutierrez — Yes.

Mr. Denham — We'll either order it repaired or order it demolished, probably at the next meeting.

Mr. Gutierrez — Yeah.

Mr. Denham — That's our two options. The third option would be to continue it.

Mrs. Harrington — As long as each one of those items is done that Bryan has said, and if you want us to write them down for you so that you know what we expect, I think we could probably do that. But if you will agree to do those things in the next 30 days—

Mr. Gutierrez — Yeah, if it's in 30 days to get—it's new framing.

Mr. Denham — Do we have a motion to continue?

Mrs. Harrington — **Mr. Chairman, I make a motion that Item Number 2704, 1826 South Byers, be continued until June 30th—no, that's not right—**

Mr. Wicklund — June 24th.

Mrs. Harrington — **June 24th for a demolition hearing and progress report.**

Mr. Wilson — **Second.**

Mr. Denham — **I have a motion by Mrs. Harrington and a second by Mr. Wilson that Item 2704, 1826 South Byers, be continued to our June 24th meeting for a progress report and demolition hearing. All those in favor, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") All those opposed? (Mr. Hartwell voted "nay") Motion carries (6 in favor, 1 opposed).** Thank you.

Mr. Gutierrez — Thank you so much.

Mr. Denham — Good luck.

Mrs. Harrington — See you next month.

ITEM 2699 — **1402 S. JOPLIN**
OWNER: Heartland Floral & Gifts Inc.
ADDRESS: 2515 W. 30TH ST. Joplin MO. 64804
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the April 22, 2016 meeting for a "Demolition Hearing" and Progress Report (FIFTEENTH TIME BEFORE THE BOARD)

Mr. Denham — Good morning.

Gene Hess — Good morning. Gene Hess, here for Item 2699, at 1402 South Joplin. I'm still waiting back for a couple of proposals on fixing the roof. I decided I was going to go ahead and repair it and try to get it in good enough condition that I could sell it. And the economic decision would be to fix the roof—I think I can get enough out of the building to more than cover that. I had somebody interested, and of course, deals never deal until it's a deal, but they looked at it. And one of the questions they raised, and I didn't—I had never thought of this, is that since it's an older building, are there any requirements for updating to City Code or whatever when you transfer a building? Does anybody know?

Mr. Wicklund — Transfer ownership?

Mr. Hess — Right.

Mr. Wicklund — No.

Mr. Hess — So I could go ahead and fix the roof and do whatever else I need to do to occupy it again, and then sell it, and the City couldn't come in and say, "Well, you know, you don't have a wide enough bathroom door for a wheelchair, or don't have a ramp," or anything?

Mr. Wicklund — Yes, that could happen. That's not required to happen before the ownership transfers. It is required before occupancy of the building could happen. So a lot of it depends on what they would use it for—what type of business they would be using it for would trigger what codes would come into effect. There is no possible way to answer all the possibilities of what might go into that building, and what might be required. It's been vacant for a long time.

Mr. Hess — So is there somebody at the City that I could sit down face-to-face and get—kind of get a bunch of questions together and ask my questions before I get—you know, before—this is all kind of boiling down to an economic

decision, and then I don't want to make an economic decision and then find out that, "Well, that's kind of nice, but now that doesn't really matter."

Mr. Wicklund — That would be me, and I'd be happy to sit down with you. It might have been better if that would have happened a year and a half ago.

Mr. Hess — Well, I didn't know about—I didn't even think about the fact that there might be some kind of code problems, or things of that sort. Before, when I got started—you know, I was just kind of fixing up the outside and trying to keep the transients out of it, and things of that sort. And then I kind of found out that what I really—what you really need to do is get the roof fixed, so that's what I'm working on now. And then this kind of came up whenever—well, this guy looked at it and raised a couple of questions and just kind of threw a couple of things out there, and I thought, oh, maybe I need to—before I spend any money, I need to find out what might happen down the road, so I—you know, I just don't want to put money into something and find out that I couldn't transfer it or, you know—

Mr. Wicklund — We let you know a year and a half ago that the roof needed to be addressed. It was your choice, and I agree with the order of things, you needed to get the building secured, the inside cleaned out. Then you were going to address the roof issue. But you've known all along the roof issue was waiting to be addressed.

Mr. Hess — Right. And that's what I'm trying to do, but before I actually put money in the roof, I just have a few questions I'd like to get answered about what would happen if and when I sold the building.

Mr. Wicklund — Well, and that's what I'm saying—and I can have this conversation with you at a later time if you want, but I can't possibly go through all the possible code requirements for every type of use and business that may or may not go into that building. If you have a specific interested buyer, with a—and they know what type of business they're wanting to move in there, I could easily answer, okay, what things need to be updated, and what don't.

Mr. Denham — Is the only remaining thing to get it off our agenda the roof at this point?

Mr. Wicklund — Well, no. I went by the property Tuesday, and you've done a fairly good job of boarding it up. It has stayed secured; however, some of the openings that you boarded up were not done very well, and the boards are just about ready to fall off. There's a very specific way the Council has set up what type of materials, and how to board up a structure—and it's really not close to being done that way, especially along the north side of the building there. Several of the panels are just laying there about ready to come off, so that would need to be addressed. I know Mr. Hess has done a lot of cleaning of the inside. When we started this process, it was definitely a fire hazard--the amount of debris and merchandise that was in there just being

stored the way it was being stored. The fire marshal had a concern with it. I know he's cleaned out some of it. I have not been inside to inspect to see the extent of that, and then the roof issue.

Mr. Denham — As I recall, you also just wanted to look at just look at the roof structure at one point, just because it's been allowed to leak for months.

Mr. Wicklund — Yeah, my initial inspection, whenever the building was—I couldn't even get through it thoroughly. I just know that there were several large openings in the roof, and it's very likely that if not the entire roof structure—at least some of the framing would have to be addressed.

Mr. Denham — Is it wood framed?

Mr. Wicklund — I believe so, yes.

Mr. Hess — Yes. And that's what—you know, I guess I've got one and one out of the way, but the proposal when—the detailed proposal I got—they're going to fix the roof joists as well, whether they need to be replaced. That was kind of part of it—

Mr. Denham — It's wood decked, too?

Mr. Wicklund — Yes.

Mr. Denham — So probably the wood deck has got some issues.

Mr. Hess — Yes.

Mrs. Harrington — Was that the $40,000 bid?

Mr. Hess — Pardon?

Mrs. Harrington — Was that the $40,000 bid?

Mr. Hess — Yes.

Mrs. Harrington — On April 22nd your exact words were, you know, you've gotten this one bid, and it seemed like a lot of money for that, and "I'm going to—I'm going to take the next two weeks, and a couple of weeks, and get more information from other roofers."

Mr. Hess — Right. And that's—I'm waiting for a couple—

Mrs. Harrington — So that's what you're going to do now again.

Mr. Hess — Well, I've got a couple of proposals I'm waiting to hear back from. And one guy was too busy, so I'm going to get back with him. So I'm just

going to, you know—I guess I just want to make sure before I put the money into it, I can transfer the building if and when I want to do it.

Mr. Denham — Okay, then—let's say--.

Mr. Hess — He's got some _____ (speaking at the same time as Mr. Denham).

Mr. Denham — Let's say you can't do that. Then what's your next—

Mr. Hess — I'm looking at demolition.

Mr. Denham — Are you going to demolish it?

Mr. Hess — I wouldn't fix the roof to know that I could never transfer it or, you know, I have to do something else to it. I mean, there's something minimal—

Mr. Denham — There's nothing that would keep—

Mr. Hess — If it takes another $40,000—

Mr. Denham — There's nothing that can keep you from selling this building. You can sell the property. Whoever buys it may have to do some remodeling to meet the code to get a certificate of occupancy, but you can sell it "as is" at this point. But we could order it demolished or order it repaired today as well. I mean, it's gone on for a long time. We have tried to be patient because we knew you were trying to clean it out and demo the old garage, but it's gone on for a long time.

