JOPLIN | BUILDING BOARD OF APPEALS

Building Board of Appeals

Meeting Minutes

July 22, 2022

Call to order

Mr. Denham called to order the regular meeting of the Building Board of Appeals on July 22, 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, Assistant City Attorney Jordan Paul, City Building Officials Jeff Oliver and Bryan Wicklund, Administrative Assistant Olivia Stockdale and Vicky Copeland.

Motion to Excuse

Mr. Duncan moved to excuse Mr. Malone from the July 22, 2022, meeting and Mr. Wagner seconded the motion. (6 Aye, 0 Nay, 1 Absent) Motion carried.

Approval of Minutes

Mr. Denham asked for a motion to approve the minutes as presented for the June Board of Appeals meeting. Mr. Windsor made a motion to approve the June Building Board of Appeals minutes and Mr. Tucker seconded the motion. (6 Aye, 0 Nay, 1 Absent) Motion carried.

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 they had hired an electrical contractor and paid him ½ of the money to complete the project. The contractor just keeps telling Ms. Gutieriez that he will be there on Monday. The contractor has never returned to the site. Ms. Gutieriez is attempting to hire another contractor. Mr. Denham asked for a progress schedule to be presented at the August 26th Board Meeting. No further questions or comments. Mr. Tucker made a motion to continue Item 2980, 802 S. Connor Ave. to the August 26th Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (6 Aye, 0 Nay, 1 Absent) Motion carried.

Item 2976, 1417 W. 20th St.

Audra George, owner was present at the meeting. Mr. Denham asked the owner for a progress report. The owner has replaced the front door and secured the residence. They are still in negotiations with the insurance company. Ms. George believed contractors are in place and ready to go. Mr. Tucker asked about the negotiations with the insurance company. Ms. George advised they were ongoing. Mr. Denham asked for the next step if the negotiation with the insurance is unsuccessful. Ms. George is unsure. Owners are in the process of cleaning up and securing the property. Mr. Denham asked for the owner to be prepared to present a plan B to the Board at the August 26th meeting. Motion to continue Item 2976, 1417 W. 20th St to August 26th Board of Appeals meeting for a progress report and demolition hearing made by Mr. Wagner. Seconded by Mr. Tucker. (6 Aye, 0 Nay, 1 Absent) Motion carried.

Item 2921, 1124 Murphy Ave.

Michael Wilson, owner of the property was present. Mr. Denham asked Mr. Wilson for a progress report. Mr. Wilson stated they were waiting on the plumbing. Mr. Wilson presented two questions for the Board:

1. Can we hang sheetrock before electric?
2. Can we get electric?

Mr. Oliver stated they need a dedicated outlet. Mr. Oliver stated the rough-in electrical passed inspection. Mr. Wilson stated he would call in for electrical re-inspection and hoped to have this process completed by next month. Mr. Denham stated the outside looked better. Mr. Wilson stated the siding still needs finished and there are a lot of little things that need to be completed. Mr. Denham asked Mr. Wilson his intent regarding the property. Mr. Wilson stated his intention was to use the property as a rental. Mr. Duncan made a motion to continue Item 2921, 1124 S. Murphy Ave. to

August 26th Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (6 Aye, 0 Nay, 1 Absent) Motion carried.

Item 2913, 3615 S. Range Line Rd.

Aaron Gumpenberger was not present at the meeting. Mr. Oliver had hoped demolition would occur in June. Mr. Oliver stated the owners were still working toward that goal of demolition. Mr. Oliver stated there has been no contact with the owners for 3-4 weeks. Mr. Tucker stated he believed the property was in the TIF district so would it be appropriate to use TIF funds for the demolition. Mr. Oliver stated the property is in the TIF area. Mr. Wicklund reiterated Mr. Oliver's statement. Motion to continue Item 2913, 3615 S. Range Line to August 26th Board of Appeals meeting for progress report and demolition hearing made by Mr. Tucker. Seconded by Mr. Duncan. (6 Aye, O Nay, 1 Absent) Motion carried.

Item 2947, 2408 Willard Ave.

