MINUTES
BUILDING BOARD OF APPEALS
REGULAR MEETING
JULY 22, 2016
9:00 AM

Kyle Denham, Chairman, called the July 22nd Building Board of Appeals meeting to order with the following Board members present: Kyle Denham, Crystal Harrington, Rylee Hartwell, Don Landrith, David Pommert, and Ervin Wilson. Board member Mark Eastman was absent. City officials present: Bryan Wicklund, Chief Building Official; Jeff Oliver, Building Inspector: Peter Edwards, City Attorney; Stephen Grindle, Neighborhood Services Supervisor; Soledad Zavala, Translator; and Susan Champlin, Notary Public.

Mr. Denham — Do we have a motion to excuse Mr. Eastman?

Mr. Landrith — **So be it.**

Mr. Denham — **Is there a second?**

Mr. Pommert — **Second.**

Mr. Denham — **All in favor, say "aye". (Mr. Denham, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Motion carries, 6-0.** Come to the podium and give us your name and address, and which item you'd like to discuss, please.

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

Bradley Edge — Alright, I'm here for—my name is Brad Edge. I'm here for 506 East 33rd, to try to get it removed from the demolition list. It's not on this any more.

Mr. Wicklund — I did receive a written request to address the Board. It just didn't get to me in time to get it on the agenda, but this is the property that's been ordered demolished. And the appeal time has expired, but Mr. Edge has a buyer for the property. He has gone in and cleaned up the back yard and closed in the back side with vinyl siding and has asked for the Board to reconsider the demolition order. I explained to him, before he ever did it, that any work he did on the property was at his own risk during this time.

Mr. Denham — Was this ordered demolished at the last meeting, or the—

Mr. Wicklund — No, it's been a couple of meetings ago.

Mr. Denham — Okay. Do we have photographs of it so we can refresh our—

Mr. Oliver — These are the recent ones.

Mr. Wicklund — It's actually on schedule to go before City Council for approval next week, I believe.

Mr. Denham — This is on 33rd Street?

Mr. Wicklund — Yes.

Mr. Edge — Yeah, it's got new windows and a new roof on it—I mean, it's had over $20,000 put into it to fix it up.

Mr. Denham — Have you inspected what's been done?

Mr. Wicklund — Jeff went by and did a visual inspection. I do not believe there's been a framing inspection on that back wall, or a sheathing inspection.

Mr. Denham — What about a permit?

Mr. Wicklund — It has some old permits. Now, even though we haven't inspected it, I really think—is the buyer here?

Mr. Edge — Yes.

Mr. Wicklund — I really think the work that was done on the back is mostly temporary. I'm sure there's going to be windows and doors back there somewhere. So I'm assuming the vinyl siding will come back off, but the purchaser is here if you have any questions for him.

Mr. Denham — Would you come to the podium, please, and give us your name and address for the record?

Danny Lowe — Danny Lowe, 4405 West 28th Street, here in Joplin. Okay, any questions you have—I've done this a lot of times. I own a lot of properties all over Joplin, so ask away.

Mr. Denham — Are you going to take the vinyl siding off like we've discussed?

Mr. Lowe — Yes, sir. It's just temporary. It's kind of an act of good faith to show you that we do have intent to get that property completely fixed.

Mr. Denham — And if you—have you purchased it, or are you in the process of closing?

Mr. Lowe — I don't purchase it until this is resolved.

Mr. Denham — When would the closing be if this was resolved?

Mr. Lowe — August 1st.

Mr. Denham — And then how quickly would you get a permit and get started?

Mr. Lowe — Well, the permit can come pretty quick. I meet with contractors again today. I've already met with an electrician on it, so just as far as issuing a permit, that can be pretty quick. Is a permit still good for six months?

Mr. Wicklund — Yes.

Mr. Lowe — So we should be done.

Mr. Denham — The problem is this has sat around for a long time. That's why we finally ordered it demolished. Nothing has taken place. And we see this a lot. People shuffle ownership, and then it sits another six months, and then we're back at it again. We need to see some quick action.

Mr. Lowe — Well, that's not my style.

Mr. Denham — If we go ahead and put a stay on the order of demolition, it would still remain on our agenda, so we would be keeping an eye on it to make sure things will progress.

Mr. Lowe — Things will progress. I have done 60 of them, so this is just another one.

Mr. Denham — Will it be a rental property?

Mr. Lowe — No—no, I don't do rentals any more. We'll fix it up. It will be just like new.

Mr. Denham — Any other questions?

Mr. Wilson — Just how long do you estimate this to take to completely rehab this for occupation?

Mr. Lowe — The rock?

Mr. Wilson — How long would you estimate it would take before this is ready to be used as a habitat?

Mr. Lowe — Oh, well, I think within the six-month period, we should be fine. There would have to be some kind of unforeseen circumstances. And this house it—it's a little different than some of the others. It's not like exploratory surgery where we have to take things apart to see what we've got underneath. It's all visible. So the structure is solid—it's sound, and we're not going to have to get into a bunch of things that are unforeseen, so we should be alright. But it does depend on contractors and how that works out. Like I said, I'm supposed to meet one today, and if that works, it will be very rapid. And if it doesn't, I'll have to find another.

Mr. Denham — Is this a fire-damaged---what—I forgot what caused the damage to that back wall?

Mr. Oliver — I don't recall there being a fire.

Mr. Edge — I believe there was a fire at one point.

Mr. Oliver — Was there?

Mr. Edge — Yeah, the fire—they redid the whole roof. They put windows in. The previous owner had already got the framing approved, so that part is all done. But because he's not going to do the addition, they're going to have to redo some on the back wall. He's going to put in a patio or a porch and a sliding door and some windows. That's the reason the vinyl siding is going to come off.

Mrs. Harrington — How long was it on our agenda before we—approximately—I don't have to have dates but, I mean, we obviously—we're done with it.

Mr. Oliver — The "finding of fact" letter was December 12, 2014.

Mr. Denham — A year and a half.

Mr. Edge — But there's different ownerships since then.

Mr. Denham — And that's what we're talking about. Now, there's another owner.

Mr. Edge — We'll try to avoid that now.

Mr. Denham — It's not—that's not helping you sell your—

Mrs. Harrington — And then we solved the problem once.

Mr. Denham — Yeah.

Mrs. Harrington — The staff recommendation?

Mr. Wicklund — I don't have a recommendation.

Mrs. Harrington — A step back.

Mr. Wicklund — I'm here as a witness.

Mr. Edge — Well, the house is not an eyesore at all. If you look at it, it's very pretty. He did a lot of work on the front yard. I mean, it's all rock on the outside. It has new windows, a new roof. It's not like it's—it looks like a Charles Burt building—I mean, it is a pretty house. You've got to go in, have all the rock and piles of dirt removed, which I did. I put the vinyl siding on

the back so that you didn't see the wood. I mean, it doesn't look like it's a—

Mrs. Harrington Have you done all that work in the last 60 days?

Mr. Edge Yes, I did. I redid the house next door—

Mrs. Harrington After we sent it to demolition, then you started working on it.

Mr. Edge I had the house next door, and that's what I put all of my time and resources into, and it's now up for sale. We totally had to take the brick off the house. It looked worse than this house when we started on it, and it was never on a demolition list.

Mrs. Harrington When did you buy this house?

Mr. Edge October, 2015.

Mr. Lowe I believe that's what it said on the deed.

Mr. Edge Yeah, the guy came over and approached me while I was working on the other house. I couldn't pass it up for $15,000.

Mrs. Harrington So how many times did you come here?