Mr. Wicklund — See, here's the dilemma I'm in in answering some of your questions—you could potentially find a buyer who doesn't want to use it for anything other than his own personal storage—the same thing you've been using it for for years. In that case, it would just need to be boarded up properly, and the roof fixed. That's it. But if somebody wants to go in and put a beauty salon in there, there are all kinds of things they would have to do.

Mr. Denham — Including a building permit.

Mr. Wicklund — Yes. But you don't have to do it before you sell it unless you're the one wanting to put a beauty salon in the building.

Mr. Hess — Okay.

Mr. Wicklund — But we may need to meet and talk about this further. Now again, I would be happy to walk through it with you. I will let you know any concerns I have, or potential code requirements, but it all hinges on what use the building would be used for.

Mr. Hess — Alright. Can I get your phone number?

Mr. Wicklund — My phone number—624-0820, extension 519.

Mr. Hess — Okay.

Mrs. Harrington — That will give you an opportunity to explain the procedure for boarding up those windows to the satisfaction of the City.

Mr. Wicklund — Yes.

Mr. Hess — Well, I have—I should have an answer on the roof in a week, maybe 10 days. I'm still looking for other roofers, but I don't think I'm going to get anybody else that does flat roofs. Most of the people I've talked to just want to do houses.

Mr. Denham — I'd be willing to give him 30 more days to see what he can do, but after that, I think we either need to consider demolition or order it repaired. It's gone on for a long time, and I don't really think much has happened since our last meeting. I mean, the next meeting, we really need to have some positive progress.

Mr. Hess — Okay.

Mr. Landrith — **Mr. Chairman, I make a motion that Item 2699, 1402 South Joplin, be continued to our June 24th meeting for a demolition hearing.**

Mr. Eastman — **Second.**

Mr. Denham — **I have a motion by Mr. Landrith and a second by Mr. Eastman that Item 2699, 1402 South Joplin, be continued to our June 24th meeting for a progress report and demolition hearing at that time. All those in favor, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.**

Mr. Hess — Okay.

Mr. Denham — Good luck.

ITEM 2761 — **2311 W. 3RD**
OWNER: William Clemons & Etal Birch
ADDRESS: 134108 Cherry Dr. N. Pinellas FL. 33781
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the April 22, 2016 meeting for a "Demolition Hearing" and Progress Report (FOURTH TIME BEFORE THE BOARD)

Mr. Denham — Good morning.

Robb Birch — Good morning—2311 West Third is the property address. I don't have the number.

Mr. Denham — 2761.

Mr. Birch — Thank you. I did get my mother to sign off on it. Now the paperwork is being sent to my grandmother in Florida with a quit-claim, notarized off on the Missouri side of it, and it will have to be notarized when she signs in Florida. Then whether it's a good thing or not, it will legally be mine. It is boarded up. Now that she's signed off on it, she has also agreed to stay out of it. She's been the only one that's tried to get into the building since it's been boarded up. She had someone come over with a power drill. There's no way to get in there without taking down quite a few screws. I don't know the last time Mr. Wicklund or Jeff were by. The yard is cleaned up with the exception of a burn pile that kind of needs to be—

Mr. Denham — 2761.

Mr. Birch — Taken care of.

Mr. Denham — And your goal is rehab it?

Mr. Birch — At this point, I do have a couple of contractors that are going to come through and give bids on it. Again, I'm waiting for all the paperwork to be finalized on the home. I don't know how long it's going to take to get stuff back from Pinellas County, and then kind of weigh that versus demolition. I don't know if you guys have an idea what that costs when the City orders it, but I figured I'd call a few places and try to get an estimate there. I have no idea what that—

Mr. Denham — Jeff, what's a ballpark to demo a house this size—I'm sorry, Bryan?

Mr. Wicklund — Four thousand ($4,000) maybe.

Mr. Birch — Okay. I didn't know, with it being boarded up—the roof is—I mean, you can tell, I think, from the outside, the roof is solid, the walls are solid—I didn't know if there is any way to get it off the agenda and just kind of—

Mr. Denham — I didn't quite hear your last thing.

Mr. Birch — I didn't know if there would be any way to get it off the agenda now that it is secured, and no one is going in there.

Mr. Denham — Not really. We need to—it needs to have a complete—

Mr. Birch — Probably just with some of the other homes in the neighborhood kind of being in similar condition, I didn't know if—

Mr. Denham — They'll probably be coming on our agenda later.

Mr. Birch — I'm going to be happy to hear it.

Mr. Denham — Once it gets on our agenda, we need to see that it's either going to get demolished or repaired through the—even once the permit is in place, we usually keep it on our agenda until it's done.

Mr. Wicklund — Really the one—the thing that bumped this one ahead of the other ones in the neighborhood is the fact that the fire happened.

Mr. Birch — Sure.

Mr. Wicklund — It's not that—there's not other houses—

Mr. Birch — I know _____ is his last name. He owns one that's been vacant for 20 years now and honestly looks worse than this one does, just around the corner.

Mr. Wicklund — Yeah. And the one right next door—is your mother living in the one next door?

Mr. Birch — To my knowledge—yeah, she is seeking other arrangements there—and, yeah, I'm trying to get her—

Mr. Wicklund — Right.

Mr. Birch — I hate to get too involved, just with some stuff that's gone on in the past, but I'm trying to help her in ways that I can and still keep my family safe. If I can get her out of there, I would probably end up trying to get that one as well.

Mr. Wicklund — Well, you said that you're in the process of having contractors give you estimates on making the repairs.

Mr. Birch — Well, I was going to look at the cost of, you know, just rebuilding, because I had one guy come in—not a contractor but, you know, has done some remodeling work on fire-damaged homes before, and he was kind of pointing out things that the contractor would have to replace. This was, again, just so I didn't have to spend money before everything was legally mine, which I'm still in the process of, but did get the more difficult party to sign off on. And he was talking basically just--I think one upstairs joist was all that was burned out, and the rest could be treated, is what he was saying. Of course, this was stuff ____ the contractor, but there is a chance, I guess, that rebuilding it, and what we would weigh is kind of the cost of that versus demo, and probably rebuilding a house of similar size—hopefully reusing the footing, because the footing is still in good shape.

Mr. Wicklund For resale, for renting—what's your plan?

Mr. Birch We've been bouncing around ideas—probably for resale. You know, we've talked about even putting my mom up in it, but that's complicated.

Mr. Wicklund I was by the house yesterday, and it is staying secured. I have not ever personally been inside this one. He's done a good job keeping it secured. There is one opening that I was able to just look in. As far as the fire damaged framing members, it doesn't look like there's a lot—however, just due to the age, it would have to be totally rewired, re-plumbed, heating and air—

Mr. Birch Right.

Mr. Wicklund Some framing, and then I did notice—

Mr. Birch You can imagine all the wiring has been pulled off.

Mr. Wicklund Yeah, all along the—what I believe is the south side—the entire wall has begun to shift off the foundation, and when you're dealing with things like that, the amount of time and labor that's involved with trying to straighten up everything—my opinion is—

Mr. Birch Demolition.

Mr. Wicklund It would be more economically feasible to spend $3,000 or $4,000 to tear it down and start over.

Mr. Birch I mean—and I know that's a ballpark estimate—does that usually cover cleanup, too—them disposing of—

Mr. Wicklund Yeah, and it is ballpark. But this one is pretty easy to get around, and I'm—

Mr. Birch They can come in from the back side on this one.

Mr. Wicklund Yeah. We also need to include in any of your plans the garage in the back.

Mr. Birch Right.

Mr. Wicklund So either it needs to be repaired or demolished.

Mr. Birch My garage gets into—yeah, I mean, the concrete part of that is still good. The trusses—actually, the center part of the trusses looked a lot better than I thought they would whenever I went in there, because there was a lot of stuff being stored in it. There is property line that—of course, one guy in the neighborhood says goes through the corner of the garage, that used to be railroad property a hundred years ago—I don't know how long ago for real.

Mr. Wicklund — Through the middle of the garage?

