Building Board of Appeals
Meeting Minutes

May 28, 2021

Call to order

Mr. Hartwell called to order the regular meeting of the Building Board of Appeals at 9:00 am on May 28, 2021.

Roll call

Mr. Hartwell conducted a roll call. The following persons were present: Rylee Hartwell, Kyle Denham, Gary Wilson, Garrett Wagner, Lance Windsor, Steve Urie-Ross, and Assistant City Attorney Jordan Paul, City Chief Building Official Bryan Wicklund, and City Building Inspector Jeff Oliver. Ashley Micklethwaite was not present. Mr. Hartwell asked for a motion to excuse the absent board member. Mr. Wagner made a motion to excuse Miss Micklethwaite and Mr. Wilson seconded the motion. (6 Aye, 0 Nay)

Approval of Minutes

Mr. Hartwell asked for a motion to approve the minutes as presented. Mr. Denham made a motion to approve the minutes as presented. Mr. Urie-Ross seconded the motion. (6 Aye, 0 Nay)

Continued Items

Item 2913, 3615 S. Range Line Rd.

Aaron Gumpenberger was not present. Patrick Wood the Hotel Development Advisor was present via phone. They have a Landscaping Contracted to do the mowing. Aaron is working on finalizing financing. One person keeps breaking into the property, but the authorities have apprehended him a couple of times. They are working on a plan to end the break-ins at the property. Mr. Hartwell asked for an update regarding the agreement with Marriott. Patrick replied they have the approvals from Marriott, they just need to sign on the bottom line. He feels it is an informality at this point. Mr. Denham asked when construction would begin at this property. Mr. Wood replied they are hoping for September. Mr. Oliver replied he was satisfied

with their progress. Mr. Hartwell asked for a motion. Mr. Denham made a motion to continue Item 2913, 3615 S Range Line Rd to the June 25th Building Board of Appeals meeting for a progress report and demolition hearing, seconded by Mr. Urie-Ross (6 Aye, 0 Nay)

Item 2921, 1124 Murphy Ave.

Michael Wilson was present as the owner of the property. Mr. Wilson informed the Board the electrician has been out there for a month as he has had trouble finding parts. Temporary electric was hooked up yesterday and it is half done. The Plumber is coming in today. They decided to add another bathroom, so it will now be a three bedroom and two-bathroom house. They have the new bathroom all framed out. Mr. Hartwell asked Mr. Oliver for his perspective on the property. Mr. Oliver advised the permit is in place. Mr. Wilson advised they are about a month out from completion. They have all the flooring in storage at this point, they are just waiting on other people. Mr. Hartwell stated they are making great progress on the property. Mr. Hartwell asked for a motion. Mr. Denham made a motion to continue Item 2921, 1124 Murphy Ave. to the June 25th Building Board of Appeals meeting for a progress report and demolition hearing, seconded by Mr. Urie-Ross. (6 Aye, 0 Nay)

Item 2924, 115 N. Landreth Ave.

Todd Patterson was present as the owner of the property. Mr. Patterson provided the Board with a timeline and pictures. Mr. Patterson informed the Board they hope to have rough in for the electrical and plumbing by the 20th of June. The joists are in good shape, but they had to replace 7 or 8 on the north end. They removed the flooring and replaced the pier and beam. They should be done with this by Tuesday. They will call for inspection by then. They removed all plaster and have gone down to the studs. They will add a thin layer of sheetrock on the ceiling for finish work. They reinforced the walls, especially in doorways. Windows will be ordered next week. Work on the porches will begin the week after. The yard tear out has begun as well. Mr. Denham asked how long it will take to get the windows. Mr. Patterson advised he believes about 8 weeks. He also believes a rough finish of about Labor Day. Mr. Hartwell asked for a motion. Mr. Wagner made a motion to continue Item 2924, 115 N. Landreth Ave. to the June 25th Building Board of Appeals meeting for a progress report and demolition hearing, seconded by Mr. Windsor. (6 Aye, 0 Nay)

Item 2926, 1308 Central Ave.

Rose Selves was present as the owner of the property. Ms. Selves informed the Board there have been delays as her Contractor required surgery and was out for three weeks. He just returned to work yesterday. The wood burning fireplace has been repaired and has been fitted to become electric. The drywall is complete and ready for finishing. Hardwood floors throughout the property are repaired and ready for finishing. Gutters are going up and the

exterior painting is complete. Mr. Hartwell asked when Ms. Selves anticipates this property being complete. Ms. Selves replied she believes it will be complete by the end of June. Mr. Denham asked Mr. Oliver if this property was close enough to completion to release. Mr. Oliver advised he believes the property is no longer a danger, that Ms. Selves is just looking at a final inspection on this property. Mr. Denham made a motion to release Item 2926, 1308 Central Ave. from the Agenda. Seconded by Mr. Windsor. (6 Aye, 0 Nay)

Item 2933, 510 W. B St.