Mr. Edge I don't remember. I've come here several times. The first time I came, you guys gave me three months because I was working on another house. I ran into a lot of delays. We had never redone a house in Joplin and had a lot of problems with permits, you know—example, we didn't touch any of the gas lines. The next thing you know, they won't hook up the gas until the City comes and inspects it. So I had to go in and get a permit for that, and wait for the City to come and inspect it. We had delay after delay after delay because I had never done it. Bryan said we should have just got an all-encompassing one instead of having five different permits. I mean, it was a—

Mrs. Harrington You just didn't know?

Mr. Edge Yes.

Mrs. Harrington Are you a general contractor?

Mr. Edge No. We inherited the house. We decided to fix it up and sell it, and we improved. You know how hard it is to take off brick from a house. I mean, the brick was just horrible. We did the house and put it—

Mrs. Harrington Were you here the day that we sent it to demolition?

Mr. Edge — No, I was not. See, me and my brother own it. So the last notice I got—I was in Mexico, so I didn't get it. And he got it, and he didn't come. He's still not here. So we would just like to sell it to Danny. He's had a lot of experience. I mean, why tear down a house that looks this good?

Mr. Denham — If we put a stay for 30 days, we would know for sure that it's closed, and the new owner could come and report the progress of the permit and the contractor at that point?

Mrs. Harrington — Would that hinder the sale of the property if we put a stay for 30 days on it so that you could prove yourself to us?

Mr. Lowe — (Speaking away from microphone)

Ms. Champlin — I need to have you by the mike.

Mrs. Harrington — The risk less the—

Mr. Denham — Could you go up to the mike, please?

Ms. Champlin — Or I can't pick you up.

Mrs. Harrington — I believe the risk would lay on your shoulders that we would be—we still would be within our right to take action if you didn't do what you said you were going to do. That's usually what the biggest issue we have on this Board is like we said, turning over the property over and over and over, and it keeps stopping the process every time.

Mr. Lowe — Maybe if someone would explain to me exactly the process of moving forward, I could. I've never had to appear before a board before, because it was the way I just got them done. So I don't want to risk something, you know, with the investment. He has already done a lot of work already in that he knew he was at risk. That's why our contract says we cannot close unless this is removed.

Mr. Edwards — (cannot understand because of interference through the microphone—asking about the pleasure of the Board)

Ms. Champlin — Peter, I'm getting some feedback from your mike.

Mrs. Harrington — I would be satisfied with—if in that period of time, if the property closed, and the permit was acquired—those would be the two things that I would—that it would take for me to then say I felt like we could lift that stay. Does that seem logical? Once the permit is acquired, there is a higher level of intention to proceed, I think—but that hasn't always been the case.

Mr. Edwards — So if the sale is closed, and he comes in and obtains a building permit, you're willing to set aside the demolition order?

Mrs. Harrington I think I would be. I don't know how everybody else feels, but I would be willing to make that commitment.

Mr. Edwards So, I mean, if you guys make a motion to stay enforcement of the order—

Mr. Lowe Okay.

Mr. Edwards Then the successful closing and application for a building permit, and if those two conditions are met, then you guys are willing to set aside the order, I would think that would give the green light for closing on August 1st.

Mrs. Harrington That's just one Board member that's—

Mr. Edwards Well, I'm just saying—

Mrs. Harrington But I would be willing to make that motion, and at the next meeting in 30 days. I think that would satisfy me because I think there's been a—I personally feel like there's been enough work done on this property that it's made it attractive to this buyer that he can now purchase it and move forward to complete the project. But I have to know that he's already acquired his building permit because there is a certain level of commitment there financially to purchase the permit and to identify your subcontractors and your contractor. So that tells me that there's forward motion.

Mr. Wicklund I think Mr. Lowe would be interested on what it will take to lift the demolition order completely. At what point is the Board willing to do that?

Mr. Wilson Well, what I'm worried about is the oversight that we don't have or won't have if we do vacate the demolition order. What—will it be the—what oversight will we have—any, or none—

Mr. Edwards I don't think it's a—

Mr. Wilson The permitting process?

Mr. Edwards Well, yeah, I mean, as far as oversight goes if, you know, this goes the way it's being talked about, and the demolition order is set aside, it's—you know, and he takes out a building permit, it's going to be all done through the Building Department and the permit process. This Board won't have any oversight. I don't think it needs oversight because it's going to go through the building permit process. I don't know at this point, given the work that's been done on the property, if it's—if the work that's been done is addressed, the dangerous building issues that brought it before the Board—

Mrs. Harrington That's what I was going to say.

Mr. Wicklund — Some of them. I mean, the inside is completely gutted. The outside on three sides is complete and good. The back side is temporarily closed up and doesn't look bad. So, again, in being consistent with some of the other properties that the Board has looked at since the tornado, the outside is complete enough that as long as the building is kept secured—if this work had been done three months ago, or for a year and a half ago, we won't be in this spot.

Mrs. Harrington — Yeah. That's what I—I think it's very close to meeting the criteria of somebody not being able to get into it. I mean, it's buttoned up. The exterior is complete, and that's been our requirement in most of our other cases, isn't it—well, all of our other cases?

Mr. Edwards — And I think the other thing that the Board could probably consider is if the owner has fixed the dangerous building issues, or at least the majority of them, then arguably, the building is no longer dangerous. And that's your job as the Board, is to address the issues contained in Chapter 26 pertaining to dangerous conditions, and to have those fixed. So if the Board is satisfied that they've been fixed, then maybe you don't even need to—maybe you don't even stay it. Maybe you just set it aside. Again, I don't know what the issues were with the property the first time around. I don't know what the issues with the property are as we sit here today.

Mr. Wicklund — Well, again, I understand the need to be consistent; however, I'll just run through real quick, of the 19 different definitions for a dangerous building, it would still fall short and meet—hold on one second—number 15, number 16, number 17, number 18, and number 19. It would still meet all of those definitions as a dangerous building, and that's even if it keeps—if it stays in its current condition and is secured. But in saying that, all of those definitions really have to do with stuff on the inside of the building other than the one that defines it as a nuisance.

Mr. Denham — So if we put a stay on it, and the building closes, at the next meeting we can just put it aside, and he gets a permit? If the deal falls through, then we can continue to monitor it and make sure something happens. Is that the correct—

Mr. Edwards — It's an option, yeah.

Mr. Denham — Do you have any other questions?

Mr. Lowe — I don't think so. If I understand what's proposed, it should be okay. It's not a problem getting a permit or closing.

Mr. Denham — Any other questions from the Board? Do we have a motion?

Mrs. Harrington — Hold on a second.

Mr. Wicklund — Peter, I don't know what, if any extra wording or steps the Board needs to take in that. This is not currently on the agenda—so I don't know.

Mr. Edwards — Just because it's not on—I don't care if it's on the printed agenda.

Mr. Wicklund — The Building Department is familiar with Mr. Lowe. I've dealt with him on several projects. Some have gone smoother than others, but he's always in the end completed them. At one time, he had a lot of rental properties. How many properties do you own in town now?

Mr. Lowe — Only three or four. I had 62 back when we were kind of busy.

Mrs. Harrington — What's the address?

Mr. Denham — Yeah, do we have the item number and address?

Mr. Oliver — The item number is 2684. The address is 506 East 33rd Street.

Mrs. Harrington — **Mr. Chairman, I make a motion that Item Number 2684, at 506 East 33rd Street, be stayed from demolition for a period of 30 days, at which time we will reconsider demolition based on the purchase—the positive purchase of the property, and the new owner obtaining a building permit.**

Mr. Landrith — **I would second that.**

Mr. Denham — **There is a motion by Mrs. Harrington and a second by Mr. Landrith to stay the previously order of demolition on Item 2684, 506 East 33rd Street. All those in favor of the stay, say "aye". (Mr. Denham, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, and Mr. Pommert voted "aye") All those opposed? (Mr. Wilson voted "nay) Motion carries (5 in favor, 1 opposed)**

Ms. Champlin — Mr. Lowe, did you sign our sign-in sheet?

Mr. Denham — When is our August meeting?

