JOPLIN | BUILDING BOARD OF APPEALS

Building Board of Appeals

Meeting Minutes

June 24, 2022

Call to order

Mr. Denham called to order the regular meeting of the Building Board of Appeals on June 24, 2022.

Roll call

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

Approval of Minutes

Mr. Denham asked for a motion to approve the minutes as presented for the May Board of Appeals meeting. Mr. Windsor made a motion to approve the May Building Board of Appeals minutes and Mr. Tucker seconded the motion. (7 Aye, 0 Nay)

Continued Items

Item 2980, 802 S. Connor Ave.

Olga Gutieriez, owner of the property was present at the meeting. Mr. Denham asked the owner for a progress report. Ms. Gutieriez stated she has a permit in place. No work has been completed. She expects electrical contractors to begin on Monday, June 27th Mr. Denham asked Ms. Gutieriez if she had met with City inspectors on sight to see what is required. Ms. Gutieriez advised no, she had not. Mr. Denham asked Mr. Wicklund if they had the permit for the entire project. Mr. Wicklund stated he did not know. Mr. Tucker stated he had the opportunity to drive by this property and progress has been made. Mr. Denham asked for a progress schedule to be presented at the July

Board Meeting. No further questions or comments. Mr. Duncan made a motion to continue Item 2980, 802 S. Connor Ave. to the July 22nd Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (7 Aye, 0 Nay) Motion carries.

Item 2976, 1417 W. 20th St.

Tim Bender, owner was present at the meeting. Mr. Denham asked the owner for a progress report. Mr. Bender stated they had a structural engineer inspect the property. Mr. Bender received the structural engineer report yesterday. The structural engineer did not find any deflection in the foundation, it was all just basic timber structure. Mr. Bender stated they are moving ahead with repairs. Mr. Bender stated they are still negotiating with the insurance company on repair cost. Mr. Denham asked for a schedule. Mr. Bender stated it still depended on insurance pay out. They are basically negotiating 25% of repair costs. Mr. Bender stated he did not know if they were going to pursue litigation to recover the additional repair costs. Mr. Bender stated he will schedule an appointment with the City Building Department because he had questions on the electrical. Mr. Wicklund stated that any electrical that was there if it was installed to Code, you would be allowed to keep it. Mr. Wicklund stated that once the walls are opened it will have to meet the current code. Mr. Bender asked if that included all the way back to the panel of the property. Mr. Bender stated that the rooms that were damaged are on the opposite end of the house where the panel is located but those rooms are opened, and the electrical wiring is exposed from that damage. Mr. Bender asked if the wiring would have to be replaced all the way to the panel like an upgraded panel? That is a negotiating factor with the insurance company. Mr. Wicklund stated he believed Mr. Bender would find out that it would cost less to have an electrician rewire the whole thing at this point. Mr. Wicklund stated it is not that you would have to go all the way back to the panel if the wiring was installed per Code at the time, it was installed and that it has not been damaged or altered. You could go to a junction box in the attic but then again cost wise if you are dealing with the extent of work that is needed for that house you would probably find it less expensive to just go ahead and rewire the whole thing. Mr. Wicklund stated it would have to meet the current code once it is exposed. That does not mean it all has to be ripped out and redone. Mr. Bender stated that answered his question. Mr. Wicklund stated he was a little confused as to whether the possibility of demolition was still on the table. Mr. Bender stated he did not know until he received the structural engineer report back whether the foundation had been shifted. The engineers report detailed the only shift in it was the floor trusses had moved but that is all repairable. Toe foundation itself was still in complete alignment. The engineer's findings are that it is all repairable. Mr. Bender stated they did not know how to proceed. Mr. Wicklund stated he is very familiar with this incident and that after the car struck the house it was left open for quite a while. Mr. Wicklund stated the property was vandalized significantly during that time. Do your