Mr. Birch — Through the back corner of—so actually what my wife and I have talked about, because that includes a big chunk of the yard for 2309—I was trying to buy that lot from Kenny. And if you guys, I guess, start talking to him about some of his houses that are in bad shape, he may be looking for a little bit of money, too. So if he'd sell me that lot, I would get both of my yards back, so that might be something I'll look into as well, and then in that case, we'd probably just demolish both and look at some kind of long-term plan for the neighborhood. I'd love nothing more than, you know, to see the neighborhood I grew up in get a facelift, and if I could help do that, that would be pretty rewarding, but I have a bigger aspiration there.

Mr. Denham — I appreciate the effort you're put in this property because I know a lot of it you did before you even knew if you'd get the property—

Mr. Birch — Right.

Mr. Denham — Ownership.

Mr. Birch — Right.

Mr. Denham — And I appreciate that effort. We've just got to see something happen pretty quickly on it, and hopefully you'll have clear title next meeting.

Mr. Birch — Yeah, it shouldn't be any—I mean, I don't know what it will take in Pinellas County. That's Florida—they do things differently, but I couldn't imagine she doesn't just need to go sign in front of a notary, have it notarized and, you know, sent back to me. It should be that easy.

Mr. Denham — Normally, when we order something demolished, they take out the foundations and slabs and leave it ready for a whole new building.

Mr. Birch — An empty lot.

Mr. Denham — I don't know if that saves on the demolition cost—if he wanted to leave his footings and build right off of it or not.

Mr. Wicklund — It does—it saves a little bit.

Mr. Denham — Okay. So that $4,000 was probably a total demo?

Mr. Wicklund — Yes. The only way we would allow you to try to reuse the footings and foundations would be if you went ahead and had your building permit in place for the new house.

Mr. Birch — Well, and again, with the property line disputes, there is no telling—I mean, it might be better if we go demolish, to just clear the lot completely.

Mr. Denham — So if we did choose to continue this for 30 days, do you think you should be able to have some really concrete plans and—

Mr. Birch — Yes, sir.

Mr. Denham — Hopefully have ownership?

Mr. Birch — Yeah, the ownership should be—I mean, that's as easy once the paperwork is back, is going over and having it recorded.

Mr. Denham — And by then you would know if you're going to demolish it or rebuild it?

Mr. Birch — Yeah. We'll have a couple of contractors come over during the first part of the month.

Mr. Denham — Well, I'd be willing to extend it 30 days because I think—you know, like I said, he hasn't even owned it, and he's done quite a bit of effort just trying to help the neighborhood.

Mrs. Harrington — Just the effort it took to clean it up.

Mr. Birch — And we are—you know, it's mowed right now. I don't know how recent the pictures are, but we did go by, and we're keeping it mowed, and keeping the one next to it mowed as well. Again, as much as I don't want to be involved there.

Mr. Landrith — **Mr. Chairman, I make a motion that Item 2761, 2311 West Third, be continued to our June 24th meeting for a demolition hearing.**

Mr. Wilson — **Second.**

Mr. Denham — **There is a motion by Mr. Landrith and a second by Mr. Wilson that Item 2761, 2311 West Third Street, be continued to our June 24th meeting for a progress report and demolition hearing. All those in favor, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.**

Mr. Birch — Thank you.

Mr. Denham — Thank you. I appreciate your effort.

ITEM 2765 — **2008 S. SERGEANT**
OWNER: Randal Kraft
ADDRESS: P.O. Box 2667, Joplin MO. 64803
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the April 22, 2016 meeting for a

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

Mr. Denham — Good morning.

Mr. Paul — I think Bryan was going to go downstairs and see if he could grab Mr. Grindle to see if he could be here to talk with Mr. Kraft.

Mr. Denham — Oh, okay.

Mr. Paul — If we want to give him just a couple of minutes.

Mr. Denham — There's not much else we can do until he gets back. There's no one else in the audience.

Mrs. Harrington — What happened to Omer?

Mr. Denham — He was here. I don't know.

Ms. Champlin — He came in and asked me if he was on the agenda. I told him he needed to talk to Bryan. Didn't we do an order to repair last time?

Mr. Denham — Yeah, it's not on the agenda, I don't think. Good morning. Could you give us your name and address?

Randal Kraft — Randal Kraft. The address—P.O. Box 2667. The property address—2008 South Sergeant, Item Number 2765.

Mr. Denham — Has anything happened since the last time we met?

Mr. Kraft — The last time we were waiting for equipment to get finished up on another project. That project was completed, and so we're getting ready to move the equipment over and coordinate with Empire. I expect that will be happening this coming week when I get back from Memorial Day weekend. The worker is telling me it depends upon the weather. I'm getting cleared up on jobs to get over there, but I fully expect this will be the last time I see you.

Mr. Denham — Bryan, did you have something you wanted to bring up?

Mr. Wicklund — I went by the property yesterday, and a building this big is going to take constant supervision. And it is my opinion that you're not staying on top of it very well. There are people getting in your building. Around on the northwest corner, there is an access into the basement that's covered with a large piece of metal—

Mr. Kraft — A piece of metal.

Mr. Wicklund — That they have moved, and are getting in and out. And with that, I don't know what parts of the building they can get into. It doesn't really matter. If they started a fire down there or got hurt down there, all kinds of bad things could happen. So you've got to get it secured. There are—each time I go by, I find more broken windows—and it's like on the front—on the main part. You want up to the front door of the building. There are smaller windows that are now getting broken out.

Mr. Kraft — Uh-huh.

Mr. Wicklund — The entire building needs to be closed up in a manner to where, if it's done properly, like you've done some of the—actually, the majority of the windows, I think people will leave it alone. But until every one of them is closed up like that, they're not going to leave it alone. And this has been—I know you haven't owned it for as long as I've had to deal with it, but this one that I've personally had to deal with for 14 years.

Mr. Kraft — Wow!

Mr. Denham — And it has been on our agenda before.

Mr. Kraft — _____ (speaking at the same time as Mr. Denham) _____ for quite a while, we did a whole lot of work to get it—

Mr. Wicklund — Yes, you were making—when you first got it and were cementing in the basement—

Mr. Kraft — Uh-huh.

Mr. Wicklund — That was more progress—

Mr. Kraft — There are a million different ways to access that building—

Mr. Wicklund — Yeah.

Mr. Kraft — And that access point, we have struggled with that—they've moved a couple of thousand pounds of blocks off of it each time to get into it. If they would dedicate that much work in their lives, they would probably be very productive, but yeah, it's very frustrating.

Mr. Wicklund — I don't know if you can weld that cover down.

Mr. Kraft — We had it vice-gripped and chained in before—and, you know, just working it, working it, working—and then seriously, I don't know how many hundreds of blocks we've stacked on there, thinking that, "Okay, we've spent an hour—two hours loading it up. How long will it take for them to unload it?" And the area they're getting into is blocked in there but, you know, who knows what they are doing in there, but that's—you

know, that's an old mechanical room. There is nothing in there that's of value, so to speak, but it's a cool place if you're a kid and want to hang out someplace, or a young adult wanting to do something you're not supposed to do probably.

Mr. Wicklund — I would just ask that when you've got guys over there working—I mean, the biggest area of complaints is coming from that back side along the alley.

Mr. Kraft — The alley—the alley windows.

Mr. Wicklund — The alley is what we're talking about with Empire, I understand. But while you're addressing all that, we need to go around and just close up everything.

Mr. Denham — Well, I'd really like to see that makeshift shaft removed. Yeah, it looks like it could blow over very easily to me.

Mr. Kraft — The shaft part—that was part of the replacement on the roof up above, and so it—

Mr. Denham — It was just for debris to go down?

Mr. Kraft — Correct.

Mr. Denham — So that's not needed at this point?

Mr. Kraft — Yeah, we were looking at taking it down, from the top down and getting rid of junk on the way down with that instead of hauling stuff down the staircase.

Mr. Wicklund — I poked my head in there just to see what it was like, and I got attacked by the pigeons, so I quickly backed away.

Mr. Kraft — So we should all make a note, Bryan, is a fear of pigeons.