Mr. Oliver — August 26th.

Mr. Denham — August 26th will be our meeting that you need to attend and give us progress on it, please.

Mr. Lowe — Okay.

Mr. Oliver — Mr. Lowe, I know she just asked you—is your address on that? That way I can get you a letter sent.

Mr. Lowe — Okay. Is that it?

Mr. Denham — That's it.

Mr. Lowe — Thank you.

Mr. Denham — Good luck. See you next month. Would anyone else like to come up and give us your name and what item you're here to speak on?

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 June 24, 2016 meeting for a "Demolition Hearing" and Progress Report (FIFTH TIME BEFORE THE BOARD)

Robb Birch — Good morning.

Mr. Denham — Good morning.

Mr. Birch — The file number I have on the letter is 2761. I believe that's correct—2311 West Third Street is the property in the request.

Ms. Champlin — You may need to move the mike—that's good.

Mr. Birch — The property address is 2311 West Third. That file number that I have on the letter here is 2761, if that's what you are looking for, and that would help. We did decide to just go ahead and proceed with demolition. I've actually got a couple of calls in, but the gentlemen that I've spoken with from the Neosho area have been busy. They haven't been able to get over and do it. In talking to my grandmother about that being the plan going forward, she was hesitant to sign off. But she did sign off. She's in Florida. She signed off on the quit-claim deed. I actually just got it back this week, so I still do need to get over to Carthage and get that all filed. But I have both parties signed off on the quit-claim deed. It just has to be recorded now, and then it's officially mine, so I can move forward with demolition. And, you know, everybody I've spoken with said once they get over there and start moving forward—there's only about three of them that I've talked to. Whichever one I got with said once they get over there and start moving forward, it will be happen very, very quickly. One of them seems to be, from what I've heard, a little bit better with the cleanup, and that's kind of what I'm taking into it. I just want them to do it. I don't want to have to get in there and mess with cleanup or anything like that.

Mr. Oliver — It does have a detached garage on it.

Mr. Birch — It has a what?

Mr. Oliver — It has a detached garage on the property.

Mr. Birch — Right. Yeah, it will be taken down as well.

Mr. Oliver — Okay.

Mr. Birch — Which was—I think we spoke about that the last time I was here. You may not have been present at that one. But, yeah, it will have to come down, too, is kind of what I was told.

Mr. Oliver — Yes.

Mr. Birch — And the foundation, as well, has to be removed—is that?

Mr. Oliver — Yes.

Mr. Birch — Okay.

Mr. Oliver — Basically just left as a mowable lot.

Mr. Birch — Just an empty lot, alright.

Mr. Denham — And if you have trouble finding other demolition contractors, Jeff has a list that he could—

Mr. Birch — Yeah, I actually believe that he got me a list at one point, too.

Mr. Denham — Okay.

Mr. Birch — Just a couple of those guys down there that I've done business with in the past just on, you know, different dealings.

Mr. Denham — So if we continue this to our next meeting on August 26th, do you think you could—

Mr. Birch — Hopefully it's done by then. At least, it would be started. I'm sure it just kind of depends on their scheduling. Yeah, I know--I don't see any reason it wouldn't be an empty lot by then. Once it's out of my hands on that side of it, it's up to them, I suppose.

Mr. Denham — Okay.

Mr. Oliver — Sometimes some of the utility companies are a little slow getting there to pull their water meter or gas meter.

Mr. Birch — I don't believe there's any kind of meter at that residence. I mean, I don't believe there's a meter present anywhere. I don't think there's electric—any of it. I think it's been taken out years ago.

Mr. Oliver — The water and the gas? That will help speed it up.

Mr. Birch — Yeah, there's been issues in the past, so I think they've actually—I think all the utility companies have pulled their meters at this point.

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

Mr. Hartwell — **Mr. Chairman, I make a motion that Item Number 2761, 2311 West Third, be continued to our August 26th meeting for a progress report and demolition hearing.**

Mr. Landrith — **Second.**

Mr. Denham — **I have a motion by Mr. Hartwell and a second by Mr. Landrith that Item 2761, 2311 West Third, be continued to our August 26th meeting for a progress report and demolition hearing. All those in favor, say "aye". (Mr. Denham, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 6-0.**

Mr. Birch — Thank you.

Mr. Denham — I appreciate it. Does anyone else want to come up and speak on a particular item?

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 June 24, 2016 meeting for a "Demolition Hearing" and Progress Report (SIXTEENTH TIME BEFORE THE BOARD)

Mr. Denham — Good morning.

Gene Hess — Good morning. Gene Hess, here for Item 2699, at 1402 South Joplin. I decided I'm going to go ahead and reroof this, and I'll get it started this month. One of the things that I had a problem with is kind of figuring out the finances, but I've got that straightened out now. So it's just a matter of getting it done. I talked to a couple of people. I talked to—one of them was a realtor. I guess whenever I look it—whatever I put in the roof, I'm going to be able to eventually get out when I sell the building. The building will be worth at least what it's going to cost me to reroof it, if not, you know, probably more. So I might as well go ahead and get it done and finish it out while the weather is still good, and they can get up there and finish it. So this month I'll—I'm going to bite the bullet and reroof it.

Mr. Denham — This thing has been on our agenda for 16 times. What's left to get this off our agenda? What does he have to do so we can get this done, and he doesn't have to come up here any more?

Mr. Oliver — Well, we've asked in the past for him to contact us so Bryan and I could go do a visual on all he's pulled out of it, as well as look at the roof. We never have been contacted to do that, like at this point, when he is taking an initiative to fix the roof. For several months we've been kind of telling him each month to give us a call so we can go get in it and take a look at the roof.

Mr. Hartwell — Mr. Hess, can I ask you why you haven't contacted the City—why that hasn't been important to you?

Mr. Hess — I'm just trying to get everything else done. But I can do that if you want to look at it. I mean, I know the roof has got to be replaced, so once I get that done, then I'm going to look at getting—you know, making arrangements to get it sold. So this is the month I'm going to reroof—whatever—you know, whatever option I can take with whatever the roofer is. I'm going to go back through the proposals and see if I can—you know, if I can do it—if there's any changes we can make, or whatever. But I think the building is worth something, so it's just a matter of getting it done. Like I say, I've kind of gotten into a situation where my finances are a little different right now, so I won't miss the money quite as much as I would have a couple of months ago.

Mr. Denham — Is it a wood structure or a steel structure?

Mr. Oliver — It has a wood roof—the roof is wood.

Mr. Denham — So it's not just a matter of necessarily putting a new roof on it? You need to make sure that that hasn't rotted—the roof deck or wood joists?

Mr. Hess — Oh, there are some joists that have to be replaced.

Mr. Denham — Okay, so you've got to—

Mr. Hess — That's part of the roofing process. That's kind of—that's one of the reasons why the quote were a little high, because they have some joists that they have to replace in that one section. And, you know, Bridgewater was the most expensive, but that was—they said that was one of the reasons, is replacing those roof joists.

Mr. Wilson — If we give you another 30 days to get the roof contracted and have the Building Department come out and look at it, and get the roof completed—can you do that in the next 30 days?

Mr. Hess

I can get the roofing started—I guess it kind of depends on the contractor. But, yeah, I can push them to get it finished. I guess once they get started, they'll probably want to finish it, so I'm kind of—you know, I just—any time I've had to deal with a contractor, you're kind of on their schedule once they get started. But I would think that something like a roof, they'd have to get in there and get it done. And so this month, you know, they should be able to get it finished this month—have the building permit, anyway, and contractor contracted with.

Mr. Landrith

You know, I'd like to have something a little more positive than that. You know the old saying about , and we all have a Merry Christmas, and he's been here several times.

Ms. Champlin

Don, I don't know if I'm picking you up or not.

Mr. Landrith

Do you want me to start over?

