JOPLIN | BUILDING BOARD OF APPEALS

**Building Board of Appeals**

**Meeting Minutes**

**August 26, 2022**

## Call to order

Mr. Denham called to order the regular meeting of the Building Board of Appeals on August 26, 2022.

## Roll call

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

## Motion to Excuse

Mr. Tucker moved to excuse Mr. Brown from the August 26, 2022, meeting and Mr. Malone 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 July Board of Appeals meeting. Mr. Duncan made a motion to approve the July Building Board of Appeals minutes and Mr. Wagner 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. Oliver stated if you would recall that before last month's meeting, they had a licensed electrician hired and he backed out on them. Just this morning they came in and pulled another permit with a new electrical company. Mr. Denham asked the owner if the electrician had given them a timeline on when he can get started and complete. Ms. Gutieriez stated next week. Mr. Denham asked what was left. Mr. Oliver stated that if we can get that approved, the Board could probably release the property. Mr. Oliver stated they had done a good job with everything. Mr. Denham agreed that it looked good on the outside. Mr. Denham asked for any additional questions or comments. No further questions or comments. Mr. Tucker made a motion to continue Item 2980, 802 S. Connor Ave. to the September 23rd Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (6 Aye, 0 Nay, 1 Absent) Motion carried.

### Item 2996, 602 S. Sergeant

Amy Earp, owner of the property was present at the meeting. Mr. Denham asked for information on the property. Ms. Earp stated the property was still in Probate because her mother had passed away on November 30, 2021. But they did get the notice and they replaced 80% of the broken glass. Lowes ran out of glass, and she stated they could not find any additional glass. They did complete all the glass on Wednesday, and had Bill's Electric out. Ms. Earp stated they do not have a quote on the electrical yet, but Bill's Electric said next week they should have a quote for them. Ms. Earp stated they should have the security lights up. Someone was arrested this past week and they have repaired the damage done by the individual. Mr. Oliver asked how long residence would be in Probate. Ms. Earp stated probably another six months. Mr. Oliver asked Ms. Earp if when the electrical is finished will they be allowed to have renters in the residence. Ms. Earp stated yes. Mr. Windsor asked if the property was completely secured as to prevent any further incidents. Ms. Earp stated yes, and they are putting up additional security lights. Mr. Oliver stated he knows this is a high traffic area and asked Ms. Earp to stay on top of it because he fears there will be additional problems. He advised her to not leave the property open for any length of time. Mr. Denham advised Item 2996, 602 S. Sergeant was under New Business, so it was automatically continued until the September 23rd Board of Appeals meeting. Mr. Duncan made a motion to continue Item 2996, 602 S. Sergeant to the September 23rd Board of Appeals meeting for a progress report and demolition hearing. 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 present. Shawn Grindle stated it is a historic building and the apartments had been placed on the historic registry in May. The fire at the apartments was either arson or an accidental fire. No one was inside the structure at the time of the fire. Mr. Grindle stated the owners have since fenced the property. They have secured the National Historic Registry. The owners are attempting to secure funding to put a roof on the structure and clear out the rest of the fire damage and get it ready for when they get those historic credits back. Mr. Denham stated he had brought up the barrier on the east side in the last two meeting and the barrier still had not been moved. Mr. Denham stated there is a limestone wall that is buckled severely on the east side of the building. Mr. Denham stated his fear is that where the safety fencing is located may not be far enough out. Mr. Denham feels it needed to be pushed to the outside limits of the sidewalk in case that wall happened to collapse. The owner stated okay. Mr. Denham stated it has a pretty good buckle there. Mr. Denham asked for a timeline on the bridge loan and when they could start repairs to the roof. The owner stated they are securing builders risk insurance and they are almost there. It is just a process with the bank moving forward to that. The owner stated he hoped for one month or two at the latest. Mr. Denham asked Mr. Oliver if he had been in the structure. Mr. Oliver replied he had not. Mr. Denham stated his concern was anytime we lose roof framing or floor framing. There is a lot of rigidity in the walls so do you have any plans to brace up the walls. The owner stated there are not any plans at this time to brace up the walls because we plan on moving forward in replacing the roof as soon as funding comes through. We do have an agreed bid from a local sub-contractor who will be doing the work. We have full plans done up on it. I am familiar with the wall you just described. Unfortunately, the chimney on that side gave way and it has buckled the first-floor ceiling and second-floor flooring in that location. Everywhere else the building remains amazingly straight and there is no damage to the intermediate diaphragm of the second-floor framing. Thankfully, the plaster came down and protected the second floor from any fire damage. We have lost the top, but the intermediate diaphragm is still in place. Mr. Denham stated it was the stone columns that had him concerned. Mr. Denham stated he did not see much resistance there. The owner stated the only resistance is the second-floor porch framing that comes out and supports all of this. Mr. Denham stated his concern was above the second floor. Mr. Denham asked if it was wood stud, wood framing walls. The owner replied yes. Mr. Denham asked if there were any questions or comments. Mr. Tucker asked if this structure would be built back to the original. He asked if they would rebuild the collapsed chimney to historic standards. The owner stated it would be rebuilt according to the Department of Interior Guidelines for Historic Rehabilitations. We have received confirmation from SHPO and the Natural Park Services that the building retains the historic integrity even though it has lost its roof. All the remaining chimneys will stay in place. SHPO has specified that we will either need to replace the chimney or go in with

a faux chimney that mirrors the looks of the other chimneys. At this point it may be cheaper and smarter to do a faux chimney that has a brick veneer. Mr. Denham asked brick or stone. The owner stated stone. Mr. Denham stated he appreciated the efforts of the owners and hoped they would be successful. Mr. Denham stated it is an outstanding structure that he would like to see saved if possible and keep it safe for the neighborhood. Owner agreed. Mr. Denham asked if there were any additional questions or comments. Motion to continue Item 2990, Cleveland Apartments, 801, 803, 805 W. 1st. to September 23rd Board of Appeals meeting for a progress report and demolition hearing made by Mr. Windsor. Seconded by Mr. Duncan. (6 Aye, 0 Nay, 1 Absent) Motion carried.