Mr. Wicklund — They were getting in my hair and bothering me.

Mr. Kraft — Nobody's going to believe that, Bryan—facial hair—facial hair, yes, that's what they were getting into. So, you know, kind of a gift you're going to get at all the Christmas parties now, will be some version of a pigeon. Yeah, and I totally agree with you, and it's been a constant struggle. Every time you go there, it's like, "Okay, what did they break into?" And, you know, we've—in the coverings—even with the coverings, we will do different screw heads in order to throw them off, because if we do just the Phillips, too many of those—we've got everything from squares to stars to, you know—every time, a screw head just to slow them down—they especially like to get down in one well, and getting into what used to be the

cafeteria area. And they'll take the stuff off. They'll pull the insulation out. They'll kick through the boards on the back to get in through the dummy. The sad part about it is no matter what you do, if somebody wants in there bad enough—you know, anybody can go up there with a circular saw, and there's your hole, and then you go—so, yeah.

Mr. Wicklund — I know that Stephen Grindle, our Neighborhood Services Supervisor, was wanting to talk with you and just address the Board on the history of—he's been here for about a year, and he's got a file going of just the phone calls and complaints he has had on the property just from the surrounding neighborhoods, as well as it's a very visible building. It's not just the people living in the immediate area that constantly are calling with concerns or seeing activity over there—different things. He is in a conference today. He is not able to be here. But I know it's an issue with the neighborhood improvement people as well.

Mr. Kraft — Yeah. It's really—I still get phone calls all the time. Everybody—"Oh, I was born in that, and then can you let me in and see it?" And you can only imagine every para-normal—a society out there that has made contact. And we've requested additional drive-byes by the Police Department whenever we recognize higher levels of activity and so forth, and none of those have been fruitful. It's not a high priority, you know, for them. There's no life, you know, that's—you know, present there.

Mr. Wicklund — When did you have the roof done?

Mr. Kraft — It will have a permit on it. It was after the tornado, because it was a result of the tornado.

Mr. Wicklund — Okay.

Mr. Kraft — But I'm going to say 2013—2013—yeah, we had probably about—I don't know, several projects going, and that was low priority. We were building houses and offices and stuff that people are actually living in.

Mr. Denham — This is the second time before the Board—I don't have a problem with—

Mr. Kraft — Actually, I think's the third.

Mr. Wicklund — Yeah, I don't think that number is correct.

Mr. Denham — That's wrong—okay.

Mr. Kraft — I think it's the third time I've been in here.

Mr. Denham — Just continue it for 30 days. Do we have a motion to do that?

Mr. Hartwell — **Mr. Chairman, I make a motion that Item Number 2765, 2008 South Sergeant, be continued to our June 24th meeting for a progress report and demolition hearing.**

Mr. Eastman — **Second.**

Mr. Denham — **I have motion by Mr. Hartwell and a second by Mr. Eastman that Item 2765, 2008 South Sergeant, be continued to our June 24th meeting for a progress report and demolition hearing. All those in favor, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.** Thanks for coming in.

Mr. Kraft — Thank you. You guys have a good weekend, okay?

Mr. Denham — You, too. Good luck with getting that work done.

Mr. Paul — We've got a couple for demolition if you guys want to consider them. The first will be 2763.

ITEM 2763 — **506 S. COX**
OWNER: Paul Allen & Barbara Chilton
ADDRESS: 9360 Hwy 43 Seneca MO. 64865
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the April 22, 2016 meeting for a "Demolition Hearing" and Progress Report (THIRD TIME BEFORE THE BOARD)

Mr. Denham — Have you had any—or has Jeff had any conversation with the owners? I don't recall that they've come in before.

Mr. Wicklund — Other than signing for the letters, I don't know—they live in Seneca. I don't have any record that any conversations have taken place.

Mr. Denham — Is there a motion to have this property the subject of a demolition hearing?

Mr. Wilson — **Mr. Chairman, I make a motion that Item 2763, 506 South Cox, be the subject of a demolition hearing.**

Mr. Landrith — **Second.**

Mr. Denham — **I have a motion by Mr. Wilson and a second by Mr. Landrith that Item 2763, 506 South Cox, be the subject of a dangerous building hearing. All those in favor, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.** The Board turns it over to the City.

Mr. Paul — This is the Joplin Building Board of Appeals meeting in the Joplin Municipal Building on this 27th day of May 2016, for the purpose of holding a demolition hearing. The City will present its evidence first, after which the public has a right to cross-examine witnesses and be heard, as well as present witnesses or exhibits. The case for today is Item Number 2763 on the agenda, also known as 506 South Cox. The City calls Bryan Wicklund.

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

Mr. Wicklund — Yes.

Mr. Paul — Please state your name and occupation.

Mr. Wicklund — Bryan Wicklund. I'm the Building Official for the City of Joplin.

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

Mr. Wicklund — Three years.

Mr. Paul — Have you, in the official performance of your duties, had occasion to inspect the property known as 506 South Cox?

Mr. Wicklund — Yes.

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

Mr. Wicklund — These are pictures that I took of the property yesterday, on May 26th.

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

Mr. Wicklund — Yes.

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

Mr. Denham — The Board accepts.

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

Mr. Wicklund — We requested a title search be performed.

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

Mr. Wicklund — This is the title work for the property at 506 South Cox.

Mr. Paul — And who does it show as the owner?

Mr. Wicklund — Paul Allen and Barbara Chilton.

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

Mr. Wicklund — We sent certified mail.

Mr. Paul — I'm going to show you what's been marked as Exhibit Number 3. Can you identify these for me, please?

Mr. Wicklund — These are certified letters that were sent to Paul Allen and Barbara Chilton. The first one is dated April 26th, notifying them of a possible demolition hearing to be held on April 22, 2016. The second one is a certified letter with a signed receipt addressed to Paul Allen and Barbara Chilton for the property at 506 South Cox, notifying them of a possible demolition hearing to be held on March 25th. Then there is an initial letter that we send for the first meeting, which was held on March 25th, a "finding of fact" hearing dated March 11th. Those were all sent certified.

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

Mr. Denham — The Board accepts.

Mr. Paul — Now, the title work indicated there was a possible lien holder in this case, is that correct?

Mr. Wicklund — Yes.

Mr. Paul — Was that lien holder Security Bank and Trust Company?

Mr. Wicklund — Yes.

Mr. Paul — I'm going to show you the first page of Exhibit Number 4. Is that a printout from the Secretary of State's website showing that that bank has merged with another bank?

Mr. Wicklund — Yes.

Mr. Paul — And this is the second page of Exhibit Number 4. Does that identify the successor bank that was merged with the Security Bank?

Mr. Wicklund — Yes, into the Bank of Missouri.

Mr. Paul — And the third page of Exhibit 4 here—does that show contact information for the Bank of Missouri?

Mr. Wicklund — Yes.

Mr. Paul — And the last page of Exhibit 4—is this documentation of a conversation between the City and the Bank of Missouri indicated that the Bank of Missouri does not have a lien or any other interest on the property at question?

Mr. Wicklund — Yes.

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

Mr. Denham — The Board accepts.

Mr. Paul — Oh, I would offer Exhibit 2.

Mr. Denham — The Board accepts.

Mr. Paul — Three, if I didn't do that.

Mr. Denham — You did do 3—

Mr. Paul — And 4—

Mr. Denham — The Board accepts.

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

Mr. Wicklund — This is certified mail dated April 26th, addressed to Bank of Missouri, notifying them of an April 22nd hearing for a possible demolition hearing of the property. There is also a letter with the same dates that was sent to Security Bank and Trust Company. Both of those have a signed receipt for those. And the third one is a letter addressed to Security Bank and Trust for the date of April 6th, notifying them of a possible demolition hearing to be held by this Board on March 25, 2016.

Mr. Paul — And on the first letter in particular, is that the same address that was reflected in the Secretary of State information?

Mr. Wicklund — Yes.

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

Mr. Denham — The Board accepts.