Ms. Champlin

Yes. I didn't know if I picked you up or not.

Mr. Landrith

Okay. I was saying, as many times as he's been before us, there is an old adage about "If's and but's, or candy and nuts, we all have a Merry Christmas," but I'd be willing to give you another month, but not any time past then, because we've been in here what, 16 times. Is that correct?

Mrs. Harrington

I know for at least six months—every month—every time we've visited, Bryan and Jeff have said they need to get inside that building and look at it. And every time they said, "You know, contact us and we'll come down at your convenience." And the fact that that doesn't happen makes me wonder how intent you really are on getting this fixed. Our only recourse on something like that is this, is probably to order it repaired, and then you get the bill for whatever we think is going to happen. You've been shopping for a roofer for probably that same six months now, because you were thinking about it, and the first guy that you talked to, the cost was going to be more than the building was worth. I mean, I remember these conversations so I think, you know, from the question from the previous Board member that you're contacting these guys and getting some serious conversation with them about getting this building finished up is probably what's going to—it's going to impact the end result of what we decide to do in 30 days. We really don't want to rush to judgment, but 16 times before the Board doesn't mean we're rushing anywhere. You've done a great job of getting that building cleaned up and cleaned out. That's have to have been a nightmare of a project to undertake. But the forward motion here is really important, that we see something that you say you'll do. I'd really like to see you contact these guys. And they're pretty friendly guys. They're easy to deal with. And they're going to give you the bottom line on what has to happen and probably be able to save you money by giving you some expert advice. They both know pretty much everything that there

is to know about finishing up that building. So it would be to your advantage to talk to them and take advantage of their expertise.

Mr. Hess — Okay.

Mrs. Harrington — I think that's really the most important thing to me is if, by August 26th, that these guys have been in that building, and you've been able to formulate a plan with them, then I wouldn't be as likely to order it repaired. But by next time, I'm going to look at them for their advice on how we should approach it.

Mr. Hartwell — I agree with Mrs. Harrington. I think that 16 times—the next time will be 17 times—if you can't seem to—if you're still looking at proposals next month and still trying to figure things out, I think it's fair for this Board to move forward with an order to repair.

Mr. Denham — Any other questions? Do you have any questions of us?

Mr. Hess — No.

Mr. Denham — Do we have a motion?

Mr. Wilson — **Mr. Chairman, I make a motion that Item 2699, 1402 South Joplin, be continued for 30 days to our August 26th meeting for a progress report and demolition hearing.**

Mr. Pommert — **Second.**

Mr. Denham — **I have a motion by Mr. Wilson and a second by Mr. Pommert that Item 2699, 1402 South Joplin, be continued to our August 26th meeting for a progress report and demolition hearing. All those in favor, say "aye". (Mr. Denham, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 6-0.**

Mr. Hess — Thanks.

Mr. Denham — Good luck.

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 June 24, 2016 meeting for a "Demolition Hearing" and Progress Report (FIFTH TIME BEFORE THE BOARD)

Mr. Denham — Good morning.

Randal Kraft — Item Number 2765—Randal Kraft. The address is 2008 South Sergeant.

Mr. Denham — Have you had any progress this month?

Mr. Kraft — Yeah. I think we expanded into three different areas, so I'll touch on each one. The first one—we got the electric lines covered in anticipation of doing the covering on the windows. We have had a welder go out to weld the cap on the access point that Bryan was concerned about, and to find out that there's no metal underneath, and now we've got to do some concrete work underneath it to attach it. And that is supposed to be happening today. And the third thing—we started the demo on the chute on the one side. And that was last week, and they were working on that, and the machine locked up, so we now have an equipment issue on the Genie. I've got mechanics coming out on the Genie, and depending on that, because everything we've got is all high. We don't have any stuff that we can take care of down low.

Mr. Wicklund — So the lift is not currently working? Is that--

Mr. Kraft — It will not twist back and forth. It goes up and down. So we've got—they're trying to determine whether it's a solenoid or something in there that engages the thing to—it's like a gun turn on a tank. And obviously in the alley would not be a safe thing to back up and forth trying to get the lift in the proper location.

Mrs. Harrington — When was that picture taken, Jeff?

Mr. Oliver — Yesterday.

Mrs. Harrington — Yesterday. We're passing around a picture.

Mr. Wicklund — I probably ought to let the Board know—I do know that the City staff has received at least one more complaint during the last 30 days.

Mrs. Harrington — From a different individual than the one that we've heard?

Mr. Wicklund — I think it came to Stephen Grindle, our Neighborhood Improvement supervisor, and he's here if you have any questions for him. I did not speak with the citizen.

Mr. Denham — Good morning.

Mr. Grindle — Hey, good morning. Yeah, so, I mean, we've had multiple complaints. There's three people that continue to complain about it, but then this person was a new complaint. And I think it was a business owner on 20th that was complaining about it.

Mr. Hartwell — And what were their concerns?

Mr. Grindle — That the chute was—they saw pieces of wood flapping in the wind off the chute and were concerned that they were going to fall.

Mrs. Harrington — Was that before he started demoing it?

Mr. Grindle — That was probably within 10 days of our last meeting—10 to 15 days of our last meeting, so I don't know.

Mrs. Harrington — Before he started the demo. So they've seen some activity. And, you know, to me that's important. That's one of the most important parts of it is the folks in the neighborhood are seeing you actively working on it. I think that—

Mr. Grindle — He mentioned that, you know, a lift had been moved there, but they haven't seen—you know, hadn't seen any action, I guess, until, you know, the last couple of days, they have been—

Mrs. Harrington — We have a picture going around that shows it about 25 percent there—you think, that chute—yeah, that front part.

Mr. Kraft — Yeah, two sides down—probably about three stories, and one still on the other side. It locked up when they were trying to get around to the back side.

Mr. Wicklund — So this lift is not a rental?

Mr. Kraft — No. I spent about $30,000 on it whenever we got the building to get the height when we covered all the windows, and so forth.

Mr. Wicklund — You own the lift?

Mr. Kraft — I own the lift.

Mr. Wicklund — Okay.

Mr. Kraft — It's been very reliable for a number of years. The place we purchased it for RSC—I think that's the—of course, they're no longer around, so I'm hunting down qualified people who can handle that. I've had two people look at it so far, but neither one of them services Genie's, and I need to find someone to service a Genie in Joplin.

Mrs. Harrington — Well, I'm encouraged that we saw some activity. I don't—but I'm bummed that it's stopped now, and I'd really—

Mr. Kraft — Like chewing bum.

Mrs. Harrington — Like chewing bum—we're all bummed.

Mr. Kraft — Because yeah, we had three or four people there—

Mrs. Harrington — It's very encouraging.

Mr. Kraft — And the bonus—we had Empire—everything is lined out on Empire. They got stuff covered, and that was the day it was happening. They were gathering the sheets that were going to be used on the covering of the windows, and so everything was supposed to be done that day.

Mr. Wicklund — I think it's a good idea, when you own a building like this, to have a lift at your disposal. However, every rental yard in town rents those lifts, so I would just like to—speaking for the Building Department, if the Board chooses to continue this 30 days from now, my feelings would be that if the lift isn't fixed yet wouldn't be a very justifiable excuse.

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

Mr. Hartwell — **Mr. Chairman, I make a motion that Item Number 2765, 2008 South Sergeant, be continued to our August 26th meeting for a progress report and demolition hearing.**

Mr. Wilson — **Second.**

Mr. Landrith — **Mr. Chairman, I'm going to have to abstain on this matter.**

Mr. Denham — **I have a motion by Mr. Hartwell, and a second by Mr. Wilson that Item 2765, 2008 South Sergeant, be continued to our August 26th meeting for a progress report and demolition hearing. All those in favor, say "aye". (Mr. Denham, Mrs. Harrington, Mr. Hartwell, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) And Mr. Landrith abstains. Motion carries (5 in favor, 1 abstention).** Thank you.