dealings with the insurance company have to do with them paying for the vandalism as well as the damages by the vehicle? Mr. Bender stated no, they were only asking for damages to the electrical damages and the actual rooms that were affected by the damage. Mr. Bender stated the insurance company adjuster is just leaving so much out of their estimate. The insurance company is just missing lots of items and not accounting for damages that are completely obvious from the car. Mr. Bender stated it continues to drag on. Mr. Bender stated that even getting the structural engineer to inspect the property was a hassle. Again, we just received the report yesterday. Mr. Wicklund asked Mr. Bender for a timeline to outline work beginning on the property. Mr. Bender stated now that they know the house is structurally sound, they will begin the exterior work on the house. Mr. Bender stated they will be able to get the exterior of the house back to a good quality standard and the inside will have to wait for an insurance settlement. Mr. Denham asked when Mr. Bender would get to the outside. Mr. Bender stated he would begin on Monday, June 27th to get contractors. Mr. Bender stated he already had two bids for the entire remodel, but he would attempt to get it broke down to begin working on the exterior. Mr. Denham asked Mr. Bender that if he could not come up with a reasonable settlement with the insurance company in your mind, will you precede with the project? Mr. Bender stated they would go to litigation with the insurance company. Mr. Bender stated they will move forward with the repairs but there will be a delay with remodeling the inside. Mr. Bender stated their bids are approximately $50,000.00 and the insurance is looking at $13,000.00. Mr. Bender stated he did not know if they would make complete repairs. Also, the quality of repairs and what they put back into the house was in question. But at least they will have the exterior repaired for people driving by and the neighbors. Mr. Bender stated it is their intent to make complete repairs on the house. Mr. Denham stated that this is the 5th time this item has been before the Board and the Board would like to see progress on at least the outside by the next meeting. Mr. Bender stated he could provide the Board that exterior progress report by the next scheduled meeting of July 22m. Mr. Denham asked if there were any further questions or comments. Motion to continue Item 2976, 1417 W. 20th St to July 22nd Board of Appeals meeting for a progress report and demolition hearing made by Mr. Windsor. Seconded by Mr. Tucker. (7 Aye, 0 Nay) Motion carries.

Item 2968, 217 N. Gray Ave.

Donna Bray, owner of the property was present. Ms. Bray approached the Board to request a stay of demolition. Mr. Denham asked for a progress report from Ms. Bray. She stated the mud sill plates are in and inspected. They passed inspection. The floor joists are going in today. Ms. Bray stated that last month the residence was broken into and vandalized, she has spent the past month cleaning up. Mr. Denham asked if there was a permit in place. Ms. Bray stated yes, there was a permit in place. Mr.

Denham asked about the roof. Ms. Bray stated the roof can not go on until she finishes the floor joists and the walls. She stated part of the roof can go on but not the part they are presently working on because the floors and the walls must be in place before the roof can go on. It will all be done at once. Mr. Denham asked Ms. Bray how soon before that is in place. Ms. Bray stated that it would still be a couple of months on the roof because they still must do the floor joists and framing and get that inspected and get it enclosed and then build the roof. Ms. Bray stated there are a lot of steps and at this point she is depending on volunteer help and money available to buy the materials. She stated she has the materials for the floor joists and for the framing of the walls and the framing of the roof on the backside of the house. Mr. Denham asked Ms. Bray what the plans were for the front porch. She stated that is waiting until she gets the back enclosed and then she will move to the front of the house. Mr. Denham asked if she was going to put a roof over the front porch like it was originally. Ms. Bray stated, yes, the front porch is going to be completely rebuilt and roofed just like it was or better. Mr. Denham asked for any further questions or comments. Mr. Tucker stated his concern was the roof was in disrepair and the shingles remain outside. Mr. Tucker asked for insight into this property. Mr. Denham stated the residence fell into disrepair. Ms. Bray stated it is the original home and it is very old. The house has the original shake shingles and two layers of shingles on top of those. The tornado did some damage to the home, but she did not qualify for any State or Federal funding to repair the residence. So, it has slowly fell into disrepair. Ms. Bray stated she also has health problems and financial limitations. Ms. Bray stated she has reached out to organizations for financial assistance. Mr. Tucker suggested a federally funded program through Economic Security. Mr. Denham recommended a program funded by Habitat for Humanity. Mr. Paul informed Ms. Bray that a condition of the Board to grant a stay of demolition was that she signs a waiver. Mr. Paul stated he had prepared the waiver and given it to Jeff Oliver and asked if she had received it. Ms. Bray stated, no and asked for an explanation of the waiver. Mr. Paul stated he would get the waiver and explain it to her. It is a condition of the Boards stay of demolition order. Basically, the Board will not have to do another demolition order if you do not make progress in the future, they will just rely on the old demolition order. Ms. Bray asked if everyone had to sign this waiver. Mr. Paul stated, yes everyone who gets a stay. Mr. Denham asked for any other questions or comments. Mr. Denham reiterated that at the next meeting he would like to see a schedule. Mr. Denham stated he understood Ms. Bray had limited resources, but this Item had been on the agenda for a long time, and it is not fair to the neighbors to continue with this situation. Ms. Bray stated there was not an issue with her neighbors. Mr. Denham asked if the house is secured. Ms. Bray stated, yes. Mr. Denham asked for any further comments or questions. Mr. Tucker asked if anyone lived on the property. Ms. Bray stated there is an R.V. on the property but no one is living on the property. Mr. Tucker made a motion to continue Item 2968, 217 N. Gray to the July 22nd Board of Appeals meeting for a progress report and demolition

hearing. Seconded by Mr. Duncan. (7 Aye, 0 Nay) Motion carries.