Mr. Paul — I'm going to show you what have been marked as Exhibits 6, 7, and 8. Are these certified letters similar to the other ones you've identified so far?

Mr. Wicklund — Yes, they are.

Mr. Paul — And can you just maybe explain which party each—

Mr. Wicklund — Exhibit 6 are letters addressed to the City of Joplin Finance Department. Exhibit 7 are certified letters addressed to Missouri Department of Revenue. And Exhibit 8 are notifications—certified letters addressed to the Department of Treasury.

Mr. Paul — And those were addressed to those parties in the event that they have any kind of a lien on the property due to assessments, taxes, so on, and so forth?

Mr. Wicklund — Yes.

Mr. Paul — If there is no objection, I would offer Exhibits 6, 7, and 8.

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. Wicklund — I had it published in the local paper.

Mr. Paul — I'll show you what's been marked as Exhibit Number 9. Can you identify that for me, please?

Mr. Wicklund — This is an affidavit of publication stating that on the dates of May 21st—I'm sorry—March 31st, April 7th, April 14th, and April 21st, a notice was published for the possible demolition hearing for the address of 506 Cox.

Mr. Paul — And in addition to the various forms of notice we discussed so far, is it true that you also posted a notice on the structure?

Mr. Wicklund — Yes.

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

Mr. Wicklund — I have had approximately 25 years in the construction field, ranging from large commercial projects to residential general contractor. I have been a building inspector with the City of Joplin for 11 years, and the Building Official for three.

Mr. Paul — Let me back up for a second. If there is no objection, I would offer Exhibit 9.

Mr. Denham — The Board accepts.

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

Mr. Wicklund — I do. From Section 26-612, specifically number 4, "whenever the building or structure, exclusive of the foundation, shows substantial damage or deterioration of the supporting or non-supporting members, or enclosing or outside walls, or wall coverings." On the back side of this house—the back corner, there is a large tree that has fallen into the house. It has crushed the roof, as well as the exterior wall. It is now laying inside the house. It has damaged the framing members on the exterior wall—the load-bearing wall, as well as the ceiling joists and rafters. Also number 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." The house has remained unsecured. Inside there is just contents strung out. It's a fire hazard. It is in very, very bad disrepair. Much of the plumbing has been vandalized and removed. There are broken windows, and it has remained this way for some time.

Mr. Paul — Thank you. If there is no objection, I would offer Chapter 26, Articles IX and X of the Joplin Code of Ordinances into evidence before the Board. And I would 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 — Thank you, Bryan. This would now be the opportunity for a defendant to cross-examine the witness. There are no witnesses in the audience. The City has not been informed of any defendants who intended to attend today. Does the Board have any questions of the witness? I see no questions. The City rests. This would now be the opportunity for a defendant to testify and present evidence. Again, we see no one in the audience. We're not aware of anyone who intended to be here today; therefore, I will turn it back over to the Board for a decision.

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

Mr. Eastman — **Mr. Chairman, I make a motion that Item 2763, 506 South Cox Street, be considered a dangerous building and so demolished according to City Code, Chapter 26, Articles IX and X, Section 26-612, subsection lines 4 and 18.**

Mr. Pommert — **Second.**

Mr. Denham — **There is a motion by Mr. Eastman and a second by Mr. Pommert that Item 2763, 506 South Cox, be declared a dangerous building and ordered demolished in accordance to the City of Joplin Code of Ordinances under Chapter 26, Articles IX and X, Section 26-612, subsections 4 and 18. The demolition would include the tree, I'm assuming, as well—all the tree.**

Mr. Wicklund — Yes.

Mr. Denham — **And outbuildings, if there are any.**

Mr. Wicklund — Yes.

Mr. Denham — **All those in favor, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Demolition order carries, 7-0.**

Mr. Paul — The next item that's a candidate is 2764, 315 North Wall.

ITEM 2764 — **315 N. WALL**
OWNER: Home Sweet Homes USA Inc.
ADDRESS: 1302 W. 5th St. Webb City MO. 64870
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the April 22, 2016 meeting for a "Demolition Hearing" and Progress Report (THIRD TIME BEFORE THE BOARD)

Mr. Denham — Do we have a motion to have this property the subject of a dangerous building hearing?

Mr. Landrith — **I make a motion that Item 2764, 315 North Wall, be the subject of a demolition hearing.**

Mr. Wilson — **Second.**

Mr. Denham — **I have a motion by Mr. Landrith and a second by Mr. Wilson that Item 2764, 315 North Wall, be the subject of a dangerous building hearing. All those in favor, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.** The Board turns it over to the City.

Mr. Paul — Thank you. This is the Joplin Building Board of Appeals meeting in the Joplin Municipal Building on this 27th day of May 2016, for the purpose of holding a demolition hearing. The City will present its evidence first, after which the public has a right to cross-examine witnesses and be heard, as

well as present witnesses or exhibits. The case for today is Item Number 2764 on the agenda, also known as 315 North Wall. The City recalls Bryan Wicklund. I'll remind you that you're under oath. Would you please state your name and occupation?

Mr. Wicklund — Bryan Wicklund. I'm the Building Official for the City of Joplin.

Mr. Paul — And how long have you been employed in your current position with the City?

Mr. Wicklund — Three years.

Mr. Paul — And have you, in the official performance of your duties, had occasion to inspect the property known as 315 North Wall?

Mr. Wicklund — Yes.

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

Mr. Wicklund — These are photographs I took of the property yesterday, May 26th.

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

Mr. Wicklund — Yes.

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

Mr. Denham — The Board accepts.

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

Mr. Wicklund — We requested a title search be performed.

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

Mr. Wicklund — Exhibit 2 is the title work for the property, showing Home Sweet Homes as the legal owner.

Mr. Paul — I'm going to show you what's been marked as Exhibit Number 3. Can you identify this for me, please?

Mr. Wicklund — Exhibit 3 is a copy of a page from the Missouri Secretary of State's website showing Douglas Wickstrom as a registered agent for Home Sweet Homes.

Mr. Paul — Does it have an address for Home Sweet Homes?

Mr. Wicklund — Yes, it's a Webb City address on Fifth Street.

Mr. Paul — Okay, thank you. If there is no objection, I would offer Exhibits 2 and 3.

Mr. Denham — The Board accepts.

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

Mr. Wicklund — We sent certified mail.

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

Mr. Wicklund — These are certified letters sent for the property. Exhibit 4 are a set of letters addressed to Home Sweet Homes at the address on Fifth Street in Webb City, notifying them of the Building Board meetings, the last of which is dated April 22nd, notify them of today's meeting, in which case a demolition hearing may be held.

Mr. Paul — And to be clear, the address these were sent to is the same as reflected for the registered agent on the Secretary of State website, correct?

Mr. Wicklund — Yes.

Mr. Paul — Thank you. If there is no objection, Exhibit 4.

Mr. Denham — The Board accepts.

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

Mr. Wicklund — These are certified letters addressed to the City of Joplin Finance Department, notifying them of the Building Board's possible actions on the property.

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

Mr. Denham — The Board accepts.

Mr. Paul — And I'll show you what's been marked as Exhibit Number 6. Can you identify that for me, please?

Mr. Wicklund — This is an affidavit of publication in the Joplin Globe stating that the publication--notification for a possible demolition hearing for the property at 315 North Wall was to be published on March 31st, April 7th, April 14th, and April 21st.

Mr. Paul — Thank you. If there is no objection, Exhibit 6.

Mr. Denham — The Board accepts.

Mr. Paul — And, Bryan, I believe in Exhibit Number 1, the photographs—does that reflect a posting on the property?

Mr. Wicklund — Yes. It was posted February 16, 2016.

Mr. Paul — And it looks like on your photographs that are dated just yesterday, that posting continues to be posted on the property, correct?

Mr. Wicklund — Yes.

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

Mr. Wicklund — I am certified through ICC as a property maintenance inspector. I have been the Building Official for the City of Joplin for the last three years, and a building inspector for 11. Before that, I was a residential general contractor and worked on several commercial projects as well.