Luke Pendergraft was present as the owner of the property and provided photos of the property to the Board. Mr. Pendergraft informed the board the siding is not finished yet. They are working on the porch, so they can finish out the exterior. The west wall is framed up for the interior. Mr. Denham asked when the work is completed, will the property be two units. Mr. Pendergraft replied it will be one unit with an open concept. Mr. Hartwell asked for a motion. Mr. Denham made a motion to continue Item 2933, 510 W. B St., to the June 25th Building Board of Appeals meeting for a progress report and demolition hearing, seconded by Mr. Urie-Ross. (6 Aye, 0 Nay)

Item 2937, 925 S. Murphy Ave.

Sylvia Morrison was present as the translator for Iliani Lopez and Maria Barbosa who are the owners of the property. Ms. Morrison informed the Board the garage is fixed. Mr. Hartwell asked Mr. Oliver to provide his perspective on this property and their progress. Mr. Oliver stated the Owners were asked to get an Electrical Contractor and hard-wired smoke detectors. They have completed both requirements, but they have not contacted the City to request an inspection yet, but they have pulled a permit. Mr. Oliver stated if they request the inspection and it passes, this property could be released. Mr. Hartwell reiterated the importance of the inspection. Ms. Morrison advised the electrical work was done based on the owner's finances, so it is not finished yet. Mr. Oliver asked if the work would be completed by the next meeting. Ms. Morrison replied they would be finished in about 15 days. Mr. Hartwell asked for a motion. Mr. Denham made a motion to continue Item 2937, 925 S. Murphy Ave. to the June 25th Building Board of Appeals meeting for a progress report and demolition hearing, seconded by Mr. Wagner. (6 Aye, 0 Nay)

Item 2940, 217 Michigan Ave.

Gabino Adaca was not present at the meeting. Mr. Oliver informed the Board there is a permit in place for this property and there have been a couple of inspections done. Mr. Oliver requested that property be continued to the next meeting. Mr. Hartwell asked for a motion. Mr. Wagner made a motion to continue Item 2940, 217 Michigan Ave. to the June 25th Board

of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Denham. (6 Aye, 0 Nay)

Item 2942, 4323 W 27th Pl.

Linda Tarpley was present on behalf of Wells Fargo Bank via phone. Owner of the property is deceased. Ms. Tarpley informed the Board the property has been inspected by the Insurance Company and the claim has been processed. Her clients would like to know if there is an objection by the City for Wells Fargo to go ahead and set up the foreclosure and the sale of the property. Mr. Oliver stated as far as the city goes, he doesn't believe the city would have an issue with that. Mr. Oliver asked her about a timeline. Miss Tarpley replied the way it would work if it came to her office with her as the foreclosure attorney, they would have a trustee sale in 45 to 60 days. There would be a title search, they would set up a sale, and publish for a set number of days, she believes it is 21 days in Joplin. They usually have a deed in a couple of weeks. Mr. Denham asked if the property was still secure. Mr. Oliver confirmed the property is secure. Mr. Oliver asked Ms. Tarpley if Wells Fargo only wants to foreclose on the property now and she replied yes. Mr. Denham stated this is the fifth time to see this property and no progress has really happened, he doesn't want to see this keep dragging out. Miss Tarpley stated the property has been secured and the items that needed to be done to eliminate the dangerous circumstances have been done. She will advise her clients that either they set it for foreclosure so she can report to the Board when the sale will be or they have a contractor hired, building permits obtained, and construction. Mr. Hartwell stated this property needs to move quickly and the Board is prepared to do an order to repair at the next meeting. Mr. Hartwell asked for a motion. Mr. Denham made a motion to continue Item 2942, 4323 W 27th Pl. to the June 25th Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Urie-Ross. (6 Aye, 0 Nay)

Item 2946, 323 N. Mineral Ave.

Owner of the property was not present at the meeting. Mr. Oliver informed the Board there is a permit in place for this property. Mr. Oliver requested this property be continued to the next meeting. Mr. Hartwell asked for a motion. Mr. Denham made a motion to continue Item 2946, 323 N. Mineral Ave. to the June 25th Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Urie-Ross. (6 Aye, 0 Nay)

Item 2947, 2408 Willard Ave.