**Item 2985, 130 S. Moffet Ave.**

Tracy Nutting, owner was present at the meeting. Mr. Denham asked for an update on the property. Ms. Nutting stated it was the Albert Newman home built in 1903. It had windows busted out and we had those boarded per the guidelines. The home is currently for sale, and she has a contract pending. Mr. Denham asked for a closing date. Ms. Nutting stated on September 30th. Mr. Denham asked if the prospective buyers were aware that the home was before this Board and on the agenda. Ms. Nutting stated yes. Mr. Denham asked the owner if she knew the intentions of the prospective buyer. Ms. Nutting stated she did not know. Phoenix Woods, 513 Pleasant Vally Trail, Cheyenne, Wyoming stated she was the potential buyer for 130 S. Moffet Ave. She stated her intention was to restore and rebuild the property. Mr. Denham asked what kind of time frame she had in mind once she closed on the property. Ms. Woods stated she received a bid from a local contractor who is familiar with the neighborhood and the historical value of the property. He stated that based on the work needed they could begin work in November or December and have it completed by February of 2023. However, there is considerably more work that needs to be done than initially anticipated and so at this time she is in the process of securing additional funding for the project. Mr. Denham asked Ms. Woods if she were unable to get the additional funding would the closing proceed. Ms. Woods stated no. Mr. Tucker asked if this property was registered as a historic home. Ms. Woods stated yes. Mr. Denham asked if there were any additional questions or comments. Motion to continue Item 2985, 130 S. Moffet Ave. to September 23rd Board of Appeals meeting for a progress report and demolition hearing made by Mr. Windsor. Seconded by Mr. Wagner. (6 Aye, 0 Nay, 1 Absent) Motion carried.

**Item 2994, 511 W. 6th St.**

Matthew Richards, owner of the property was present. Mr. Richards was not familiar with the history of the building. The Oxford house owned it before him. Mr. Denham asked the owner the plans for the building. Mr. Richards stated he would like to preserve the south part of the building. There have been three additions to the building. To the north there are two additions that he plans to demolish. Demolition bids have come in at $12,000.00 which is better than he anticipated. Mr. Richards stated he would like to get a couple of more bids and they are just waiting on that. Once the two most northern parts are demolished, there is a corner that looks like it is falling apart, and we will just see at that point if it is salvageable and if not, we will just take that part of the building down also. Mr. Richards stated he wanted to explore their options. It was an older building. Mr. Denham stated it appeared that the roof had collapsed on the north building. Mr. Denham asked the condition of the roof on the building that Mr. Richards wanted to repair. Mr. Richards stated it looked fine. The chimney has collapsed in so a small repair on that one. That part of the building should be good. When the building that attaches to that one there was a wall looked like a garage there before. Mr. Richards stated they would either fill that or add another garage. He stated he would probably use the block that was taken from the other parts of the building and fill it in. Mr. Denham stated at that time would they deal with the front part of the south building where it is boarded up. Mr. Richards stated once they find out if it is salvageable, they will get it all finished and looking good. Mr. Richards stated he wanted to. He stated it was a neat building. Mr. Oliver stated when you investigate whether it is salvageable will you have a structural engineer look at it because there is a lot of settling even on the front building. Mr. Oliver stated there are a lot of gaps. Mr. Richards stated correct, yes, yes, yes. Mr. Richards stated that once they get the other two demolished, they will see what transpires and parts may just fall in and we may demolish the properties. Mr. Richards stated if it is salvageable, they will have an engineer out to inspect the property. Mr. Denham stated it may be worth doing that before you do the demo because it may be cheaper to do it all at once instead of selective. Mr. Richards stated, okay. Mr. Denham stated just a suggestion because there is quite a bit of settlement. Mr. Denham stated he could see issues with the masonry. Mr. Richards stated that they had someone level it and part of it in the building that he wanted to salvage is level in the middle and the other two ends are not. Mr. Richards stated he does not know what it would take to get it level. Mr. Denham asked if there were any other questions or comments. Mr. Duncan asked assuming that you cannot level the property and you demolish it what are your intentions with the lot. Mr. Richards stated they would fence it in because of it being a high traffic area. Mr. Richards stated they have already broken in the south Moffet house and stolen all my tools and everything I had. My intent would be to fence the area and keep people from entering. Mr. Richards stated he has two buildings to the

north, and he does not know for sure if the properties will be demolished. He had heard that a duplex may be built on the site. Mr. Tucker asked when this building was built. Mr. Richards asked, the one in the alley? Mr. Tucker replied yes. Mr. Richards stated he had no idea and he had not been given any record or information on that. Motion to continue Item 2994, 511 W. 6th St. to September 23rd Board of Appeals meeting for a progress report and demolition hearing made by Mr. Tucker. Seconded by Mr. Duncan. (6 Aye, 0 Nay, 1 Absent) Motion carried.