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

Mr. Wicklund — I do. From Section 26-612, specifically number 9, " whenever any building or structure has any portion, member or appurtenance, or ornamentation on the exterior thereof which is not of sufficient strength or stability, or is not so anchored, attached or fastened in place, so as to be capable of safety resisting wind pressure or snow loads or other loads." The roof structure over this entire house is in disrepair. It has allowed the sheathing underneath the shingles to be water damaged, and there are several visible holes in the roof that is allowing water to penetrate into the building. The wrap-around porch on the front of the property is severely water damaged. It is not safe to walk on. It has deteriorated to the point there's holes in the floor, as well as the ceiling joists above, and beams around the perimeter of the porch. There are several openings around the perimeter of the foundation, allowing animals to get in and out. Also number 18, "whenever the building or structure is in such condition as to constitute a public nuisance known to the common law." Just the condition of this property causes it to be a concern. We have received several complaints from people going through the neighborhood—just the overall look of the property and disrepair that it has obviously fallen into.

Mr. Paul — Would that include being an attractive nuisance for children?

Mr. Wicklund — Yes. The building, while it was secured from entry yesterday, just the front porch is accessible and is not safe for anyone to be walking on.

Mr. Paul — Thank you. If there is no objection, I would offer Chapter 26, Articles IX and X of the Joplin Code of Ordinances into evidence before the Board. And I would ask 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 — Thank you, Bryan. Now would be an opportunity for defendant to cross-examine the witness. We see no one in the audience. We're not aware of anyone who intended to be present today. Does the Board have any questions of the witness? I see no questions. The City will rest. Now would be the defendant's opportunity to testify, present evidence, and call witnesses. Again, we see no one in the audience. We're not aware of anyone who intended to be present today; therefore, the City will turn it back over to the Board for a decision.

Mr. Wicklund — This one, I just want to add—this one does have a garage that the roof has totally collapsed in on as well.

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

Mr. Eastman — **Mr. Chairman, I make a motion that Item 2764, 315 North Wall, be considered a dangerous building and so demolished according to City Code, Chapter 26, Articles IX and X, Section 26-612, subsection lines 9 and 18, also including the detached garage.**

Mr. Pommert — **Second.**

Mr. Denham — **I have a motion by Mr. Eastman and a second by Mr. Pommert that Item 2764, 315 North Wall, be declared a dangerous building and ordered demolished in accordance to the City of Joplin Code of Ordinances under Chapter 26, Articles IX and X, Section 26-612, subsections 9 and 18. All those in favor of the demolition, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.**

Mr. Paul — Your next candidate would be Item 2684.

ITEM 2684 — **506 E. 33RD ST.**
OWNER: Bradley Edge
ADDRESS: 21086 Hwy 96 Webb City MO. 64870

"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from April 22, 2016 meeting for a "Demolition Hearing" and Progress Report (ELEVENTH TIME BEFORE THE BOARD)

Mr. Denham — This is the one on 33rd?

Mr. Wicklund — It is.

Mr. Denham — The front looks pretty decent, but the back is pretty bad.

Mr. Wicklund — It is.

Mr. Denham — If you drive by, it's kind of surprising, but I think the photographs really tell what's going on. And this gentleman purchased it from the previous owner who kept making promises and never followed through. Do we have a motion to hold a dangerous building hearing for this property?

Mrs. Harrington — **Mr. Chairman, I make a motion that Item Number 2684, at 506 East 33rd, be the subject of a dangerous building hearing.**

Mr. Landrith — **Second.**

Mr. Denham — **I have a motion by Mrs. Harrington and a second by Mr. Landrith that Item 2684, 506 East 33rd Street, be the subject of a dangerous building hearing. All those in favor, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.** The Board turns it over to the City.

Mr. Paul — Thank you. This is the Joplin Building Board of Appeals meeting in the Joplin Municipal Building on this 27th day of May 2016, for the purpose of holding a demolition hearing. The City will present its evidence first, after which the public has a right to cross-examine witnesses and be heard, as well as present witnesses or exhibits. The case for today is Item Number 2684 on the agenda, also known as 506 East 33rd Street. The City recalls Bryan Wicklund. I'll remind you that you're under oath. Would you please state your name and occupation?

Mr. Wicklund — Bryan Wicklund. I'm the Building Official for the City of Joplin.

Mr. Paul — And have you, in the official performance of your duties, had occasion to inspect the property known as 506 East 33rd Street?

Mr. Wicklund — Yes.

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

Mr. Wicklund — These are pictures that I took of the property on May 24th of 2016.

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

Mr. Wicklund — Yes.

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

Mr. Denham — The Board accepts.

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

Mr. Wicklund — We had a title search performed.

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

Mr. Wicklund — This is the title work that we received back. It's showing the owner of Douglas Humphrey and Virginia Humphrey.

Mr. Paul — And there's a—I'm going to add these papers, that I'm handing you, to Exhibit 2, that seem to go with a note on the title work. Does that indicate that there is a new owner of the property?

Mr. Wicklund — There is a note here that says there's a new owner, Bradley Edge. Yes, that's correct.

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

Mr. Denham — The Board accepts.

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

Mr. Wicklund — We sent certified mail.

Mr. Paul — The first thing I'll show you that's marked as Exhibit Number 3—can you identify these for me, please?

Mr. Wicklund — These are certified letters that we sent to Bradley Edge at 21086 Highway 96, Webb City, notifying him of the Building Board meetings, dated from June 5th of 2015, dating pretty much every month all the way to today's meeting, which was mailed to Mr. Edge on April 26th, notifying him of a possible demolition hearing that was to be held on today's date.

Mr. Paul — And included in the bundle of letters, do you have multiple signed receipts?

Mr. Wicklund Yes.

Mr. Paul And so as far as we're aware, that's a good address for Mr. Edge?

Mr. Wicklund It is. And he has been present at some of the Building Board meetings up to today.

Mr. Paul Okay, thank you. If there is no objection, I would offer Exhibit Number 3.

Mr. Denham The Board accepts.

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

Mr. Wicklund These are certified letters addressed to a Jason Farmer of Reeds, Missouri, notifying him of the possible action of this Building Board for the property.

Mr. Paul What's Jason Farmer's relation to the property? He was identified as a potential holder of an interest in the property at some point?

Mr. Wicklund That's correct.

Mr. Paul Thank you. If there is no objection, I would offer Exhibit 4.

Mr. Denham The Board accepts.

Mr. Paul And last, I'm going to show you Exhibit 5. Can you identify those for me, please?

Mr. Wicklund These are certified letters addressed to Doug and Virginia Humphrey of 122 North Ball in Webb City, notifying them of Building Board meetings to address this property and possible demolition orders to be held. All six of these letters have signed receipts from the Humphrey's.

Mr. Paul Thank you. If there is no objection, I would offer Exhibit Number 5.

Mr. Denham The Board accepts.

Mr. Paul Now, Bryan, on your photos from yesterday, did they reflect that the property has been posted at this time?

Mr. Wicklund Yes—well, hold on. Yes, it was posted—it was recently posted on November 6th of 2014.

Mr. Paul And your photographs taken yesterday indicate that it continues to be posted today?

Mr. Wicklund Yes.

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

Mr. Wicklund — I am certified through ICC as a property maintenance inspector. I have worked for the City for the last 14 years—three of those as a Building Official. Before that I worked in general construction ranging from large commercial projects as well as residential.

Mr. Paul — And before I ask for your expert opinion here, to back up real quick, you commented that at multiple hearings in the past Mr. Edge has personally appeared before this Board, correct?

Mr. Wicklund — That's correct. During those meetings when he was present, he actually owned the house right next to this one and was in the process of remodeling it, and numerous times commented that his intent was to fix this one up or sell it. He wasn't sure which, but that he was waiting on the sale of the one next door before he spent time and investment on this property.

Mr. Paul — Thank you. And from an inspection of the property at issue here, do you have an expert opinion as to whether or not these premises constitute a dangerous building as defined in Chapter 26, Article X, Section 26-612 of the Code of Ordinances of the City of Joplin, and if so, on which of the definitions of dangerous building do you base your opinion on, if any?