Item 2921, 1124 Murphy Ave.

Michael Wilson, owner of the property was present. Mr. Denham asked if Mr. Wilson had an electrician yet. Mr. Wilson stated he did have an electrician. Mr. Wilson said the electrician finished the service, and they had a rough in inspection. The plumbing is missing items and then we will be able to get another rough in inspection. Mr. Denham stated there is some siding work needed on the residence. Mr. Wilson agreed. Mr. Wilson stated they need guttering work. Mr. Denham asked if there were any other questions or comments. Mr. Windsor made a motion to continue Item 2921, 1124 S. Murphy Ave. to July 22nd Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (7 Aye, 0 Nay) Motion carries.

Item 2988, 2201 Empire Ave.

Darlene Harper, owner of the property was present at the meeting. Ms. Harper stated they finally have the 2nd bid, and they will turn it in today with the claim form the City provided. Ms. Harper stated they have the outside of the property cleaned up. There are just a few furniture items remaining and those will be cleared this weekend. Ms. Harper stated that at this point they were just waiting on the insurance claim. Mr. Denham stated he thought last time that Ms. Harper stated there was no insurance. Ms. Harper stated that the City of Joplin gave her an insurance claim. Mr. Paul asked if she was talking about a first party insurance claim on your home or a claim against the City. Ms. Harper stated a claim against the City. Mr. Paul advised he would not wait on that because he does not believe the City is in receipt of a claim and based on what he has seen the City will not pay on this claim. Ms. Harper stated she is turning the claim into the City. Ms. Harper stated she was waiting on the 2nd bid that was requested before turning the claim in to the City. Mr. Paul asked Ms. Bray if she had a plan if the claim is denied. Ms. Bray stated, yes, she does have a plan. Ms. Bray stated they have talked about selling the property or her brother wants to rebuild it, so we are just looking at all our options. Mr. Tucker asked Ms. Bray if the fire marshal had determined a cause for the fire. Ms. Bray stated not to her knowledge. Ms. Bray received a report from the fire department, but she does not know if it is from the fire marshal. Mr. Denham asked if the property is currently unoccupied. Ms. Bray stated yes. Mr. Denham asked once a second bid was presented to the City how long would it take to make a determination. Mr. Paul stated probably within the week. Mr. Paul stated he does not know if he has read everything but the analysis up to this point is the fire was started by the individual who was hiding in the attic. Mr. Denham confirmed that a 2nd bid was obtained. Ms. Bray stated she would submit the bid today to the City. Mr. Denham asked Mr. Wicklund if he had been by the property and could confirm the

property is secured. Mr. Wicklund stated he has not and could not confirm. Mr. Paul asked Ms. Harper if there was a trespass affidavit on file at the police department. Ms. Harper stated they have trespass signs. Mr. Paul reiterated that a trespass affidavit is a very effective tool and allows the police to go ahead and cite anyone that is on the property other than the property owners. Mr. Denham asked if the bids received were for complete renovation. Ms. Harper stated yes, they would be taking it down to the studs and that is if they are not burned on top. They think they can take it down to the studs and foundation. Everything else is coming out. Mr. Denham asked the price of the bids. Ms. Harper stated the bids were between $131,000-$138,000. Mr. Denham inquired if the City denies the homeowners claim are they prepared to make those repairs or tear it down. Ms. Harper stated yes. Mr. Denham stated he would like to see some sort of determination by next month's meeting. Ms. Harper concurred. Mr. Denham encouraged Ms. Harper to pursue this claim or come up with other options before next meeting on July 22nd because the Board may be ready to hold a dangerous building hearing and order it demolished. Mr. Denham asked if there were any further questions or comments. Mr. Tucker made motion to continue Item #2988, 2201 Empire to July 22nd Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (7 Aye, 0 Nay) Motion carries.

Item 2913, 3615 S. Range Line Rd.