**Item 2921, 1124 Murphy Ave.**

Michael Wilson, owner of the property was present. Mr. Denham stated the property looked good on the outside and asked Mr. Wilson how it was coming on the inside. Mr. Wilson stated they had an inspection in July, and he spoke with Mr. Oliver about the inspection. Mr. Wilson stated they came in and told us to fix a bunch of stuff and we fixed it. The only thing they did not do was the air conditioner lines because there were big chunks of copper sticking out that was not anchored to anything. They stole a ladder from two house down brought it down set it up next to our house climbed up on top of the roof and ripped our aluminum copper wire out of our weather head. We need to get our electrician back out to the site. When we had our inspection this week, they found more stuff that was not on there any other time so now we must get all our contactors back out. As I stated to Jeff we just cannot, we cannot. Mr. Oliver stated it sounds like when you get your lead wires back in for your service you are going to be okay on your wiring. Mr. Oliver said we discussed that. Mr. Wilson agreed. Mr. Oliver stated there was a plumbing vent stack that needs to be fixed. Mr. Oliver stated we Mr. Wilson need to address that issue. Mr. Wilson stated the vent stack was repaired and he believed it was the vent from the vanity. Mr. Oliver agreed. Mr. Wilson stated the plumber thought because it is 5'2" from the stack so he is thinking 11' is what is needed. That is why he never put one in there and it never got brought up before by the inspectors. It was the vent in the kitchen and the "S" trap and vent for the washer box. Mr. Wilson stated they have that all done and then like I said the inspector comes in this time and now we need another vent. Mr. Wilson stated if you would have told us we need the vent the last time it would have been done this time. Mr. Wilson stated the problem we are running into is the inconsistency of the inspectors. Mr. Wicklund stated that part of the problem is Freddy is not a plumber. Mr. Wilson stated, well, he is licensed on your paper. Mr. Wicklund stated not as a plumber, he is a general contractor. Mr. Wicklund stated he is not supposed to be doing any work as a plumber. Mr. Wilson stated we have him down on our paper as a plumber. Mr. Wilson stated we got Chris off your paper also and he stole our money. Mr. Wilson stated your paper is not real good. Mr. Oliver stated if you can get your vent stack corrected, I think you are going to be okay on the electrical. Call in and get your rough ins on both of those and I think you will be headed to the finish line. Mr. Wilson stated like you said it is looking better on the outside. We are still working on it. We are not getting what we want

done as far as the inside. We are still moving forward and not just sitting around waiting. Mr. Tucker asked about the contractor that stole Mr. Wilson's money. Mr. Wilson stated Arc Electric. Mr. Tucker asked is that someone the City recommends? Mr. Wilson stated yes, his name was on the paper. Mr. Tucker stated he is sure the City has taken steps on that regard to remove them off paperwork or investigate. Mr. Tucker stated he was not sure how that worked. Mr. Oliver stated the City does not recommend anyone. If they are licensed and insured, they are free to work in the City. They just need to pull their permits. Mr. Oliver stated he is not sure what has happened in this case. Mr. Wicklund stated he could tell them. The plumber on the permit is Robbins Plumbing. Mr. Wilson said he was pretty sure they had called up to the City and changed it but evidently it did not get changed. He stated they changed their electrician also. Mr. Wicklund stated the only plumber listed is Robbins Plumbing and Freddy will not be allowed to do the plumbing because he is not licensed. Mr. Wilson questioned so he will only be allowed to do the sewer and not the plumbing. Mr. Wicklund said, correct. Mr. Wilson stated they would just need to find another plumber and see how far they are out. Mr. Wicklund said if we are talking about that one vent, we do not really care who does it. Mr. Wilson said, okay. Mr. Wicklund stated they may be part of the reason why things keep failing. Mr. Wilson stated it is not that things are failing, everything he is doing is passing but every time we get an inspection, we get another person and then one person is saying the framing is good and then the next person is saying we need this done and then the next person is saying well, we need this, this, and this. Mr. Wilson stated we do all that and then we come back and get an inspection and call you guys out and then the next person that comes out tells us we need this. Mr. Wicklund stated he could pull up the history of the inspections and that he had reviewed them a couple of days ago. Because we do not want different inspectors inspecting differently. Mr. Wicklund stated the inspections have honestly been consistent. It has been different inspectors, but he had pulled up the corrections from five months ago and the only item added has been this single vent. Mr. Wilson stated, no, that is incorrect. Mr. Wilson stated the February inspection did not say anything about the vent or the bathroom vent or anything. Joel, the new inspector came out and said you need this and this and you need a box on the front, you need a box on the back. You need a receptacle box on the front of the house, one on the back of the house, you need a water bib and all that stuff. That had never been brought up before. Mr. Wilson stated he did not know about the electrical boxes. Our electrical has been checked numerous times. Mr. Wicklund stated he believed what the inspector had said about the electric is not on the correction notice that it was his interpretation that you should have one additional receptacle added. Mr. Wicklund stated the inspector was not going to fail them because of that. Mr. Wilson stated the way Freddy made it sound was that it had to be there. Mr. Wicklund stated if the wall is greater than 2' then there must be a receptacle. Mr. Wicklund stated it is not the City's desire to hold up the progress of this project and the inspector did not fail you for that. It is not on the

correction list. Mr. Wilson stated that is not even the issue because we had the electrician come back out anyway because when we got our wire stolen so we must have the head put back in. Mr. Wilson stated it just seems like every time they call, they get another list of things that need done. Mr. Wilson stated they are already having problems with contractors because they are so far out. We called our electrician, and he is three weeks out so that will be one week before the next meeting. We do not have time to correct everything before the next meeting. Mr. Wilson stated like he keeps saying, once we are done with all these other people we are finished. As far as the sheet rocking and flooring and everything we can do, we are ready. The sheet rock is sitting in there. It has been there for six months. Mr. Tucker stated he realized the City has a lot on their hands and a lot to do but is that normal practice of the City inspectors. Mr. Wicklund stated we can go through each one of the inspections but there have only been 4-5 inspections. Mr. Wicklund stated we can take the time to look through all the corrections notices if you want to do that. Mr. Tucker said, no, no, I was just wondering. Mr. Wicklund stated he has three inspectors out doing inspections and the intent is that all three inspect for the exact same thing, they are following Code. When it is possible, I try to get the inspectors to ride together just so they can get comfortable with how the other inspectors are looking at things. Now, if an inspector does an inspection and passes it and even that same inspector next time is inspecting and sees something that was missed lots of times, they will bring it up. Especially when we are dealing with certain contractors or with contractors that are not working within their own trade that they are supposed to be working on. It gets to be quite a deal trying to communicate with them the Code requirements. It is not a real smooth process. Mr. Wicklund stated he believed the biggest problem with this matter is the trouble the owner had getting the contractor there and then the damages that had been done after the work was started. It has just prolonged the process at no one's fault. He stated it is difficult to get contractors to do these smaller jobs. Mr. Wilson stated, he was just saying if it is Code then it is Code. It is just little stuff that is taking so much time and like Mr. Wicklund said our contractors are so overbooked. There are just not enough contractors. Mr. Wilson said this is the third time we have had our wire stolen. The property is secured and alarmed. Mr. Wilson stated they are close to finishing. He did not realize Freddy was not a plumber. Mr. Denham stated he appreciated Mr. Wilson's efforts. Mr. Denham asked if there were any questions or comments. Motion to continue Item 2921, 1124 Murphy Ave. to September 23rd 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 2947, 2408 Willard Ave.**