Misty Gamble was not present as the owner of the property. Mr. Oliver asked for this matter to be continued until the August 26th Board of Appeals meeting. The inspector met with the owner, and it seemed the progress delay was due to lack of funds. Mr. Oliver stated the owner fixed trusses and the electrical passed. The plumbing did not pass. Mr. Denham stated progress has been made. Motion to continue Item 2947, 2408 Willard until August 26th Board of Appeals meeting for progress report and demolition hearing was made by Mr. Windsor. Seconded by Mr. Wagner. (6 Aye, 0 Nay, 1 Absent) Motion carried.

Item 2964, 2526 E. 12th St.

Owner of the property was present at the meeting. The owner stated the property had passed the framing inspection. There was a hang-over problem, but the contractor and the City came to an agreement. Mr. Oliver discovered the hang-over went further than the framing will support, but the City worked out a remedy. The owner added a floor joist in a room. Mr. Oliver stated the electrical, plumbing and HVAC passed, and the garage door is on. Mr. Oliver recommended to keep this property on the agenda. The owner stated the intent was to sell the property. Mr. Denham asked the owner to provide a progress report at the August 26th Board of Appeals meeting. Motion to continue Item 2964, 2526 E. 12th St. to the August 26th Board of Appeals meeting for a progress report and demolition hearing made by Mr. Wagner. Seconded by Mr. Windsor. (6 Aye, 0 Nay, 1 Absent) Motion carried.

Item 2986, 302 S. Connor

Item 2987, 306 ½ S. Connor

Blue Shutter Investments, owner of the properties was present. The owner stated trash and debris needs cleaned up around the properties. Mr. Denham questioned whether both properties were going to be rehabbed. The owner stated the entire complex would be rehabbed. Mr. Denham questioned the security of 306 ½ S. Connor. Mr. Tucker questioned the rehab of the back property and the safety of the foundation. The owner stated there would be all new foundation on the north side. Mr. Denham asked the timeline to get the permit. Mr. Oliver asked if the owner had the contractors lined up to begin work. Mr. Denham questioned the progress of the construction loans. The owner stated it was just a matter of signing the documents. Mr. Tucker stated the owner needs to do a better job of vetting applicants for rentals. The owner recognized the need to do so. Mr. Denham asked if the owner intended to keep the garage. Mr. Oliver asked the owner about timeline of permits. He stated that by next month the Board need a timeline. The owner stated the goal is to complete the outside before the winter months. He believed this was a nine month start to finish project from this point forward. Mr. Duncan asked the owner of his intent with the property. The owner stated rental. Motion to continue Item 2986, 302 S. Connor and Item 2987 306 ½ S. Connor to August 26th Board of Appeals meeting for a progress report and demolition hearing made by Mr. Tucker. Seconded by Mr. Wagner. (6 Aye, 0 Nay, 1 Absent) Motion carried.

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

Cleveland Apartments, owner of the properties was not present. Mr. Oliver stated he had received an email from the owners, and they could not be present. Mr. Denham stated he had brought up the barrier on the east side in the last meeting and the barrier still had not been moved. Mr. Denham did state he was encouraged by the progress. Mr. Tucker asked if this was a historic site. Mr. Oliver stated they had pulled a permit for the property north of the apartments, so they were working on the site. Motion to continue Item 2990, Cleveland Apartments, 801, 803, 805 W. 1st. to August 26th Board of Appeals meeting for a progress report and demolition hearing made by Mr. Duncan. Seconded by Mr. Wagner. (6 Aye, 0 Nay, 1 Absent) Motion carried.

Item 2994, 511 W. 6th St.

Wudistech, 153 Valley View Joplin, Missouri, owner of the property was not present. Mr. Oliver stated the property is a green block building. The property was posted last year. The property sold including the brick house in the front. Mr. Oliver originally spoke with owners about rehab but then communication ceased. Mr. Oliver advised no permits

were pulled and we are only talking about the corner property. Mr. Tucker asked if the property can be rehabbed. Mr. Oliver stated anything can be rehabbed with enough money. Motion to continue Item 2994, 511 W. 6th St. to August 26th Board of Appeals meeting for a progress report and demolition hearing made by Mr. Wagner. Seconded by Mr. Windsor. (6 Aye, 0 Nay, 1 Absent) Motion carried.

Item 2989, 827 S. Empire Ave.