Misty Gamble was present as the owner of the property. Miss Gamble informed the Board that their progress has been slow as her fiancé Justin Howerton has been sick. He has missed work, and this is affecting their finances. Miss Gamble advised she is trying to work on the inside of the structure, to do what she can do. Miss Gamble advised she has had trouble getting an

electrician, they come out for a consult and will not follow up with her for estimates. Miss Gamble advised she is ready to get a permit today, if she can do that without an electrician. Mr. Hartwell asked Mr. Oliver for his perspective on this situation. Mr. Oliver stated that he and City of Joplin Building Inspector Rick Woods have both met her fiancé Justin Howerton on site a couple times to discuss the rafters. Mr. Oliver asked if Mr. Howerton had been in touch with a truss company. Miss Gamble replied she believes he has but will be happy to contact truss companies if he has not done this already. Mr. Oliver stated they need to work on the exterior first, roof, siding, and windows. They also need to contact the truss company regarding the trusses that were burned. Ms. Gamble asked if she could get a permit today. Mr. Oliver spoke with Mr. Wicklund and advised she can pull a permit for the framing and the roof, but just pulling the permit will not get the property off this Agenda. Ms. Gamble stated she understands. Mr. Oliver advised Ms. Gamble, if there is no progress in the next couple months the Board could have the structure removed. Ms. Gamble advised she is going to banks today to see if she can get a loan. Mr. Oliver stated they should have a permit in place and documentation from a truss company by the next meeting. Mr. Hartwell reiterated the importance of having a permit in place and the progress on the trusses in the structure. Mr. Hartwell asked for a motion. Mr. Wagner made a motion to continue Item 2947, 2408 Willard Ave. to the June 25th Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Denham. (6 Aye, 0 Nay)

Item 2948, 1809 Grand Ave.

Owner of the property was not present for the meeting. Mr. Hartwell calls for a motion for a dangerous building hearing. Motion to hold a demolition hearing made by Mr. Denham, Second by Mr. Wagner. (6 Aye, 0 Nay) Mr. Paul calls Jeff Oliver under oath and is sworn in by Olivia Stockdale, Notary Public. Mr. Paul questions Mr. Oliver if he has had the opportunity to inspect the property at issue and show reasonable lackness for the matter at issue? Mr. Oliver states yes, he has inspected the property and it does qualify for demolition. Mr. Paul asked if the property continues to show lackness of the premises in its current condition in the photos being passed around. Mr. Oliver stated the photos were taken when he posted the property in August of 2020 and they do not as there was a fire at the structure since the last meeting. The property is much worse now. Photos were passed around that Mr. Oliver took of the structure on May 24th. Mr. Oliver explains that he had a title search done using Great American Title showing Blue Shutter Investments as the owner. Mr. Oliver states that he sent certified letters to Blue Shutter Investments and he has a signed receipt. Mr. Oliver sent a certified letter to Charles Coach with a signed receipt. There is also a certified letter that was sent to William and Linda Gilliland with a signed receipt. Mr. Paul confirmed with Mr. Oliver that William and Linda Gilliland were notified as they showed up on the title search as the lienholder. There is also a certified letter that was sent to Greg Lawther and he does not have a signed receipt. Mr. Paul stated Mr.

Lawther was involved as a lienholder of some kind, he believes he was the holder of the deed of trust. Mr. Oliver stated Mr. Paul was correct. Mr. Paul asked Mr. Oliver what if anything else did you to notify any interested party of this action. Mr. Oliver tells the board that the item was advertised in the Joplin Goble with the publication dates of 5/6, 5/13, 5/20, and 5/27 of this year. Mr. Oliver expresses that he has based his opinions off the Code of Ordinances with sub-section line 6. Mr. Oliver explains that in his professional opinion, he would recommend demolishing the structure. Mr. Hartwell asks for a motion. Motion to demolish item number 2922, Item 2948, 1809 Grand Ave. to include any out-buildings, made by Mr. Denham, Second by Mr. Urie-Ross. (6 Aye, 0 Nay)

Item 2949, 1529 S Connor Ave.