Mr. Kraft — Thank you.

Mr. Denham — Good luck.

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 June 24, 2016 meeting for a "Demolition Hearing" and Progress Report (FIFTEENTH TIME BEFORE THE BOARD)

Mr. Denham — Good morning.

Soledad Zavala — Good morning. Soledad Zavala, Item Number 2704, translating for Olga Gutierrez.

Mr. Denham — Can you tell us a little bit about the progress, or work that has been done in the last 30 days?

Ms. Zavala — It was missing the siding. It's completed with the siding around it—around the house, so the siding has been completed. And we started on the plumbing as well.

Mrs. Harrington — He did make a lot of progress.

Mr. Denham — It looks nice.

Ms. Zavala — And they are going to start on the electrician—the electricity again—next week.

Mr. Oliver — If I may—the Building Department went out approximately a month ago and did a framing inspection.

Ms. Zavala — That has been corrected, and she would like for you to go back and re-inspect.

Mr. Oliver — Okay, that's where we are getting—it hadn't been re-inspected, so we need to make sure that gets done. Along with that, they actually covered up some sheathing that needed to be inspected.

Ms. Zavala — Okay. She's not for sure on that because her husband has been working on the property.

Mr. Oliver — Right. Well, I know it's not in our records that it was inspected. So the addition that they put on the back corner—

Ms. Zavala — Uh-huh.

Mr. Oliver — All that sub-siding or sheathing—we needed to see the nail pattern on that.

Mr. Denham — So the siding has to come off to do that inspection?

Mr. Oliver — Yes.

Ms. Zavala — She would like for you guys to go re-inspect.

Mr. Oliver — Okay. We'll get it put on for Monday.

Ms. Zavala — Okay.

Mr. Wicklund — We can probably work with them. If they can remove a portion of it, we can assume that it's done that way. Really, the addition is the only part that we needed to look at, so we'll work with them, and if they can remove the bottom couple of rows of siding, we could look at it.

Ms. Zavala — Okay.

Mr. Wicklund — Just on the addition.

Mr. Oliver — If we do put it on for Monday, will someone be there?

Ms. Zavala — Yes. Is there is a time, or do you want them to—

Mr. Oliver — We can do an a.m. or p.m.

Ms. Zavala — Morning is fine.

Mr. Oliver — Okay.

Mrs. Harrington — So if that inspection passes, is it ready to get off our agenda then?

Mr. Oliver — Yes.

Mr. Wicklund — Her husband that was here the last meeting actually did everything that the Board requested him to have done by today. He just didn't realize he missed one of the inspections. Even if the inspections fail, it's going to be a very simple fix at this point.

Mrs. Harrington — It looks really nice.

Mr. Denham — Yeah.

Mrs. Harrington — The house looks really nice. It's made a huge difference.

Ms. Zavala — Thank you.

Mr. Oliver — Other than the inspections—

Ms. Zavala — Okay.

Mr. Oliver — It's met.

Mr. Denham — So we can release it?

Mrs. Harrington — We can release it today?

Ms. Zavala — Thank you very much.

Mrs. Harrington — I want to make that motion.

Mr. Denham — Thank you for your effort.

Ms. Zavala — Okay, she asked a question about the permit that's about—I guess it's about to expire. She got it for six months. So can she still use it, or does she have to renew a permit?

Mr. Wicklund — Just give me in writing, on a piece of paper, the address and the permit number, and if you're asking to have it extended, put that on there, and then I can extend that for another six months.

Ms. Zavala — Yes.

Mr. Wicklund — When do you think you'll be done with the inside—all done in six months?

Ms. Zavala — Yes.

Mrs. Harrington — **Mr. Chairman, I make a motion that Item Number 2704, at 1826 South Byers, be released from our agenda.**

Mr. Landrith — **Second.**

Mr. Denham — **I have a motion by Mrs. Harrington and a second by Mr. Landrith that Item 2704, 1826 South Byers, be released from our agenda. All those in favor of the release, say "aye". (Mr. Denham, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 6-0.** Thank you. I appreciate you getting it done.

Ms. Zavala — Thank you.

Mr. Denham — Does anyone else want to speak about a specific item? Sir, did you have something that you wanted to discuss? Do you have a—yeah—

Jim West — I'm just observing the Board and going over your agenda, Mr. Chairman.

Mr. Denham — Alright. Thank you. Do we have some that we need to hold a dangerous building hearing on?

Mr. Oliver — We've got two.

Mr. Edwards — Item 2769.

ITEM 2769 — **1905 MISSOURI**
OWNER: Gary Mitchell
ADDRESS: P.O. Box 546 Osceola MO. 64776

"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the June 24, 2016 meeting for a "Demolition Hearing" and Progress Report (FOURTH TIME BEFORE THE BOARD)

Mr. Denham — Do we have a motion to have Item 2769 be the subject of a dangerous building hearing?

Mr. Wilson — **Mr. Chairman, I make a motion that Item 2769, 1905 Missouri, be the subject of a dangerous building hearing.**

Mr. Denham — Do I have a second?

Mr. Hartwell — **Second.**

Mr. Denham — **I have a motion by Mr. Wilson and a second by Mr. Hartwell that Item 2769, 1905 Missouri, be the subject of a dangerous building hearing. All those in favor, say "aye". (Mr. Denham, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 6-0.** The Board turns it over to the City.

Mr. Edwards — Thank you. This is the Joplin Building Board of Appeals meeting in the Joplin Municipal Building on this 22nd day of July, 2016, for the purpose of conducting 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 2769 on the agenda, also known as 1905 Missouri. The City calls Jeff Oliver.

Ms. Champlin — Jeff, 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. Oliver — Yes.

Mr. Edwards — Please state your name and occupation.

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

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

Mr. Oliver — Seven years.

Mr. Edwards — Have you, in the official performance of your duties, had occasion to inspect the property known as 1905 Missouri?

Mr. Oliver — Yes, I have.

Mr. Edwards — I'm going to hand you what's been marked as City's Exhibit 1. Can you identify those?

Mr. Oliver — Yes, these are photos that were taken of the property. The photos were taken on January 13th of this year.

Mr. Edwards — And do the photos show the property in its current condition?

Mr. Oliver — Yes. There are actually a couple of photos that were taken on May 26th of this year as well. I think maybe Bryan might have taken those. But, yes, they do show it as how it is sitting today.

Mr. Edwards — If there is no objection, I would offer City's Exhibit 1.

Mr. Denham — The Board accepts.

Mr. Edwards — Jeff, what, if anything, have you done to ascertain ownership of this property?

Mr. Oliver — We had a title search done.

Mr. Edwards — And I'm going to hand you what's been marked as City's Exhibit 2. Is this the title search the City received?

Mr. Oliver — Yes.

Mr. Edwards — And does it show the owner of the property as a Gary L. Mitchell?

Mr. Oliver — That's correct.

Mr. Edwards — And does it also show other interest holders—Southwest Missouri Bank as having a mortgage lien on the property?

Mr. Oliver — Yes.

Mr. Edwards — And then there are also two judgment liens—one in favor of Glory Pittsenbarger dba Discount Plumbing, Inc., and the second one, Tower Loan of Missouri, is that correct?

Mr. Oliver — Correct.

Mr. Edwards — If there is no objection, I would offer City's Exhibit 2.

Mr. Denham — The Board accepts.

Mr. Edwards — Jeff, what, if anything have you done to notify the owners of the property of this action?

Mr. Oliver — I sent out certified mail.

Mr. Edwards — And it looks like you had done a little bit of research with regard to Mr. Mitchell, is that correct?

Mr. Oliver — Yes. Jordan actually found that.

Mr. Edwards — And it looks like he may be incarcerated in the Missouri Department of Corrections, is that correct?