Misty Gamble was present as the owner of the property. Mr. Denham asked for a progress report on the property. Ms. Gamble stated she believed she had the last inspection she needed for the City. Ms. Gamble stated she had the window replaced. They have been working on the sheet rock and she would like to remove the sign and start living in the house. We have one room completed and if we could do that it would be a lot easier. Mr. Oliver stated typically we do not like to see them occupied until there is a final inspection. So, after your sheet rock is up and we come back in. Ms. Gamble stated she was unaware that there was a sheet rock inspection. Mr. Oliver stated it was not necessarily a sheet rock, but it is coming in and making sure the floor is in, walls are up, doors are hung, a final inspection. Basically, move in ready not just a room. Ms. Gamble stated she has seen some bad houses that people live in, and she does not understand why they must complete everything at once. Ms. Gamble asked what would be wrong with people living with a concrete floor until they had flooring put in. Mr. Wicklund stated he believed Ms. Gamble's understanding and Mr. Oliver's definition of being finished are different. Mr. Wicklund stated we do not care about flooring. If it has a concrete floor, you can have a concrete floor in a brand-new house that is fine. But there is a final inspection that needs to occur, and it has not happened yet, and it cannot occur until we still need to test all the electrical outlets, smoke detectors and we need to make sure there are no leaks with the plumbing. We do all that in a final inspection. It will not be ready for a final inspection until the sheet rock is done. Normally, the houses are ready to be moved into. But if you are not ready for flooring that is not going to hold up that inspection. Your cabinets and fixtures must be in. Ms. Gamble asked what if you are not going to put in all your kitchen cabinets. Mr. Wicklund stated the cabinetry has to do with the electrical inspection because depending on your countertop. Ms. Gamble asked but I do not have to have cabinets. Mr. Wicklund stated you do not have to have cabinets. Ms. Gamble stated she may put in some of the cabinets but not all depending on the damage. Mr. Wicklund stated depending on where you put those cabinets that determines where your countertops are going to be and the electrical outlets. So, to do your final inspection whatever cabinets you are going to put in, your plumbing fixtures must be put in, your kitchen sink needs to be put in and your restrooms, toilets, bathtub, and shower. Ms. Gamble stated they are already in. She stated that most of the house has smoke damage. Mr. Wicklund stated the hot water heater needs hooked up, the furnace hooked up and working. Mr. Wicklund stated those are things we check on a final inspection. Ms. Gamble stated, okay, we need to do the sheet rock and cabinets. She stated I am not going to replace all my cabinets right now. Mr. Wicklund stated he believed if she were able to complete those projects, she would be very close to ready. Mr. Wicklund stated

he had not been to the house, so he is trying to generalize it. Ms. Gamble stated most of the sheet rock is done. Ms. Gamble asked if it all had to be painted before the inspectors came in. Mr. Wicklund stated it needs to be textured. Ms. Gamble said she does not understand what painting has to do with safety. She stated we can not just paint it as we go and stay in it. Ms. Gamble stated that this is wrong. Mr. Tucker stated he thought Ms. Gamble was confused by what Mr. Wicklund was trying to say. Mr. Tucker advised Ms. Gamble that all modifications must be completed and the structure inhabitable. He stated that after the permit expires you should not be continuing work on the structure after inspections are complete and approved. Ms. Gamble said that after the sheet rock is done all that needs to be done is paint, cabinets installed and flooring. Ms. Gamble stated she just does not understand why she would need those things there done first to get anything inspected. I think I can get sheet rock done and electrical normal I do not see why we cannot get those things inspected then. Mr. Wicklund stated that whether you have a finished coat of paint is not the issue. Your cabinets need to be in because it is part of an electrical inspection and plumbing inspection. Ms. Gamble asked so just the cabinets. Mr. Wicklund stated I have not been in the residence so I cannot say the cabinets are the only thing left. Mr. Wicklund asked Ms. Gamble if the outside was 100% complete. Ms. Gamble stated she cannot afford guttering right now. Mr. Wicklund stated you do not have to have guttering. That is not a requirement. Ms. Gamble the house is a lot more decent than a lot of houses in Joplin. Mr. Oliver stated he thought there was some fascia missing on it, but it is close. Ms. Gamble stated the guy who is doing the sheet rock said he could do that after he was finished. Mr. Wicklund stated it is things like that which need to be completed before final inspection. Mr. Oliver asked Ms. Gamble if the heat and air are still intact from the fire or have you had to do maintenance. Ms. Gamble stated it must be hooked back up. Mr. Oliver stated you must have a source of heat for a final inspection, air not so much but you have to have a source of heat. Ms. Gamble stated she has a heating system that I could put in until I get that hooked up. Mr. Oliver stated we are not talking about plug ins. Ms. Gamble said she just does not think it is a law that she must have a heating and air unit. She thought they were nitpicking on people. Mr. Oliver stated it is in the ordinances. Mr. Wicklund stated it is a requirement that you must have heat. You do not have to have air conditioning. Ms. Gamble said, okay, she cannot just put a heater in there. Mr. Wicklund stated not a space heater. Ms. Gamble said no, not a space heater but a wall unit. Mr. Wicklund said there are wall heaters allowed. Ms. Gamble reiterated that the City nitpicked on people, and it is ridiculous. People are having a hard enough time without the City nitpicking on people and making it more difficult. Mr. Denham stated that most of these issues are life saving issues. It is not really nitpicking to say that you must have a functioning plumbing system, heating, and electrical system. That is just life safety for the homes. Now, paint and flooring that is just the icing on the cake. They have already told you that you do not have to do that to get a final inspection, but it needs to be a functioning home that meets the Code. Mr.