Owner of the property was not present. Mr. Denham asked for a motion for a dangerous building hearing on Item 2989, 827 S. Empire Ave. Motion to hold a demolition hearing made by Mr. Wagner. Seconded by Mr. Duncan. (6 Aye, 0 Nay, 1 Absent) Motion carried. Mr. Paul called Mr. Jeff Oliver, Building Inspector City of Joplin under oath and was sworn in by Vicky L. Copeland, Notary Public. Mr. Paul questioned Mr. Oliver if he has had the opportunity to inspect the property at issue and show reasonable likeness for the matter at issue. Mr. Oliver stated yes, he has inspected the property and it does qualify for demolition, and that can be seen in the photographs that are being passed around. Mr. Oliver explained that he had a title search done using Great American Title showing **Kasey Mae Beckley** as the owner. Mr. Oliver stated that he sent certified letters to Suzie Woolever, Millsboro, Delaware. Mr. Oliver stated he has had phone contact with the owner even though there were no signed receipts. Mr. Oliver stated that was the address on file with the Jasper County Assessor and that name does appear in the title work. Mr. Oliver stated this item was advertised in the Joplin Globe with the publication dates of June 2, June 9, June 16, and June 23 of 2022. Mr. Paul asked Mr. Oliver if he had posted the property. Mr. Oliver stated yes, and it is reflected in the photographs. Mr. Oliver expressed that he has based his opinions off the Code of Ordinances with sub-section line 6. Mr. Oliver stated that in his professional opinion, he would recommend demolishing the structure. Motion Item 2989, 827 S. Empire Ave. be declared a dangerous building in accordance with the Joplin Code of Ordinances and so ordered to be demolished including any outbuildings made by Mr. Wagner. Seconded by Mr. Brown. (6 Aye, 0 Nay, 1 Absent) Motion carried.

Item 2991, 802 Broadway St.

Owner of the property was not present. Mr. Denham asked for a motion for a dangerous building hearing on Item 2991, 802 Broadway St. Motion to hold a demolition hearing made by Mr. Tucker. Seconded by Mr. Wagner. (6 Aye, 0 Nay, 1 Absent) Motion carried. Mr. Paul called Mr. Jeff Oliver, Building Inspector City of Joplin under oath. Mr. Paul questioned Mr. Oliver if he has had the opportunity to inspect the property at issue and show reasonable likeness for the matter at issue. Mr. Oliver stated yes, he has inspected the property and it does qualify for demolition, and that can be seen in the photographs that are being passed around. Mr. Oliver explained that he had

a title search done using Great American Title showing Antwan Perry as the owner. Mr. Oliver stated that he sent certified letters to Antwan Perry with signed receipts. Mr. Paul questioned Mr. Oliver and asked if he had contact with any other party regarding the property. Mr. Paul stated exhibit 4 is a certified letter sent to Freeman Health Systems. Mr. Oliver stated he had a signed receipt for that letter as well. Mr. Paul stated the reason why Freeman Health Systems was sent a letter was because they were identified as a being a judgement creditor against the owner. Mr. Oliver stated that was correct. Mr. Oliver stated this item was advertised in the Joplin Globe with the publication dates of June 30, July 7, July 14, and July 21 of 2022. Mr. Paul asked Mr. Oliver if he had posted the property. Mr. Oliver stated yes, and it is reflected in the photographs. Mr. Oliver expressed that he has based his opinions off the Code of Ordinances with sub-section lines 4 and 6. Mr. Oliver stated that in his professional opinion, he would recommend demolishing the structure. Motion Item 2991, 802 Broadway St. be declared a dangerous building in accordance with the Joplin Code of Ordinances and so ordered to be demolished made by Mr. Tucker. Seconded by Mr. Wagner. (6 Aye, 0 Nay, 1 Absent) Motion carried.

Item 2993, 308 W. 18th St.