Mr. Oliver — That's correct.

Mr. Edwards — I'm going to hand you what's been marked as City's Exhibit 3, and is this a Missouri Department of Corrections offender search that shows Gary Mitchell as an inmate in the Missouri prison system?

Mr. Oliver — Yes, it does.

Mr. Edwards — Jeff, I'm going to hand you what's been marked as City's Exhibit 4. Is this a letter that was sent to Gary L. Mitchell at the Western Missouri Correctional Center, 609 East Pence Road, in Cameron, Missouri?

Mr. Oliver — Yes, it is. The letter is dated July 8th of this year. We do have a signed receipt for this letter.

Mr. Edwards — And, Jeff, Exhibit 5 I'm going to hand to you is a Secretary of State online search for Southwest Missouri Bank, is that correct?

Mr. Oliver — Yes.

Mr. Edwards — And Exhibit 6 is a letter sent to Southwest Missouri Bank, 300 West Third Street, Carthage, Missouri, is that correct?

Mr. Oliver — Yes, it is.

Mr. Edwards — And we have a signed receipt for that letter attached to Exhibit 6, is that correct?

Mr. Oliver — Yes.

Mr. Edwards — Jeff, Exhibit 7 is a Missouri Case.net print-off from the judgment that was taken in favor of the Pittsenbarger dba Discount Plumbing, is that correct?

Mr. Oliver — Correct.

Mr. Edwards | And it shows their mailing address as 2127 Rose Hill Road, Billings, Missouri 65610, is that correct?

Mr. Oliver | That's correct.

Mr. Edwards | And Exhibit 8 is a letter than you sent to Discount Plumbing at that same address, is that correct?

Mr. Oliver | That's correct.

Mr. Edwards | And it looks like there's a signed receipt on that letter from someone with the name of Pittsenbarger, is that correct?

Mr. Oliver | Correct.

Mr. Edwards | Jeff, Exhibit 9 is a Case.net print-out for the Tower Loan creditor, and it looks like their address is P.O. Box 86, Carthage, Missouri 64836, is that correct?

Mr. Oliver | Correct.

Mr. Edwards | Exhibit 10 is a letter you sent to Tower Loan with that same address, is that correct?

Mr. Oliver | Correct.

Mr. Edwards | And it looks like there's a signed signature receipt as well?

Mr. Oliver | Yes.

Mr. Edwards | And then also attached to Exhibit 10 are all of the previous three or four notices that were sent to Tower Loan, is that correct?

Mr. Oliver | That's correct.

Mr. Edwards | Jeff, Exhibit 11—it looks like another letter that was sent to the Department of Revenue, is that correct?

Mr. Oliver | That's correct.

Mr. Edwards | And Exhibit 12 is a letter that was sent to the IRS, is that correct?

Mr. Oliver | That's correct.

Mr. Edwards | And that has a signed signature receipt on it, is that correct?

Mr. Oliver | Yes.

Mr. Edwards — Jeff, have you done anything else to notify the owners or other interest holders of this action?

Mr. Oliver — It was published in the Joplin Globe.

Mr. Edwards — I'm going to hand you what's been marked as City's Exhibit 13. Is this the affidavit of publication that the City received from the Joplin Globe?

Mr. Oliver — Yes, it is.

Mr. Edwards — And does it show the publication dates as June 2nd, June 9th, June 16th, and June 23rd of 2016?

Mr. Oliver — Yes.

Mr. Edwards — If there is no objection, I would offer Exhibits 3 through 13 into evidence before the Board.

Mr. Denham — The Board accepts.

Mr. Edwards — Jeff, what education and training do you have in the building industry which would qualify you as an expert in the construction of buildings?

Mr. Oliver — I have been a general contractor on several residential projects in the Joplin area over a 20-year period.

Mr. Edwards — 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 do you base your opinion on, if any?

Mr. Oliver — Yes, I do. Subsection line 2, "whenever any portion thereof has been wracked or has warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or snow than is required in the case of similar new construction." Line 6, "whenever any portion thereof has been damaged by fire, earthquake, tornado, wind, flood, vandals or any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such a catastrophe or damage and is less than the minimum requirements of this Code for similar new construction." Line 13, "whenever the building or structure has become an attractive nuisance to children or is open to unauthorized or unlawful entry." As you can see by the photos that have been passed around, there are two structures on it. One is a metal building. One is a small block building. Both of these structures are failing. There are holes in the roof where the roof is collapsing and falling in; therefore, it does not meet the City's codes or ordinances. It doesn't appear that there are any attempts by anyone to repair or fix it.

Mr. Edwards — And in your opinion, this is a dangerous building as defined by the Joplin City Code?

Mr. Oliver — Yes.

Mr. Edwards — At this time I would offer Chapter 26, Articles IX and X of the Joplin City Code and the entire Building Board file kept by the Building Department into evidence before the Board.

Mr. Denham — The Board accepts.

Mr. Edwards — I don't have any other questions for Mr. Oliver. I would ask the property owner if he has any questions. I am not seeing anybody in the audience. I would ask the Board if they have any questions. Seeing none, the City rests its case and turns it back over to the Board.

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

Mr. Edwards — Jeff, what were the numbers that you relied on?

Mr. Denham — 2, 6, and 13.

Mr. Oliver — 2, 6, and 13, correct.

Mr. Denham — 2, 6, and 13.

Mr. Wilson — **Mr. Chairman, I move that Item 2769, 1905 Missouri Avenue, be declared a dangerous building in accordance with Joplin Code of Ordinances, Chapter 26, Articles IX and X, sections 2, 6 and 13, and subsection 18 and 19, and be so ordered demolished, to include both structures.**

Mr. Landrith — **I'll second.**

Mr. Denham — **I have a motion by Mr. Wilson and a second by Mr. Landrith that Item 2769, 1905 South Missouri, 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 2, 6, and 13. All those in favor of the demolition, say "aye". (Mr. Denham, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 6-0.**

Mr. Denham — The second one?

Mr. Edwards — Item 2771.

ITEM 2771	**911 W. 6TH ST.** **OWNER: Jimmy B Tallon TR.** **ADDRESS: 10989 Crooked Creek Dr Dallas TX. 75229** **"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the June 24, 2016 meeting for a "Demolition Hearing" and Progress Report (SECOND TIME BEFORE THE BOARD)**
Mr. Denham	Do we have a motion to place Item 2771 as a dangerous building?
Mrs. Harrington	**Mr. Chairman, I make a motion that Item Number 2771, at 911 West Sixth Street, be the subject of a demolition hearing.**
Mr. Wilson	**Second.**
Mr. Denham	**I have a motion by Mrs. Harrington and a second by Mr. Wilson that Item 2771, 911 West Sixth Street, be the subject of a dangerous building hearing. All those in favor, say "aye". (Mr. Denham, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 6-0.** The Board turns it over to the City.
Mr. Edwards	Thank you. The case for today is Item Number 2771 on the agenda, also known as 911 West Sixth Street. The City calls Jeff Oliver.
Ms. Champlin	Jeff, 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. Oliver	Yes.
Mr. Edwards	Jeff, please state your name and occupation.
Mr. Oliver	Jeff Oliver, Building Inspector for the City of Joplin.
Mr. Edwards	And how long have you been employed in your current position with the City?
Mr. Oliver	Seven years.
Mr. Edwards	Have you, in the official performance of your duties, had occasion to inspect the property known as 911 West Sixth Street?
Mr. Oliver	Yes, I have.
Mr. Edwards	I'm going to hand you what's been marked as City' Exhibit 1. Can you identify those?

Mr. Oliver — Yes, these are photos that I took of the property on May 9th of this year.

Mr. Edwards — And do the photos show the property in its current condition?

Mr. Oliver — Yes.

Mr. Edwards — And did you take the photographs?