Denham stated you are right we can drive all over town and see homes that do not meet those requirements but once you get a permit it must. Ms. Gamble stated her home is functioning now. She said she is working in there now, showering, going to the bathroom, has electric and has an air conditioning unit. Ms. Gamble said she knows a lot of people who live worse than that. She said you do what you have to do to live. She stated that she is paying $1300.00 in rent when she has a functioning house, and it is a bunch of bull. Mr. Denham stated the Board has tried to be very understanding of her situation, but this has gone on for 1 ½ years since your fire. We have tried to be cooperative and work with you because we knew you were under some special circumstances, so we have tried to work with you as well. Ms. Gamble stated there is a building on 20th St. that has windows busted out and has been there since the tornado and she does not think they are in front of the Board. Mr. Tucker stated there are a lot of houses and he could not agree more with Ms. Gamble however the City is very short staffed sometimes and every person is a case-by-case basis if that makes sense. Mr. Tucker explained to Ms. Gamble that the Board is not holding a demolition hearing today and we are not here to tear down your house. We want you to prevail. Mr. Tucker said to do the things that he has said and give him a call and go from there. He stated he assumed the meeting would be continued until September. Mr. Denham asked for any other questions or comments. Motion to continue Item 2947, 2408 Willard until September 23rd Board of Appeals meeting for progress report and demolition hearing was made by Mr. Wagner. Seconded by Mr. Tucker. (6 Aye, 0 Nay, 1 Absent) Motion carried.

**Item 2986, 302 S. Connor**

**Item 2987, 306 ½ S. Connor**

Levi Babb, Blue Shutter Investments, owner of the properties was present. Delay in getting the construction loan approved to get the payoff authorizations. Expect the process to take another two weeks to be finalized and get going. Mr. Denham asked Mr. Oliver if he had been through the properties. Mr. Oliver stated yes, it has been some time since he has been inside, but he is keeping the properties secured now. Mr. Babb stated they are trying to go by twice a week to inspect the property and make sure the property is secure. Mr. Oliver stated it had been an issue in the past but in the past couple of months the property owners have stayed on top of it. Mr. Denham stated that he believed he had asked before, the owner's intention for 306 ½ S. Connor is to rebuild it. Mr. Babb stated correct. Mr. Denham asked if the owner had seen the foundation. Mr. Babb stated the north side would have to be redone but everything he is being told from the contractors is that it is salvageable. Mr. Oliver asked, who is your contractor. Mr. Babb stated they would be piecing it together. They have a roofer, electrician, and a plumber but the general would be L & F Construction. L & F would be

the general for the rest of it. Mr. Denham asked if the intention of the property owner was to keep the garage on the two properties. Mr. Babb stated, yes. Mr. Denham stated that it is a big house and asked the square footage of the property. Mr. Babb stated that in total approximately 11,000 square feet. Mr. Wicklund asked how many living units in 302 S. Connor. Mr. Babb stated that the 11,000 square footage is between all three structures. There is 302 S. Connor and 902 W. 3rd right behind it. There is 8 units. Mr. Wicklund asked if there had been a fire incident. Mr. Babb stated no, they had just gone through the process of removing all the tenants so they could do construction on it and in the process the property was vandalized. They went in and beat up the sheetrock and removed all the electrical and pretty much stripped the house of any components that could be scrapped. Mr. Wicklund stated that so that when this structure was originally built it was a single-family home and over the years it has been turned into a multi-family unit. He questioned the owner about his plans for the structure and the rehab of the property. He stated need to know the extent of the work the owners are doing and length of time the property has been vacant. Both of those items become very important as to what you are going to be required to do. Mr. Wicklund asked Mr. Babb if the intent was to have 8 apartments. Mr. Babb stated that is correct. Mr. Babb stated that is how he has the financing set up and the appraisals. Mr. Wicklund asked if Mr. Babb had worked on apartments like this before. Mr. Babb responded yes. Mr. Wicklund stated so you are aware that Code requires them to be sprinkled. Mr. Babb asked, on those they must have a sprinkler system. Mr. Wicklund stated Code requires any multi-family units, anything greater than a duplex. Mr. Wicklund stated it is possible that they could come up with an alternative, but it depends on how long it has been vacant and the extent of the work you are doing. Mr. Babb stated he was aware that they would need to do hardwire smoke detectors and everything like that for safety measure which they always do in any of our remodels, but he was never aware of any sprinkler system they would have to put into it. Mr. Wicklund stated now you know that anything more than a duplex by Code must be sprinkled. Mr. Wicklund stated they do not go into occupied existing buildings that do not have building permits and make them put in fire sprinkler systems but however if they are vacant and once a permit is pulled for other work and depending on how long the property has been vacant. Mr. Wicklund stated that they needed to have that discussion. He stated that Mr. Babb needed to have a good idea as far as the estimated cost of the rehab that you are wanting to do and the extent. If you are gutting the walls down to the studs. Mr. Babb stated yes, I have all that. He stated as far as that goes with that with all the electrical stripped out and everything like that we are going to have to open up walls to rerun the electrical and get it updated to Code and everything. Mr. Wicklund stated there is no way around the fire sprinklers. Mr. Babb stated that will delay that process then because we are going to have to go back and do a review on that. Mr. Babb stated he was unaware of that and that will take him some time to get with contractors and everything to figure that out. Also, he will need