Owner of the property was not present for the meeting. Mr. Hartwell calls for a motion for a dangerous building hearing. Motion to hold a demolition hearing made by Mr. Denham, Second by Mr. Wagner. (6 Aye, 0 Nay) Mr. Paul stated the City recalls Jeff Oliver and reminds him that he is under oath. Mr. Paul questions Mr. Oliver if he has had the opportunity to inspect the property at issue and show reasonable lackness for the matter at issue? Mr. Oliver states yes, he has inspected the property and it does qualify for demolition, and that can be seen in the photographs that are being passed around. Mr. Oliver explains that he had a title search done using Great American Title showing Gladys Fern Krokroskia on the title. Mr. Oliver states that he sent certified letters to Gladys Fern Krokroskia at 1509 and 1529 S. Connor with no signed receipts. Mr. Oliver sent a certified letter to Household Realty Corporation with a signed receipt. Mr. Paul stated they are identified as a lienholder in the title work and Mr. Oliver replied that is correct. Mr. Paul asked Mr. Oliver what if anything else did you to notify any interested party of this action. Mr. Oliver tells the Board that the item was advertised in the Joplin Goble with the publication dates of 5/6, 5/13, 5/20, and 5/27 of this year. Mr. Oliver expresses that he has based his opinions off the Code of Ordinances with sub-section line 2, 10, 12, and 13. Mr. Oliver explains that in his professional opinion, he would recommend demolishing the structure. Mr. Hartwell asks for a motion. Motion to demolish Item 2949, 1529 S Connor Ave. to include any out-buildings, made by Mr. Wagner. Second by Mr. Denham. (6 Aye, 0 Nay)

Item 2950, 223 Galena Ave.

Owner of the property was not present for the meeting. Mr. Hartwell calls for a motion for a dangerous building hearing. Motion to hold a demolition hearing made by Mr. Wagner, Second by Mr. Denham. (6 Aye, 0 Nay) Mr. Paul calls Jeff Oliver under oath and is sworn in by Olivia Stockdale, Notary Public. Mr. Paul questions Mr. Oliver if he has had the opportunity to inspect the property at issue and show reasonable lackness for the matter at issue? Mr. Oliver states yes, he has inspected the property and it does qualify for demolition, and that can be seen in

the photographs that are being passed around. Mr. Oliver explains that he had a title search done using Great American Title showing Keith Eugene Fiscus as the owner. Mr. Paul asked if Mr. Fiscus is deceased. Mr. Oliver confirmed that is correct. Mr. Paul asked if a Probate Estate has been opened bearing the case number 21AP-PR000006. Mr. Oliver confirmed that is correct. Mr. Paul asked if Mr. Oliver found Mr. Neal Fiscus to be the personal representative for that estate. Mr. Oliver stated yes. Mr. Paul asked if an attorney by the name of Jennifer Triplett is representing the estate and Mr. Oliver replied correct. Mr. Oliver states that he sent certified letters to Jennifer Triplett and he does have a signed receipt for that letter. Mr. Oliver received a letter from Thomas Walters Law Group, and it does acknowledge receipt of the certified letter from Mr. Oliver regarding this property. Mr. Paul asked if the letter contained any intent to immediately work on the property and Mr. Oliver replies no. Certified letters were sent to Keith and Neil Fiscus at the address of 223 Galena Ave and he does not have signed receipts. Mr. Oliver sent a certified letter to Pinnacle Bank who is a lienholder on the title, and he has a signed receipt. Mr. Oliver sent a certified letter to Carl Blanchard, the holder of the deed of trust and he has a signed receipt. Mr. Paul asked Mr. Oliver what if anything else did you to notify any interested party of this action. Mr. Oliver tells the board that the item was advertised in the Joplin Goble with the publication dates of 5/6, 5/13, 5/20, and 5/27 of this year. Mr. Oliver expresses that he has based his opinions off the Code of Ordinances with sub-section line 6. Mr. Oliver explains that in his professional opinion, he would recommend demolishing the structure. Mr. Hartwell asks for a motion. Motion to demolish Item 2950, 223 Galena Ave. to include any out-buildings, made by Mr. Denham, Second by Mr. Urie-Ross. (6 Aye, 0 Nay)

Item 2951, 2636 E 4th St.