Aaron Gumpenberger was not present at the meeting. Patrick Wood was not present at the meeting. Mr. Wicklund stated there has been communication with the owners and they have determined that they want to go ahead and precede with demolishing the structure and have some new partners involved in building new hotels or apartments on the property. They requested for the City to research whether there are kinds of assistance the City could offer in the cost of the demolition. Mr. Bolander has communicated with them there are funds available. The City emailed them two weeks ago, but we have not heard from them since. Mr. Wicklund stated he should have an update next month and he would not be surprised if the demolition was already started before the next meeting. Mr. Wicklund stated the City has been contacted by a demolition contractor trying to get everything in order to get a permit. Mr. Wicklund stated he knew Patrick Wood was on site trying to salvage items and trying to get ready for the demolition. Mr. Wicklund stated there has been activity and some movement. Mr. Denham asked if the owners of the property had been keeping it secure. Mr. Wicklund stated no. It is not secure. Mr. Tucker asked if the property was in the TIF district. Mr. Wicklund stated yes, it is currently in the TIF district. Mr. Tucker asked if funds from TIF could be used. Mr. Wicklund stated he is not familiar with the rules of TIF monies. Motion to continue Item 2913, 3615 S. Range Line to July 22nd Board of Appeals meeting for progress report and demolition hearing made by Mr. Duncan. Seconded by Mr. Wagner. (7 Aye, O Nay) Motion carries.

Item 2947, 2408 Willard Ave.

Misty Gamble was not present as the owner of the property. Mr. Wicklund stated there has been very slow progress on this property. Mr. Wicklund does not have any further updates. Mr. Denham stated on an inspection it was noticed there was a broken window on the property. Mr. Wicklund stated the City would contact the owner and request the property be secured and a progress report by the next meeting. Motion to continue Item 2947, 2408 Willard until July 22nd Board of Appeals meeting for progress report and demolition hearing was made by Mr. Wagner. Seconded by Mr. Tucker. (7 Aye, 0 Nay) Motion carries.

Item 2964, 2526 E. 12th St.

Owner of the property was not present at the meeting. Mr. Wicklund stated the fire had been before the Board for the 10th time. Mr. Wicklund does not have an update. Mr. Denham stated there has been minimal progress in the past 3 months. Mr. Wicklund stated the property owners are signing for the certified letters with a Joplin address each month. Mr. Denham stated representatives for the neighbors have stated there are big steel beams laying in the yard, no garage doors and the yard is unkept. Mr. Denham stated the exterior needs buttoned up and suggested Mr. Oliver contact owners. Mr. Wicklund stated the City will do their best to contact the owners. Mr. Wicklund stated there would be a much better update next month. Motion to continue Item 2964, 2526 E. 12th St. to the July 22nd Board of Appeals meeting for a progress report and demolition hearing made by Mr. Tucker. Seconded by Mr. Duncan. (7 Aye, 0 Nay) Motion carries.

Item 2986, 302 S. Connor

Item 2987, 306 ½ S. Connor

Blue Shutter Investments, owner of the properties was not present. Mr. Wicklund stated no update on these properties. Mr. Tucker stated he had the opportunity to drive by these properties and this is just not a good neighborhood. Mr. Tucker stated the foundation is falling apart on Item 2987, 306 ½ S. Connor. Mr. Denham stated he did not think the property was ready for a demolition hearing. Mr. Wicklund stated the City has not received the title work back yet. The title work will help him know if there needs to be more communication. Mr. Denham stated sometimes the interested parties are not made clear. The title company researches the property to determine liens and

the correct owner. Mr. Denham asked for any further questions or comments. Motion to continue Item 2986, 302 S. Connor and Item 2987 306 ½ S. Connor to July 22nd Board of Appeals meeting for a progress report and demolition hearing made by Mr. Malone. Seconded by Mr. Tucker. (7 Aye, 0 Nay) Motion carries.

Item 2989, 827 S. Empire

Susie Woolever, owner of the property was not present. Mr. Wicklund stated the property owners demolished the property. Motion to release made by Mr. Malone for Item 2989, 827 S. Empire be released from our agenda due to the demolition being complete. Seconded by Mr. Duncan. (7 Aye, 0 Nay) Motion carries.