to go back to the bank and add that back into the cost so that is going to delay that process. Mr. Wicklund stated that he would be able to set up a meeting with the Fire Marshall and they could answer any questions that Mr. Babb may have. Mr. Wicklund said keep in mind he does not know the conditions of the other buildings or how many living units there are. Mr. Wicklund stated he is familiar with 302 S. Connor because there have been fires there in the past. He is confident that the property does not meet the minimum fire code. Mr. Wicklund stated he would need to walk through the property with the Fire Marshall. Mr. Babb asked as far the egress on that. Mr. Wicklund stated that the separation between the units and egress both. Mr. Babb asked as far as the separation are you saying like fire insulation and fire boards and stuff like that. Mr. Wicklund stated the first thing is that it requires sprinklers. And there would be a one-hour separation between every unit. Mr. Denham stated horizontally. Mr. Wicklund stated horizontally and vertically and protected egress. Mr. Babb stated that going off that then their basis is they are dead on the tracks. We cannot move forward any further. Mr. Wicklund stated he agreed, and that meeting needed to happen soon. Mr. Babb stated he was glad things were delayed because we were ready to start work two weeks ago. Mr. Babb asked when the meeting could be set up because he was getting pressure from other people. Mr. Wicklund stated he could this afternoon and he would check with the Fire Marshall. He said if it does not happen today then possibly next week. Mr. Wicklund stated that if his contact information were there, he would get with the Fire Marshall and get in touch with Mr. Babb to set up the meeting. Mr. Babb stated that may alter the course on that depending on the cost because he already knows that the appraisal was very close. He stated they were already having difficulty with that so if they were to incur that extra cost this may not be feasible. Mr. Denham replied, yes. Mr. Denham asked if there were any other questions or comments. Motion to continue Item 2986, 302 S. Connor and Item 2987 306 ½ S. Connor to September 23rd 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 2968, 217 N. Gray Ave.**

Donna Bray, owner of the property was present. She presented the Board with a copy of what she was doing and what she planned to do. She stated that is about all she could do. Ms. Bray stated she watched the video from the last meeting that she did not attend and from what she understood this Board can resend a demolition order. A couple of the places that she talked to about funding have indicated that if there is a demo order they will not grant funding. She has not spoken to the HUD department. Habitat for Humanity and Economic Security have both told her that they cannot grant funding if there is a demo order. Ms. Bray stated she has applied for the HUD grant and the person on the phone stated she met all the requirements for the grant. It is a $10,000.00 grant and an additional $10,000.00 loan she can obtain if needed. The $10,000.00 grant should cover replacing the entire roof since she had bought the shingles and complete that back wall. Ms. Bray stated she has all the framing material purchased. It is all on her list. Mr. Oliver asked if any of these agencies have come out and walked through the house or has it just been verbal. Ms. Bray stated no, they do not have any money but when she spoke with Habitat for Humanity and Economic Security, they both stated if there was a demo order on the property, they would not put any funding into the property. Ms. Bray stated both of those agencies are out of funds and Catholic Charities have a 2-3 year waiting list. The Fuller Center only assists with materials and Ms. Bray stated she is approximately $100.00 short on the income requirements. She stated she understood they do some financing on the materials. But, she does not have enough income to qualify that is why she spoke with her State Representative, and he recommended the HUD program. She has spoken with the HUD representative and has faxed the paperwork to the Rolla office. As far as she knew they had everything they needed, and she was waiting for approval. Mr. Oliver asked if any time did anyone say they needed to do a field survey of the property. Ms. Bray stated, no, they do not have money. Ms. Bray stated they are not going to send someone to her property if they do not have any funding. Jasper County Habitat will not have any funds until after the first of the year and he is not even sure he will have funding then. Mr. Tucker said he is speculating for Economic Security, but he did have a meeting with John Joins, CEO, recently and Mr. Joins stated they have done away with the program. Unfortunately, her situation did not stem from a fire, but he did advise me because Mr. Tucker did tell Mr. Joins what he was doing for the Board. Mr. Joins advised at that time that the likelihood the Federal Government would pay any funds for a fire damaged home was unrealistic. Ms. Bray stated her home was not fire damaged. Mr. Tucker stated, no, he was just speaking in general. Mr. Denham stated at this point the Board's option was to bring this back to our agenda and issue another Stay or just not vote on it. Mr. Paul stated, correct it would be to either take no action or to in act another Stay. Mr. Paul stated he did send a relatively detailed letter to Ms. Bray earlier this month and