Owner of the property was not present for the meeting. Mr. Hartwell calls for a motion for a dangerous building hearing. Motion to hold a demolition hearing made by Mr. Denham, Second by Mr. Wagner. (6 Aye, 0 Nay) Mr. Paul stated the City recalls Jeff Oliver and reminds him that he is under oath. Mr. Paul questions Mr. Oliver if he has had the opportunity to inspect the property at issue and show reasonable lackness for the matter at issue? Mr. Oliver states yes, he has inspected the property and it does qualify for demolition, and that can be seen in the photographs that are being passed around. Mr. Oliver explains that he had a title search done using Great American Title showing Jim and Pamela Ames as the owners. Mr. Oliver states that he sent certified letters to Jim and Pamela Ames, and he does have a signed receipt for one of those letters. Mr. Paul asked Mr. Oliver what if anything else did you to notify any interested party of this action. Mr. Oliver tells the board that the item was advertised in the Joplin Goble with the publication dates of 5/6, 5/13, 5/20, and 5/27 of this year. Mr. Oliver expresses that he has based his opinions off the Code of Ordinances with sub-section line 4, and 12. The roof is failing, and the siding is starting to deteriorate. Mr. Oliver explains that in his professional opinion, he would recommend demolishing the structure. Mr. Hartwell asks for a motion.

Motion to demolish Item 2951, 2636 E 4th St. to include any out-buildings, made by Mr. Wagner, Second by Mr. Denham. (6 Aye, 0 Nay)

Item 2954, 317 & 319 W 14th St.

David Krudwig was present as the owner of the property. Mr. Krudwig informed the Board there is an address error, only 317 W 14th St. was burned in the arson fire. Mr. Oliver stated this is how the address came up in Jasper County Beacon, but he has noted this information. Mr. Krudwig stated he is working with Steve Nelson and he will be doing the demolition on 317 W 14th St. He is certain this should be done pretty quickly. Mr. Denham asked if the demolition would be done by the June 25th meeting. Mr. Krudwig stated Mr. Nelson believed it could be done in the next thirty days. Mr. Hartwell asked for a motion. Mr. Denham made a motion to continue Item 2954, 317 W 14th St. to the June 25th Board of Appeals meeting for a progress report and demolition hearing and to remove 319 W 14th St. from the Agenda. Seconded by Mr. Wagner. (6 Aye, 0 Nay)

New Business

Item 2952, 622 + 622 1/2 N. Byers

Owner was not present at the meeting. Mr. Oliver informed the Board that he spoke with Mr. Nelson and he mentioned he sold them on a Contract for deed. Construction had started, but it has now stopped. When Mr. Oliver tagged the properties, they were unsecure. Mr. Denham asked if both structures were unoccupied as it is a pretty dangerous situation. Mr. Oliver replied that is correct. Mr. Hartwell confirmed they should move pretty quickly on this one. Mr. Hartwell asks for a motion. Mr. Denham made a motion to continue Item 2952, 622 + 622 1/2 N. Byers to the June 25th Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (6 Aye, 0 Nay)

Item 2953 322 W. 42nd St.

Owner was not present at the meeting. Mr. Oliver informed the Board that there was a small fire in the structure, but it is salvageable. Mr. Oliver advised a permit was pulled by someone on behalf of the Owner on this date. Mr. Hartwell asks for a motion. Mr. Wagner made a motion to continue Item 2953 322 W. 42nd St. to the June 25th Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (6 Aye, 0 Nay)

Other Business

Mr. Denham asked for an update with 120 N. Schifferdecker. Mr. Oliver stated this was an occupied structure ordered demolished at the April 23rd meeting. The Owner did call him from a neighbor's phone a couple of weeks ago. He did indicate that his intent is to appeal. Mr. Oliver did encourage him to come to today's meeting and to get an attorney since the demolition had already been ordered. Mr. Oliver stated the thirty- day grace period has expired, but he received a letter from the Owner yesterday which is the best means of communication from him. This was his appeal. Thomas Walters has reached out several times to the Owner with no response. They are going to move forward, but still try to get the Owner to comply or agree to move.

Mr. Oliver advised the Board there is a property at 622 Porter that is an occupied structure. The City is currently working with the Owner, he has agreed to move out of the property and this will come before the Board next month.

Mr. Oliver reminds the Board that if a property has a permit in place and progress is slow, but it is progressing, they do not have to do month to month. If they would like to continue it for two months, that is an option if they choose to do that. Mr. Denham suggests that Todd Patterson's property on 115 N. Landreth Ave. would be a good subject for this. Mr. Hartwell confirms they have done this in the past and it can always be an option.

Mr. Hartwellasked for a motion to adjourn the meeting. Motion made by Mr. Denham, second by Mr. Urie-Ross to adjourn the meeting at 10:32am.

Approved Rylee Hartwell

Rylee Hartwell, Chairman

Approved Olivia Stockdale

Olivia Stockdale, Notary Public

OLIVIA STOCKDALE
Notary Public - Notary Seal
Jasper County - State of Missouri
Commission Number 18604967
My Commission Expires Dec. 11, 2022

My commission Expires: December 11, 2022