Mr. Oliver — Yes, I did.

Mr. Edwards — I would offer City's Exhibit 1 into evidence.

Mr. Denham — The Board accepts.

Mr. Edwards — Jeff, what, if anything, did you do to ascertain ownership of this property?

Mr. Oliver — We had a title search done.

Mr. Edwards — And I'm going to hand you what's been marked as City's Exhibit 2. Is this the title search the City received?

Mr. Oliver — Yes.

Mr. Edwards — And does it show Jimmie B. Tallon, Trustee of the Jimmie B. Tallon Revocable Living Trust as the owner of the property?

Mr. Oliver — Yes.

Mr. Edwards — And there are also some other interest holders identified on the title search, is that correct?

Mr. Oliver — That's correct.

Mr. Edwards — And it looks like there's a deed of trust in favor of John P. and Stephanie Meyer, is that correct?

Mr. Oliver — Yes.

Mr. Edwards — And maybe an assignment of that deed of trust to First National Bank of Rogers, Arkansas, correct?

Mr. Oliver — Yes.

Mr. Edwards — And there also may be some purported ownership interest claim by Mark Simpson, Lynne Simpson, or Neta Simpson, is that correct?

Mr. Oliver — Correct.

Mr. Edwards I would offer City's Exhibit 2.

Mr. Denham The Board accepts.

Mr. Edwards Jeff, I'm going to hand you what's been marked as City's Exhibit 3. Is this a certified letter that the City sent to Ms. Jimmie B. Tallon Trust?

Mr. Oliver Yes, it is.

Mr. Edwards And the date on that letter is July 8, 2016, is that correct?

Mr. Oliver Correct.

Mr. Edwards And I don't see a signed signature receipt, is that correct?

Mr. Oliver That's correct.

Mr. Edwards And do you know if the City received a receipt card back from the post office?

Mr. Oliver Not at this time.

Mr. Edwards Jeff, I'm going to hand you what's been marked as Exhibit 4. Is this a certified letter that you sent to First National Bank of Northwest Arkansas?

Mr. Oliver Yes.

Mr. Edwards And it looks like there's a signed—and that's dated July 8, 2016, is that correct?

Mr. Oliver Correct.

Mr. Edwards And it looks like there is a signed signature receipt on that letter, is that correct?

Mr. Oliver Correct.

Mr. Edwards And, Jeff, I'm going to hand you what's been marked as City's Exhibit 5. That's a July 8, 2016 letter that was sent to the Missouri Department of Revenue, is that correct?

Mr. Oliver Correct.

Mr. Edwards And we did get a signed signature receipt back on that one?

Mr. Oliver Yes.

Mr. Edwards | Jeff, I'm going to hand you what's been marked as Exhibit 6--another letter dated July 8, 2016, sent to the Department of Treasury/IRS, notifying them of this hearing, and we did get a signed signature receipt on that one as well.

Mr. Oliver | Yes.

Mr. Edwards | Jeff, I'm going to hand you what's been marked as City's Exhibit 7—and this was a letter dated July 8, 2016, sent to Mark and Lynne Simpson, notifying them of this hearing, is that correct?

Mr. Oliver | Correct.

Mr. Edwards | And it doesn't look like we have got a signed signature receipt back from them, correct?

Mr. Oliver | Correct.

Mr. Edwards | Jeff, I'm going to hand you what's been marked as City's Exhibit 8—and this is a letter sent to Jon Dermott, Attorney at Law, dated July 8, 2016, is that correct?

Mr. Oliver | Correct.

Mr. Edwards | And it looks like we have a signed signature receipt, is that correct?

Mr. Oliver | Correct.

Mr. Edwards | And he was the trustee for a deed of trust in favor of the Meyer's, is that correct?

Mr. Oliver | Yes.

Mr. Edwards | And, Jeff, I'm going to hand you what's been marked as City's Exhibit 9—this is another letter sent to Jimmie B. Tallon Trust, is that correct?

Mr. Oliver | Yes.

Mr. Edwards | And that letter was dated June 7, 2016, and that notified Ms. Tallon of this hearing, is that correct?

Mr. Oliver | Correct.

Mr. Edwards | Jeff, have you done anything else to notify the owners of the property of this action?

Mr. Oliver | It was published in the Joplin Globe.

Mr. Edwards — I'm going to hand you what's been marked as City's Exhibit 10. Is this the legal notice that was published in the Globe?

Mr. Oliver — Yes.

Mr. Edwards — And does it show the publication dates as June 30, 2016; July 7, July 14, and July 21, 2016?

Mr. Oliver — Yes.

Mr. Edwards — I would offer City's Exhibits 3 through 10 into evidence before the Board.

Mr. Denham — The Board accepts.

Mr. Edwards — And I would also ask that the Board leave the record open so that when the City receives the affidavit of publication from the Joplin Globe, that it also be accepted into evidence.

Mr. Denham — The Board accepts.

Mr. Edwards — Jeff, what experience and education have you had in the building industry which would qualify you as an expert in the construction of buildings?

Mr. Oliver — I have been a general contractor on several residential projects in the Joplin area over a 20-year period.

Mr. Edwards — Do you have an expert opinion as to whether or not these premises constitute a dangerous building as defined by the Joplin City Code?

Mr. Oliver — Yes, I do.

Mr. Edwards — When looking at Chapter 26, Articles X, Section 26-612 of the Code, which definitions of dangerous buildings do you base your opinion on, if any?

Mr. Oliver — Line 10, "whenever the building or structure, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, trash, filth, inadequate light, air ventilation or sanitation facilities, or otherwise is determined to be unsafe, unsanitary, unfit for human habitation, or in such a condition that it is likely to cause sickness or disease." Line 12, "whenever the building or structure, or land it occupies, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure or land provided by this article or other applicable laws or ordinances of this state or city relating to the condition, use, location or maintenance of the building, structure or land." Also line 13, "whenever the building or structure has become an attractive nuisance to children or is open to unauthorized or unlawful entry." As you can see by the photos that are being passed around, the

structure is open. It is in a dilapidated condition throughout. There is trash and filth throughout the structure. It certainly does not meet the City of Joplin's codes or ordinances in the condition that it currently sits in.

Mr. Edwards — Jeff, how long has the building sat in this condition?

Mr. Oliver — A long time.

Mr. Edwards — Do you know how long it's been since someone occupied the structure?

Mr. Oliver — I'm going to say it's been a little over a year.

Mr. Edwards — And are there issues with the walls buckling, or the roof?

Mr. Oliver — There are issues, as far as the shingles and the roof and siding--various parts throughout and around the structure where it's decaying. There's rotting, and things of that nature.

Mr. Edwards — At this time, I would offer Chapter 26, Articles IX and X of the Joplin Code of Ordinances into evidence before the Board.

Mr. Denham — The Board accepts.

Mr. Edwards — I would also offer the entire Building Board of Appeals file that is kept by the Building Department into evidence before the Board.

Mr. Denham — The Board accepts.

Mr. Edwards — I don't have any further questions for Mr. Oliver. I would ask the property owner if she has any questions. Not seeing anybody in the audience, I would ask the Board if they have any questions. Seeing none, the City rests its case and turns it back over to the Board.

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

Mr. Pommert — **Mr. Chairman, I make a motion that Item Number 2771, 911 West Sixth Street, be declared a dangerous building and ordered demolished under Chapter 26, Articles IX and X, Section 26-612, lines 10, 12, and 13.**

Mr. Hartwell — **Second.**

Mr. Denham — **I have a motion by Mr. Pommert and a second by Mr. Hartwell that Item 2771, 911 West Sixth 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 10, 12, and 13. All those in favor of the demolition, say "aye". (Mr. Denham, Mrs. Harrington, Mr. Hartwell, Mr. Landrith,**

Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 6-0.