he asked that the letter be forwarded to everyone but evidently that did not occur. The letter detailed the blow-by-blow history on this property. Mr. Paul stated he did not agree on some of the characterizations of the notices in whether they were given or not in the letter. He believed that what is in his letter better thoroughly documents what happened and when. Bottom line because Ms. Bray was not in attendance last month at the meeting Mr. Edwards did ask for this matter to be placed back on the agenda and allow her to address the Board in person. Bottom line if the Board does not want to take any action, then do not take any action. If you want to grant another Stay then grant another stay. Mr. Tucker had a question for Mr. Paul. His question was obviously Ms. Bray sent this letter to the Board so is it to far past her point to take it to the Court. Mr. Paul stated our position would be if she filed something with the Court, we would probably respond to that with a Motion to Dismiss. Mr. Tucker stated but she would still have that time frame statute of limitations to do that if we do not vote on today or decide against it. Mr. Paul stated we would probably file a Motion on the basis that she is out of time. Anyone can always go to Court and file anything they want whether it goes anywhere is another question. Without giving legal advice that would be the position the City would take. Ms. Bray stated that from what she understood she only had 30 days to respond in Court after it was ordered demolished. She stated she was never notified of that meeting and never notified of the demolition order until way past the 30 days was up. She stated, actually she heard it from her gossipy neighbor. Ms. Bray stated that Mr. Wicklund admitted in the meeting that the department because Mr. Oliver had been off work for three months had dropped the ball on it. She stated she had not received any notifications that she should have been sent. She stated it was not her fault that she did not respond in Court. Ms. Bray stated that if she had to hire an attorney and go to Court that is just more material money she could spend. Mr. Paul stated he was going to quarrel with her on that which you obviously knew that his building was in front of this Board, you knew they met every month and so even if you did not get a letter for the January meeting you knew this item was in front of the Board. Ms. Bray stated, but. Mr. Paul stated he would not argue with her. He stated that would be his first response and his second response was that after the Board held that hearing it did mail you a copy of the Order. Ms. Bray stated, no. Mr. Paul stated, it did. Ms. Bray stated, no they did not. Mr. Paul stated that he has the certified letter for it. It was not signed for, but it was mailed to the address where you had previously signed for letters and that would be the record in front of the Court. Whether you received that mailing for whatever reason I do not know. Ms. Bray stated, she thought he had better double check that. Mr. Paul stated, he had. Ms. Bray stated that in the May meeting I was told that it was sent after the demo. She stated, like she said Mr. Oliver was supposed to notify me of the next meeting. He did not. Ms. Bray stated, she is new to these meetings, she does not automatically know that she automatically must be at the meeting each month. She stated that after she spoke with Mr. Oliver he stated and she quoted, "I do not know the date of that, and I will let you know." Ms.

Bray stated that no one let her know until like she said her gossipy neighbor told me that my house was going to be demolished. Mr. Paul asked was that in May. Ms. Bray stated, yes, probably around May. Mr. Paul stated so, you had not heard anything since November, so you are taking the position you did not think anything was going on with your property for six months. Ms. Bray stated six months. She stated she talked to him at the end of November, that is not six months. She stated, I know you do not want to argue. It is my property and my home that I am fighting for. Ms. Bray stated, you have your job and you do not have to worry about the money and trying to fix up your home. But my point is I was not notified, I did not have the 30 days. The man right before me has been before the Board 20 times. He is not doing anything but talking to contractors. He has not done anything to his property. Ms. Bray stated she is trying, boarded up everything, no one can get in, installed security lights, done everything she can possibly do. She stated this is not a flip property. This is not an income property. This is a home that I worked my ass off and raised my sons in as a single mother for the last 40 years. Mr. Tucker stated he gets it, very stressful. Ms. Bray stated, to say the least. Mr. Tucker advised Ms. Bray to calm down. He stated he did not want her to get to upset. Mr. Tucker stated he wanted to ask one question of Ms. Bray. He asked if she ever paid her taxes on it. Ms. Bray stated, yes, she did. Mr. Tucker asked, so the tax lien is no more. Ms. Bray stated she took a title loan on her vehicle, the taxes are paid, this is her property free and clear. Mr. Paul stated that just so the Board is aware that he is looking at the Boards Findings of Fact and Conclusion of Law with the certified mail receipts that would have been sent in early February so again I do not have a signature from you, but it was sent to 217 N. Gray. As I indicate in my letter you had signed for items there previously so again. Ms. Bray stated from 217 N. Gray, my mailing address on this record has always been 230 N. Moffet. She stated she does not get mail at 217 N. Gray because 90% of the time it is for Medicare, or it is stolen out of her box on a regular basis. Mr. Denham stated that is the address of the letter presented to the Board. Ms. Bray stated, that is the property address. Mr. Paul stated, ma'am, he was thorough in looking at this file before he sent the letter, and he had a certified letter that Ms. Bray signed for at 217 N. Gray. Ms. Bray stated, okay, well you have the record and I do not. Mr. Tucker stated he had a question for Mr. Paul. Mr. Tucker stated so the City Council has obviously already voted, and they have a bidder, right. Mr. Paul said, correct. Mr. Tucker asked so if we continue to go back and forth with this does the City lose money on these bids. Do we have to pay them to sit back and relax while we make our determinations? How does that work? Mr. Paul stated at a certain point they may not honor the bid anymore. We may have to rebid it. It may go up or it may go down. Mr. Paul stated, he could not say if the City is going to lose money by deferring it, we do not know. Mr. Denham advised there is administrative costs such as the registered mail and there are costs involved. Ms. Bray stated something she wanted to mention as a side note is and she has noticed on other homes in the neighborhood that may have been demolished that her home has lead paint

under the siding. Her home had to be remediated years ago because her children had lead poisoning. I was told by the EPA that if the siding or lead paint was removed it had to be taken to a hazardous waste site. So, their recommendation was to put vinyl siding over the top of the lead paint. That was the EPA recommendation. If that home is demolished that material must go to a hazardous waste site. The other two houses in our neighborhood that were demolished probably had lead paint on them and that lead paint has probably been distributed somewhere. I am sure the contractors demolishing the buildings are just dozing it down. But that may be something the EPA may need to check into. Mr. Denham stated the Board had two options. We can bring it back to the agenda or take no action. Mr. Denham asked what was the Board's pleasure. Mr. Duncan proposed a question. He asked, if the Board takes no action there has been discussion about a potential grant from HUD. Mr. Duncan stated if the Board takes no action and then the grant comes through would we bring it back to the agenda. Mr. Windsor stated Ms. Bray did tell the Board that HUD said as long as the property is on the demolition list it would not be approved for a grant. Mr. Windsor stated that is where we are at on this. He said normally, I would not like this after it has been ordered demolished twice but, in her defense, he would like to say that the last time she was before the Board they were under the impression Ms. Bray could not get the money for this work because she had to check with Catholic Charities, she had to check with different organizations to try and get this money. Now, we are looking at a situation where she could possibly get the money through HUD, a grant, and an additional loan so we are looking at possibly $20,000.00. Mr. Windsor stated so that is what we are looking at and he does not want to see this property sitting there if the HUD loan does not come through because the Board will end up in the same spot where we are trying to put this in a demolition situation. But, at the same time if it does come through, I certainly do not want to see this lady lose her house. Mr. Windsor stated he was on the fence about it quite honestly. Mr. Denham voiced concern over whether $20,000.00 would be enough to cover the repairs. Mr. Denham stated it was not enough money to finish this house. Ms. Bray stated, yes, it is, she already had a lot of the material purchased. Mr. Tucker stated his concern was that most HUD stuff took years. HUD does a lot, but it takes years. There are a lot of people on that list, it is a federal grant. Mr. Tucker does agree with Mr. Windsor about Ms. Bray living in the house for years and he respects that, but this just continue the train we are on. He asked, is it really going to happen this time. Mr. Denham asked Mr. Oliver when this was first brought before the Board. Mr. Paul stated he thought that was in the letter and it documents the progress from the courtesy letters that were sent, and he believed it was in July of 2021. Mr. Wicklund stated he knew the first building permit was issued in October 2019. He stated that is when repairs were supposed to be started. Mr. Paul stated that September 24, 2021, was the first time this property was before the Board. Mr. Wicklund stated that is after the permit was issued. Mr. Denham stated and when the work for the permit was never finished. Mr. Wicklund stated the progress was slow.