Mr. Wicklund — I do. Subsections 13, 15, 16, 17, 18, and 19, in my opinion, would apply to this structure and cause it to be a dangerous building. Specifically number 13, "whenever the building or structure has become an attractive nuisance to children or is open to unauthorized entry." It is open. The back door was wide open Tuesday when I went by the property. Fifteen, 16, and 17 apply to the condition of the inside—the electric, the plumbing, the heating and air, sheetrock, insulation—all has been removed and has remained that way for a long period of time. There is no plywood on the floor. The inside has just remained gutted and under its current condition for a long time now. Therefore, also number 19, "whenever any portion of a building or structure remains on a site when construction or demolition work has been abandoned." Like what was brought forward earlier, originally the structure was identified and posted as a dangerous building on November 6th of 2014. There was a building permit issued November 7th of 2013. That was issued to a contractor by the name of Heat LLC. They were going to add onto the house and complete the remodel project. That permit has long since expired. A second permit was issued for the addition by Heat LLC again at a later date. That permit has expired as well, and no progress has been made on the property.

Mr. Paul — Thank you. If there is no objection, I would offer Chapter 26, Articles IX and X of the Code of Ordinances into evidence before the Board. Thank

you, Bryan. This would now be the defendant's opportunity to cross-examine the witness. We see no one in the audience today. We're not aware of anyone who intended to appear on this. Does the Board have any questions for Mr. Wicklund? Hearing no questions, I would ask that the Board take a judicial notice of the file on this case, and the City will rest. Now would be the defendant's opportunity to testify. Again, we see no one in the audience. We're not aware of anyone who intended to be here today and, therefore, turn it back over to the Board for a decision.

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

Mr. Eastman — **Mr. Chairman, I make a motion that Item 2684, 506 East 33rd Street, be considered a dangerous building and so demolished according to City Code, Chapter 26, Articles IX and X, Section 26-612, subsection lines 13, 15, 16, 17, 18, and 19.**

Mr. Hartwell — **Second.**

Mr. Denham — **I have a motion by Mr. Eastman and a second by Mr. Hartwell that Item 2684, 506 East 33rd Street, be declared a dangerous building and ordered demolished in accordance to the City of Joplin Code of Ordinances under Chapter 26, Articles IX and X, Section 26-612, subsections 13, 15, 16, 17, 18, and 19. All those in favor of the demolition, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.**

Mr. Paul — Now, we've got one more, which would be Item 2766, which is pretty new on the agenda.

ITEM 2766 — **2109 W. 10TH ST.**
OWNER: Jim and Pamela Ames
ADDRESS: 1444 Crestwood Dr. Joplin MO. 64801
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the April 22, 2016 meeting for a "Demolition Hearing" and Progress Report (SECOND TIME BEFORE THE BOARD)

Mr. Denham — Do we have a motion to have Item 2766 the subject of a dangerous building hearing?

Mr. Landrith — **I'll make that motion.**

Mr. Denham — Do I have a second?

Mr. Wilson — **Second.**

Mr. Denham	**I have a motion by Mr. Landrith and a second by Mr. Wilson that Item 2766, 2109 West 10th Street, be the subject of a dangerous building hearing. All those in favor, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.** The Board turns it over to the City.
Mr. Paul	Thank you. This is the Joplin Building Board of Appeals meeting in the Joplin Municipal Building on this 27th day of May 2016, for the purpose of holding a demolition hearing. The City will present its evidence first, after which the public has a right to cross-examine witnesses and be heard, as well as present witnesses or exhibits. The last case for today is Item Number 2766 on the agenda, also known as 2109 West 10th Street. The City recalls Bryan Wicklund. I'll remind you that you're under oath. Would you please state your name and occupation?
Mr. Wicklund	Bryan Wicklund. I'm the Building Official for the City of Joplin.
Mr. Paul	And how long have you been employed in your current position with the City?
Mr. Wicklund	Three years.
Mr. Paul	And have you, in the official performance of your duties, had occasion to inspect the property known as 2109 West 10th Street?
Mr. Wicklund	Yes.
Mr. Paul	And I'm going to show you what's been marked as Exhibit Number 1. Can you identify these for me, please?
Mr. Wicklund	These are pictures that I personally took of the property on West 10th Street yesterday.
Mr. Paul	And do the photographs show a reasonable likeness of the premises in their present condition?
Mr. Wicklund	Yes.
Mr. Paul	If there is no objection, I would offer Exhibit 1.
Mr. Denham	The Board accepts.
Mr. Paul	What, if anything, did you do to ascertain ownership of the property?
Mr. Wicklund	I had title work performed.

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

Mr. Wicklund — This the title work for the property of 2109 West 10th, showing a Jim and Pamela Ames as owners.

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

Mr. Denham — The Board accepts.

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

Mr. Wicklund — We sent certified mail.

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

Mr. Wicklund — These are letters addressed to Jim and Pamela Ames, notifying them of meetings to be held by this Building Board, the first meeting to be held on April 22nd, and then notification of today's meeting on May 27th. Both have signed receipts.

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

Mr. Denham — The Board accepts.

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

Mr. Wicklund — I had it published in the local paper.

Mr. Paul — I'm show you what's been marked as Exhibit Number 4. Can you identify that for me, please?

Mr. Wicklund — This is the request for publication for the property at 2109 West 10th, to be published for a possible demolition hearing for the property. And the publication dates were dated Thursday, May 5th; May 12th; May 19th; and May 26th of 2016.

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

Mr. Denham — The Board accepts.

Mr. Paul — And, Bryan, I don't know if it's reflected in the photographs or not, but was this property also posted with a notice?

Mr. Wicklund — Yes.

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

Mr. Wicklund — I'm certified with ICC as a property maintenance inspector. I have been in the Building Department with the City for 14 years. I am currently the Building Official. I have approximately 15 years' experience before that working in general construction.

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

Mr. Wicklund — I do. From Section 26-612, subsections 12, 13, 14, and 18. "Whenever the building or structure has become an attractive nuisance to children or is open to unauthorized entry." The side door of the house has remained open. There is obvious activity going on inside. There's lots of debris strung out through the house, and is a definite concern. Also, "whenever the building or structure, because of dilapidated condition, deterioration, damage, trash and debris, lack of sufficient fire resistive construction, unsafe electrical wiring, gas connections or heating, previous fires or other cause is determined to be a fire hazard." When houses such as this remain open, they commonly attract activity that shouldn't be in there. And this one, with the amount of debris that's inside, and the condition of it is definitely a fire hazard. Lots of the interior wall coverings have been damaged or removed, and much of the exterior coverings have just been weathered to the point that they're no longer protecting the structure itself from water and wind.

Mr. Paul — Thank you. If there is no objection, I would offer Chapter 26, Articles IX and X, of the Code of Ordinances into evidence before the Board. And I would 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 — Thank you, Bryan. This would now be the defendant's opportunity to cross-examine the witness. We see no one in the audience. We're not aware of anyone who intended to attend today. The City will rest. I guess, first I'd ask the Board to also take judicial notice of its file. This would now be the defendant's opportunity to testify, present evidence, and call witnesses. Again, we see no one in the audience. We're not aware of anyone who intended to be here today; therefore, we will turn it back over to the Board for a decision.

Mr. Wicklund — I want to just add real quick—there are two detached garages with this one. Both are dilapidated and full of trash and debris. They need to be included in this. The Building Department has had conversation by phone with the owner. He stated that his intent, of my understanding is, he stated his intent with this one was to go ahead and get it demolished, but he hasn't moved forward with that plan up to this date.