Owner of the property was not present. Mr. Denham asked for a motion for a dangerous building hearing on Item 2993, 308 W. 18th St. Motion to hold a demolition hearing made by Mr. Duncan. Seconded by Mr. Wagner. (6 Aye, 0 Nay, 1 Absent) Motion carried. Mr. Paul called Mr. Jeff Oliver, Building Inspector City of Joplin under oath. Mr. Paul questioned Mr. Oliver if he has had the opportunity to inspect the property at issue and show reasonable likeness for the matter at issue. Mr. Oliver stated yes, he has inspected the property and it does qualify for demolition, and that can be seen in the photographs that are being passed around. Mr. Oliver explained that he had a title search done using Great American Title showing John McGrew as the owner. Mr. Oliver stated he has had several conversations with Mr. McGrew and he is aware of today's meeting. Mr. McGrew had the idea of selling the property and he had spoken with a demolition contractor. Mr. Oliver stated he advised Mr. McGrew that there would be a hearing held today regardless. Mr. Oliver advised Mr. McGrew that if he did sell the property that he needed to advise the new owners that the property was before this Board. Mr. Oliver had his first conversation with the owner approximately six weeks ago. The property had been posted since March 2022 and Mr. Oliver had at least three conversations with the owner in the past six weeks. Mr. Oliver stated that he sent certified letters to John McGrew at 5481 Maple Dr. Joplin, MO. There were no signed receipts. Mr. Oliver stated that was the address on file with the Jasper County Assessor and that name does appear in the title work. Mr. Oliver reiterated that he has had phone conversations with the owner. Exhibit#4 reflect a certified letter sent to Mid First Bank to notify them of today's hearing and Mr. Oliver would like to add that he received

a call and a message from the Bank indicating the loan with the Bank had been satisfied. The Bank no longer had an interest in the property. Mr. Oliver stated he had received a signed receipt from the Bank. Mr. Paul stated the reason the Bank was given notice was because the title work was still showing them as a lien holder. Mr. Oliver stated this item was advertised in the Joplin Globe with the publication dates of June 30, July 7, July 14, and July 21 of 2022. Mr. Paul asked Mr. Oliver if he had posted the property. Mr. Oliver stated yes, and it is reflected in the photographs. Mr. Oliver expressed that he has based his opinions off the Code of Ordinances with sub-section line 6. Mr. Oliver stated that in his professional opinion, he would recommend demolishing the structure. Motion Item 2993, 308 W. 18th St. be declared a dangerous building in accordance with the Joplin Code of Ordinances and so ordered to be demolished to include any outbuildings made by Mr. Wagner. Seconded by Mr. Tucker. (6 Aye, 0 Nay, 1 Absent) Motion carried.

Item 2968, 217 N. Gray Ave.

Mr. Oliver stated Ms. Bray had sent him an email this morning before the meeting. Mr. Denham read the email aloud to the Board. Ms. Bray stated she had car trouble and was unable to attend the meeting. Not much progress has been made because of excessive heat and lack of funds. Ms. Bray is working on redeeming the property through tax sale. Ms. Bray stated she has a trespassing affidavit on file with the Police Department. Mr. Paul stated the tax sale was not relevant to the Board. Mr. Paul advised the Board just votes on dangerous buildings. Mr. Paul stated the owner is living on a month-to-month lifeline. Motion Item 2968, 217 N. Gray Ave. to lift the stay of demolition made by Mr. Windsor. Seconded by Mr. Tucker. (6 Aye, 0 Nay, 1 Absent) Motion carried. Mr. Paul stated we need to notify the owner the stay is lifted. We do not record anything new.

Item 2988, 2201 Empire Ave.

Owner of the property was not present. Mr. Paul stated the owners were present at last month's meeting and at that time they were informed of this month's meeting. At that time, the owners did not indicate any conflict. Mr. Denham asked for a motion for a dangerous building hearing on Item 2988, 2201 Empire Ave. Motion to hold a demolition hearing made by Mr. Tucker. Seconded by Mr. Wagner. (6 Aye, 0 Nay, 1 Absent) Motion carried. Mr. Paul questioned Mr. Oliver if he has had the opportunity to inspect the property at issue and show reasonable likeness for the matter at issue. Mr. Paul called Mr. Jeff Oliver, Building Inspector City of Joplin under oath. Mr. Paul questioned Mr. Oliver if he has had the opportunity to inspect the property at issue and show reasonable likeness for the matter at issue. Mr. Oliver stated yes, he has inspected the property and it does qualify for demolition, and that can be seen in the