Mr. Oliver — I don't have any other ones to release at this time.

ITEM 2772 — **1013 W. 8TH ST.**
OWNER: Richard & Cherldean Scott
ADDRESS: 1632 Jefferson Ave, Madera CA.93637
"Finding of fact Hearing" scheduled for this date"

ITEM 2773 — **1015 W. 8TH ST.**
OWNER: Richard & Cherldean Scott
ADDRESS: 1632 Jefferson Ave, Madera CA.93637
"Finding of fact Hearing" scheduled for this date"

ITEM 2774 — **729 S. MURPHY AVE.**
OWNER: Richard & Cherldean Scott
ADDRESS: 1632 Jefferson Ave, Madera CA.93637
"Finding of fact Hearing" scheduled for this date"

ITEM 2775 — **727 1/2 S. MURPHY AVE.**
OWNER: Richard & Cherldean Scott
ADDRESS: 1632 Jefferson Ave, Madera CA.93637
"Finding of fact Hearing" scheduled for this date"

Mr. Denham — Under the New Business, it looks like they're all kind of clustered together, all owned by an out-of-state family.

Mr. Oliver — Yes.

Mr. Denham — Have you had any contact with the Scott's?

Mr. Oliver — I personally haven't. I believe, Bryan, you spoke with her on the phone:

Mr. Wicklund — No, one of the Code Enforcement officers actually spoke to Mrs. Scott on the phone on one occasion. In that conversation, Mrs. Scott believed all of the buildings to be unoccupied at the time and knew that they needed work, and said that that is why she had moved everybody out of them. Really, what brought this to the attention of the Building Board was through Code Enforcement and through complaints from the citizens. There were somewhere between five to 12 squatters living in these homes. They had literally truckloads of stuff in the yard. Since then, Code Enforcement has cleaned some of it up. Some of it, the squatters have actually—they've moved to a vacant lot around the corner. That was followed up through Code Enforcement, and we got that lot cleaned up as well. I think they've currently moved some furniture back into the yards and are sleeping on the couches. The Police Department is doing a regular drive-by. They have

actually escorted people off the property, so it's a mess. And the phone conversation with the owner—Mr. Scott is actually not in good health, and Mrs. Scott really—I've tried to get her back on the phone, and she won't receive any calls. And she just made it very clear that the houses were not being occupied, and that she knew they were bad. That's really all that was said.

Mr. Denham — Okay.

Mr. Wilson — Is this just like an indicator that we're going to have to do a demo hearing on these within the next couple of months?

Mr. Wicklund — Yeah. I don't anticipate the owners taking any action—well, as far as repairing the properties or even boarding them up. I don't think they're going to do anything.

Mr. Wilson — According to what we see in the photos, I notice there are quite a few entry places in the buildings.

Mr. Wicklund — At least two of them would be very difficult to even board up. The conditions of the exterior walls don't lend it to even just closing up doors. There's doors missing. There's broken windows. Of the four properties, really none of them are worth investing money in to try to salvage them.

Mr. Denham — How did someone in California end up with four properties in Joplin? That always baffles me—unless they lived here and moved away.

Mr. Wicklund — Yeah, I don't know the history of them.

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 June 24, 2016 meeting for a "Demolition Hearing" and Progress Report (FOURTEENTH TIME BEFORE THE BOARD)

Mr. Denham — And then the first item on our agenda, 1310 Missouri—it's been on 14 times. It's in pretty bad shape on the back side. Are we close to maybe having a demolition hearing on that?

Mr. Oliver — He does have a permit. It was extended once, I believe, if I remember right.

Mr. Wicklund — Well, and he had a plumber there. They've passed inspections within the last 45 days. I don't know what's happened in the last 30 days on the property.

Mr. Denham — Was his intention to tear off that back part or build a new wall?

Mr. Oliver — To be honest with you, I'm not sure. I don't remember.

Mr. Wilson — I thought there was something said about he was going to tear it off and, you know, completely flatten out the back side there for—it would be like a solid wall, or with an entry door and a window.

Mr. Oliver — He may have, at one point. I know he doesn't really come to these meetings.

Mr. Wilson — I kind of remember something like that several months ago.

Mr. Denham — It looks like there's kind of a low-head room issue on that addition.

Mr. Wicklund — Yes, it's very low.

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 June 24, 2016 meeting for a "Demolition Hearing" and Progress Report (FOURTH TIME BEFORE THE BOARD)

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 June 24, 2016 meeting for a "Demolition Hearing" and Progress Report (FOURTH TIME BEFORE THE BOARD)

Mr. Oliver — With that being said, I'll just—if I may, I'll just add in, the properties on here that Jim Ames owns—

Mr. Denham — 2767 and 2768.

Mr. Oliver — Yes. Jim had the same gentleman that Mr. Carpenter owns—1310 Missouri—come in and get permits for those two properties. And he did do some good work shortly after he got the permits. They're very close to where they could possibly be released as far as the outside being done, but it seems like there hasn't—they haven't been touched for about six weeks. That's kind of the history with Jim on some of his stuff. He just—in fact, the 609 North Pearl has been on this agenda maybe twice.

Mr. Denham — He is no stranger to this Board.

Mr. Landrith — No—no.

Mr. Oliver — And I don't know where we're going to go with that, but it just kind of seems like they're not quite ready to release, and if he's stopped is where he's at. I need to do some thinking on those.

Mr. Denham — Everything else to continue to our August meeting?

Mr. Oliver — August 26th.

ITEM 2758 — **1116 E. HILL ST.**
OWNER: Isidro Ruiz
ADDRESS: P.O. Box 939 Neosho MO. 64850
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the June 24, 2016 meeting for a "Demolition Hearing" and Progress Report (FIFTH TIME BEFORE THE BOARD)

ITEM 2770 — **1031 SERGEANT AVE.**
OWNER: Ann Oaks & Mary Shanafelt
ADDRESS: 1031 Sergeant Ave. Joplin MO. 64801
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the June 24, 2016 meeting for a "Demolition Hearing" and Progress Report (SECOND TIME BEFORE THE BOARD)

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

Mr. Wilson — **Mr. Chairman, I make a motion that all remaining be continued to our August 26th meeting.**

Mr. Landrith — **Second.**

Mr. Denham — **I have a motion by Mr. Wilson and a second by Mr. Landrith that all remaining items on the agenda be continued to our August 26th meeting for a progress report and demolition. All those in favor, say "aye". (Mr. Denham, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Those opposed? (None) Motion carries, 6-0.**

Mr. Oliver — We will have those two properties over on 26th and Oliver back on the agenda.

Mr. Denham — Did the sale fall through?

Mr. Oliver — No, they were purchased, and I believe he does have some lumber out there within the last week.

Mr. Wicklund | He has—I think there's guys there working today. The one that's been framed up—he got a permit on it, I believe Wednesday. He has gone ahead and applied for a period on one of the ones that has the slab and foundation, and it is ready to issue at this point. He wants to get it done before he starts on the third one, but I think there's actually people there working today on the first one.

Mr. Denham | Any other business? Do we have a motion to adjourn?

Mr. Wilson | **So moved.**

Mr. Denham | **All those in favor, say "aye". (Mr. Denham, Mrs. Harrington, Mr. Hartwell, Mr. Landrith, Mr. Pommert, and Mr. Wilson voted "aye") Motion carries, 6-0.** Meeting adjourned.

Mr. Oliver | Thank you, everyone.

There being no further business to come before the Building Board of Appeals, the meeting stood adjourned at 10:24 a.m.

Approved
Kyle Denham, Chairman

Approved
Susan E. Champlin, Notary Public

My Commission expires: November 18, 2016

STATE OF MISSOURI NOTARY SEAL

SUSAN E. CHAMPLIN
Notary Public
Jasper County
My Commission Expires
November 18, 2016
Commission # 12528995