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

Mr. Eastman — **Mr. Chairman, I make a motion that Item 2766, 2109 West 10th Street, be considered a dangerous building and so demolished, according to City Code, Chapter 26, Articles IX and X, Section 26-612, subsection lines 12, 13, 14, and 18, and including an outbuilding and garage.**

Mr. Landrith — **Second.**

Mr. Denham — **I have a motion by Mr. Eastman and a second by Mr. Landrith that Item 2766, 2109 West 10th Street, be declared a dangerous building and ordered demolished in accordance to the City of Joplin Code of Ordinances under Chapter 26, Articles IX and X, Section 26-612, subsections 12, 13, 14, and 18. All those in favor of the demolition, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.**

Mr. Paul — I think in order to try and best capture all of the previous proceedings you guys have, I'm just going to start just doing that little "quirk" in asking you to take judicial notice of your file. All that means is you're basically considering everything that's in here in making your decision. That way we can incorporate past minutes, and people came in front of us and said things—all that's considered to go into your decision, which I think helps make the records stronger.

Mr. Denham — It sounds good.

Mr. Eastman — Sounds good.

Mr. Paul — I just kind of pulled that out today.

ITEM 2678 — **218 N. WALL**
OWNER: Entrust Group Inc.
ADDRESS: 555 12TH ST. Oakland CA. 94607
Stay of Demolition was granted on April 22, 2015. Item continued from the February, 2016. Twelfth time before the board.

ITEM 2758 **1116 E. HILL ST.**
OWNER: Jon & Sarah Abernathy
ADDRESS: 2013 Elm St. Seneca MO. 64865
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the April 22, 2016 meeting for a "Demolition Hearing" and Progress Report (FOURTH TIME BEFORE THE BOARD)

Mr. Wicklund — Item 2758—I had a note from Jeff where there's a new owner involved—Saturnino Ruiz. And we haven't sent any letters to that individual. He's got a phone number here. I didn't know if any conversations had happened and would be feel better—while in my opinion, it needs to be demolished, we need to have more contact with the owner and send them a letter. So that one would also be possibly for a future demolition order, but not today.

ITEM 2767 **607 N. PEARL**
OWNER: Jim and Pamela Ames
ADDRESS: 1444 Crestwood Dr. Joplin MO. 64801
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the April 22, 2016 meeting for a "Demolition Hearing" and Progress Report (SECOND TIME BEFORE THE BOARD)

Mr. Wicklund — Item 2767 is another property owned by Jim Ames. It is not in as poor of a condition as the one we just ordered—or as the Board just ordered demolished; however, the inside has been vandalized. The house is open. All the wiring inside has been removed, and there is some work on the back wall that needs to be addressed. It is Mr. Ames' desire to go ahead and fix this one, but he has not got a permit to do so at this time.

Mr. Denham — Did the retaining wall get removed or something along that curb?

Mr. Wicklund — Well, it obviously was removed recently, and there needs to be a short one there. I also noticed while I was there, the four-foot brick retaining wall to the house right next to it that's for sale needs to be looked at as well and addressed. So if the house gets demolished, the retaining wall is not an issue. They could grade it. If it stays, something would need to be done with that.

ITEM 2768 **609 N. PEARL**
OWNER: Jim and Pamela Ames
ADDRESS: 1444 Crestwood Dr. Joplin MO. 64801
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the April 22, 2016 meeting for a "Demolition Hearing" and Progress Report (SECOND TIME BEFORE THE BOARD)

ITEM 2769 **1905 MISSOURI**
OWNER: Gary Mitchell
ADDRESS: P.O. Box 546 Osceola MO. 64776
"Finding of fact Hearing" scheduled for this date"

Mr. Wicklund — And then the last one that is new, there is a large—it's not a house—it's a large garage that at one time was used as an automotive repair shop. It's in very poor condition. The roof is collapsing into it, and there is a second garage that goes along with it.

Mr. Denham — It's over there by Joe Becker Stadium, isn't it?

Mr. Wicklund — It is.

Mr. Denham — West of there a little bit.

Mr. Wicklund — So I believe that Item—altogether, it's Item 2689—

Ms. Champlin — Which stadium did you say it was?

Mr. Eastman — It's Sunny Jim.

Ms. Champlin — Sunny Jim—okay.

Mr. Denham — It's not Joe Becker. I said it wrong.

Mr. Wicklund — Item 2689, Item 2758, Item 2767, and Item 2768—I recommend the Board consider continuing them to next month's meeting. I think that takes care of all of them. I'm not used to going in order like this. I used to go in order—

Ms. Champlin — Do we want to put Item 2769 in that one, too?

Mr. Wicklund — Oh, I'm sorry—yes, that's the one. So did I—yeah, Jim Ames actually has two still on here.

Mr. Denham — Right.

Mr. Wicklund — Yes. So those six should be considered to be continued.

Mr. Denham — Do we have a motion to continue the remaining items?

Mr. Landrith — **So moved.**

Mr. Denham — I didn't pick up the motion—who made the motion?

Mr. Eastman — Don.

Mr. Denham — Is there a second?

Mr. Wilson — **Second.**

Mr. Denham — **I have a motion by Mr. Landrith and a second by Mr. Wilson that all remaining items be continued to our June 24th meeting for progress reports and demolition hearings at that time. All those in favor, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.**

Mr. Denham — Is there a motion to adjourn?

Mr. Eastman — Mr. Chairman, I just have one question to Bryan. Mr. Ames—does he correspond with you or Jeff?

Mr. Wicklund — They have been in contact, yes.

Mr. Eastman — Okay. I just had a good friend—neighbor that lives actually next door to one of the homes he lives in. He is back, I understand.

Mr. Wicklund — Oh, really.

Mr. Eastman — He informed her yesterday that he is a Floridian living in Sarasota, and so I knew he was going to be on the agenda today, and we ordered one demolished. And he, according to my friend, has several properties in town.

Mr. Denham — Oh, yeah.

Mr. Eastman — And I just wondered if he was going to be able to stay in touch.

Mr. Wicklund — We've got his phone number and address in Florida and have a very long familiar relationship with Mr. Ames.

Mr. Eastman — That's all she asked.

Mr. Denham — He's a familiar face to this Board in previous years.

Mrs. Harrington — He what?

Mr. Denham — He's a familiar face to this Board in previous years. Any other questions? Do we have a motion to adjourn?

Mr. Wilson — **So moved.**

Mr. Denham — Bryan, Item 2678—this is the second item on our agenda. Do we have any update on that? It seemed like that's an out-of-state owner, and he was supposed to come back sometime this spring.

Mr. Wicklund — Yeah, he hasn't come back, but he did have somebody go by the property. They finished making repairs to the siding to where the wall is at least protected now on the back. And there was an air-conditioning unit that was close to the front of the house that had been vandalized, and parts were strung everywhere, and they've cleaned that up. So at this time, as long as they keep it secured, it doesn't qualify as a dangerous structure any more.

Mr. Denham — So can we remove it?

Mr. Wicklund — Yes.

Mr. Denham — Okay. Do we have a motion to release Item 2678?

Mr. Landrith — **So moved.**

Mr. Pommert — **Second.**

Mr. Denham — **I have a motion by Mr. Landrith and a second by Mr. Pommert that Item 2678, 218 North Wall, be removed from our agenda due to the work being complete. All those in favor, say "aye". (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 7-0.**

Mr. Denham — Any others we can release?

ITEM 2689 — **1310 MISSOURI**
OWNER: Greg Carpenter
ADDRESS: 1545 Rip Rd. Webb City MO. 64870
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the April 22, 2016 meeting for a "Demolition Hearing" and Progress Report (THIRTEENTH TIME BEFORE THE BOARD)

Mr. Wicklund — Item 2689—while it has been very, very slow, there has been progress. As of Wednesday of this week, it did pass framing and plumbing—

Mr. Denham — Wow!

Mr. Wicklund — He's got a licensed plumber in there doing the plumbing work, and it passed. And the framing passed, so he is making progress. He may need some further type of encouragement from the Board to continue, but he did make progress as of this week.

Mr. Denham **All in favor of adjournment? (Mr. Denham, Mr. Eastman, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Motion carries, 7-0.**

There being no further business to come before the Building Board of Appeals, the meeting stood adjourned at 11:10 a.m.

Approved _____
Kyle Denham, Chairman

Approved _____
Susan E. Champlin, Notary Public

My Commission expires: November 18, 2016