photographs that are being passed around. Mr. Paul questioned if there had been any change in the structure from the photographs on 04-06-22 and 07-21-22. Mr. Oliver stated he had not been inside the structure but on the outside the only change is a blue tarp placed over the hole in the structure. Most of the photos are exterior. Mr. Paul asked if the plywood over the building is how you secure a building by City Code. Mr. Oliver stated no not to City specs. Mr. Oliver explained that he had a title search done using Great American Title showing Thomas and Darlene Harper as the owners. Mr. Paul stated there would not be an exhibit #2. It is not missing there will just not be an Exhibit #2. Mr. Oliver stated that he sent certified letters to Thomas and Darlene Harper with signed receipts on two of these letters. Mr. Paul questioned Mr. Oliver that in addition to these letters he has had phone conversations with the owners as recently as yesterday. Mr. Oliver stated that is correct. Mr. Paul stated the owners have also appeared in person at previous Board meetings. Mr. Oliver stated that is correct. Mr. Paul stated Exhibit #5 is a certified letter sent to Tower Loan of Missouri LLC. Mr. Oliver stated there is not a signed receipt on that letter. Mr. Paul stated Tower Loan was notified because they appear in the title work as a judgement creditor. Mr. Oliver stated that is correct. Mr. Oliver stated Exhibit #6 is a certified letter sent to Missouri DOR tax division in Jefferson City, Missouri. Mr. Oliver stated there is not a signed receipt on that letter. Mr. Paul stated Missouri DOR was notified because they appeared as a judgement creditor for past due taxes. Mr. Oliver stated that is correct. Mr. Oliver stated this item was advertised in the Joplin Globe with the publication dates of June 2, June 9, June 16, June 23, of 2022. Mr. Paul asked Mr. Oliver if he had posted the property. Mr. Oliver stated yes, and it is reflected in the photographs. Mr. Oliver expressed that he has based his opinions off the Code of Ordinances with sub-section lines 6 and 18. Mr. Oliver stated that in his professional opinion, he would recommend demolishing the structure. Mr. Paul stated the fire was related to the fact that a suspect had barricaded himself in the attic of this home. The suspect had lit the fire in the home, is that correct Mr. Oliver. Mr. Oliver stated that was his understanding. Mr. Paul shared Exhibit #8 represented to you as the fire report for that incident both for the fire team who responded the day of the fire and the investigation by the Fire Marshall as to the cause of the fire. In fact, did the Fire Marshall conclude that the fire was set by the suspect in the attic. Mr. Oliver stated that is correct. Mr. Paul stated that in addition to the source of that particular fire is it your understanding that this particular residence was the subject of frequent criminal activity in the months predating this fire. Mr. Oliver stated yes, this is correct. Mr. Paul presented Exhibit #9 which was a series of police reports and call logs which represented activity in the past year for that residence and is the statement of the criminal activity. Mr. Oliver stated that is correct. Mr. Paul stated for instance if you look at some of the different call logs a lot of them have to do with serving warrants at the property, is that correct. Mr. Oliver stated that is correct. Mr. Paul stated that his last point was that at one point the owners indicated to this Board that from the very first meeting they intended to file some type of claim against the

City. And if I were to tell you that as of this morning the City is not in receipt of any type of claim, would you have any reason to disbelieve that. Mr. Oliver stated no. Mr. Paul stated that was all the questions he had for Mr. Oliver. Mr. Oliver stated that he wanted to elaborate on the phone conversation he had yesterday with Darlene Harper. She was going over partial to full demolition scenarios. She is aware of the situation. Mr. Paul asked Mr. Oliver if any permits had been pulled. Mr. Oliver stated no. Mr. Paul asked the Board if they had any questions for Mr. Oliver. Mr. Duncan asked if the person in the attic was a neighbor from across the street or one of the owners. Mr. Oliver stated it was someone fleeing the police. Mr. Oliver stated he went into the residence and went up into the attic and barricaded himself in there. Mr. Duncan asked if someone was living in the residence at that time. Mr. Oliver stated yes Thomas and Darlene did live in the residence at the time. Mr. Paul asked if there were any further questions. Mr. Oliver stated that in his professional opinion, he would recommend demolishing the structure. Motion Item 2988, 2201 Empire Ave. be declared a dangerous building in accordance with the Joplin Code of Ordinances and so ordered to be demolished made by Mr. Windsor. Seconded by Mr. Wagner. (6 Aye, 0 Nay, 1 Absent) Motion carried.

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 11:05 a.m. (6 Aye, 1 Absent, 0 Nay) Motion carried.

Approved _____

Mr. Kyle Denham, Chairman

Approved Vicky Lynn Copeland

Vicky Lynn Copeland, Notary Public

My commission expires: May 22, 2026

VICKY LYNN COPELAND
Notary Public - Notary Seal
STATE OF MISSOURI
Newton County
Commission Expires 05/22/2026
Commission Number #09804844