New Business

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

Cleveland Apartments, owner of the properties was not present. Mr. Wicklund stated he thought everyone knew they had a fire. That property had been awarded State assistance and before the fire the owners were planning on starting that rehab at the end of July. The monies were going to be available at the end of July. Mr. Wicklund stated he did not believe the fire changed the owners time frame. It did double the cost of the renovation. Mr. Wicklund stated the owners still intend on beginning the renovation at the end of July. Hopefully, by the July 22nd meeting they will have either started or be in the process of pulling permits. Mr. Wicklund stated the property was going to be gutted down to the bare walls to start with and now they need to reframe the roof. The fire was contained to the basement of one of them and the entire roof structure across both buildings. The rest of it was debris and water damage. The property was going to be gutted anyway. Mr. Denham stated that on the east side there was a wall buckled badly and he feels like if it fell over it might go into the sidewalk. Yesterday the barrier was on the inside of the sidewalk instead of the outside. Mr. Denham stated it would be wise to pull that barrier out a little. Mr. Wicklund stated he anticipated having several conversations with the owners of this property in the next 30 days. Mr. Denham asked if the property was insured. Mr. Wicklund stated he does not believe the property was insured. Mr. Wicklund stated the same group owns the house directly behind the property that they started to renovate. They have applied for a permit and cleaned the residence out. There are some very large garage structures behind the house that are a part of one property. They are in the process of tearing those down today. Mr. Wicklund expects the owners to pick up

the pace. Mr. Wicklund hopes to have a more detailed report at the July 22nd meeting. Mr. Tucker asked if the property is historical. Mr. Wicklund stated yes. Motion to continue Item 2990, Cleveland Apartments, 801, 803, 805 W. pt St. to July 22nd Board of Appeals meeting for a progress report and demolition hearing made by Mr. Tucker. Seconded by Mr. Windsor. (7 Aye, 0 Nay) Motion carries.

Item 2991, 802 Broadway

Perry Antwan, owner of the property was not present. Mr. Wicklund stated this structure was before the Board years ago and as is very common the owners at the time did the bare minimum to get the Board satisfied and released from the Board. Since that time, Mr. Wicklund received a call from the resident behind the structure and she informed the City that the roof had collapsed on the whole structure. The City has made an attempt to contact the owners and so far, that conversation has not happened. Mr. Wicklund confirmed the owner of the structure has signed for certified mailings. Mr. Wicklund stated the City has not gotten the title work back yet. Mr. Wicklund stated that his opinion was there is no saving this property, we just need to make sure that we have everyone on notice. Mr. Denham stated, hopefully we will be ready for a demo hearing at the next Board meeting. Mr. Wicklund stated it would depend on what the title work looks like when it comes back. Mr. Denham asked if the owners are the heirs to the original bar operator. Mr. Wicklund stated he did not believe so. Mr. Wicklund stated the owner is Antwan Perry. Mr. Denham stated this is a Findings of Fact hearing and the Board will continue but he sure would like to see barricaded it off so kids can not get into it because it is a dangerous situation. The picture provided to the Board did not do it justice. The building is very bad condition in the back. Motion to continue Item 2991, 802 Broadway to July 22nd Board of Appeals meeting for a progress report and demolition hearing made by Mr. Malone. Seconded by Mr. Tucker. (7 Aye, 0 Nay) Motion carries.

Item 2992, 819 S. Jackson Ave.

AFI Royalty, owner of the property was not present. Mr. Wicklund stated he had been told that the property had been demolished but he could not verify that information. Mr. Tucker and Mr. Denham confirmed the demolition. Mr. Wicklund stated that if the debris is in a pile, we could pursue through Code Enforcement. Mr. Wicklund stated it was the Board's decision to continue to see if the debris has been cleared per the standards or release the Item from the Agenda. Motion to release Item 2991, 819 S. Jackson from our Agenda due to demolition. Motion made by Mr. Wagner. Seconded by Mr. Windsor. (7 Aye, 0 Nay) Motion carries.

Item 2992, 308 W. 18th St.

John McGrew, owner of the property was not present. Mr. Wicklund stated he could not provide an update. Motion to continue Item 2992, 308 W. 18th to July 22nd Board of Appeals meeting for a progress report and demolition hearing made by Mr. Tucker. Seconded by Wagner. (7 Aye, 0 Nay) Motion carries

Other Business

Mr. Denham asked for a motion to adjourn the meeting. Motion made to adjourn the meeting by Mr. Windsor. Seconded by Mr. Wagner. Meeting adjourned at 10:04 a.m. (6 Aye, 1 Absent, 0 Nay) Motion carries.

Approved _____

Mr. Kyle Denham, Chairman

Approved Vicky Lynn Copeland

Vicky Lynn Copeland, Notary Public

My commission expires: May 22, 2026