Mr. Denham asked if we had a Motion to bring this back to the Board. Mr. Duncan proposed a question to Mr. Paul. He asked if a time limit could be set. Mr. Paul stated, sure and he would ask, and he would ask, and he knows this is one thing which Ms. Bray complained about, and he does think the Board should only bring it back or put a Stay subject to another waiver. He stated the terms of those waivers are that it is on a 30-day to 30-day lifeline. If the Board feels like this has not met the expectations, for instance if your expectation going forward from today is that the application be made, and we have an update on that and that does not happen for whatever reason resending it is up to you. The first thing he would want is to make sure we clearly communicate what our expectations are now and between now and then. Mr. Paul advised that if you did grant the Stay, it would be subject to a waiver. Mr. Paul stated the short answer to your question is yes, they are generally on a 30 day. Mr. Duncan stated the problem is when is then because we do not know the amount of time we should expect from HUD. Mr. Duncan stated we would be granting it indefinitely until HUD did it right. Mr. Paul stated no, he thought the waiver and the Motion, there would not be any permanent built-in life on this. Mr. Paul stated you could lift your Stay the next meeting. Mr. Tucker suggested that someone be delegated from the City to contact HUD to see if this is even feasible. Mr. Oliver stated that is why he asked if there had been a field survey of the property. He believed someone touched on it a minute ago. Mr. Oliver stated he thinks that should be done by HUD. He stated he does not know if there are enough funds available. If they cannot get the house brought up to current standards with the money, she would receive then more than likely they would not fund the project. He stated they are not going to fund it and not have a completed project. Mr. Oliver believed that HUD would send someone out in the field to complete a field survey. Ms. Bray stated that HUD had her send pictures of the needed repairs. The roof, the front porch, and the back of the house. She stated that HUD said they would contact her if they needed more details. Motion Item 2968, 217 N. Gray Ave. to take no action this month but to have Ms. Bray contact HUD so she is responsible to tell us what must be done made by Mr. Duncan. Mr. Paul stated the Board needed to put a Stay subject to the normal waiver. The requirements of the waiver are they meet the requirements for the Certificate of Completion within 180 days effective date. The following things would cause the waiver to lapse. They fail to do that; they cease to make substantial progress on the property as determined at the City's sole discretion. He stated that was what he was really talking about as far as their expectations. If the Board's expectations, are they we reach out to HUD to determine if this is feasible or not and if it is not then he thinks the Board could lift the Stay on that basis. It specifically stated for a period of 30 days or more. Mr. Paul stated that if the Board puts a Stay on it subject to the standard waiver. Motion Item 2968, 217 N. Gray Ave. to take no action this month and place a Stay on the demolition of the property subject to the City's standard waiver for 30 days made by Mr. Duncan.

Seconded by Mr. Tucker. (6 Aye, 2 Nay, 1 Absent) Mr. Denham and Mr. Malone voted no. Motion carried. Mr. Oliver stated he needed clarification. He said, the Board is putting a stay on the property for 30 days, but the property will remain on the agenda and if the property is on the agenda HUD will not loan the money. Mr. Oliver asked, is that what was understood. Mr. Denham responded, yes that is what he understood. Mr. Paul stated what he understood was if there was an active demolition order. Ms. Bray stated that is what she understood. Mr. Denham stated that is not what he understood. Mr. Windsor stated it is not active since the Board is placing a Stay on the property. Mr. Paul said, correct. Mr. Denham suggested they get clarification. Mr. Paul stated that if someone from HUD needed to speak with a representative from the City regarding the status of the demolition order the call could be referred to his office. Mr. Paul asked if the Board was clear on the next 30 days. Mr. Tucker stated he wanted to reiterate that this was it, the Board was displaying their empathy toward the Ms. Bray, but this was it. Mr. Tucker said they are going above and beyond and there are people on this Board that care about the City, the residents, and the citizens of the City. Ms. Bray stated, so does she. Mr. Tucker stated just keep that in mind that it is all pending of what we discussed today. Ms. Bray stated, okay. Mr. Denham said, show up to our meetings, that has gotten you in trouble in the past. He stated you know they are every 30 days so do not say you did not get notice. Mr. Wicklund stated there will be another meeting on September 23rd at 9:00 a.m. Ms. Bray stated that any time she has not shown up was unavoidable. One time was surgery and one time her car broke down. Mr. Denham stated he understood. He stated that every month we hear excuses. Mr. Tucker stated that our concern when you say that we get it, exigent circumstances arise from time to time but are those exigent circumstances going to outweigh what you can and cannot do to your property. Ms. Bray stated the problem is and I will say smart aleck comments coming from the Board like the one comment that, "oh, big deal she bought a floor joist," that hurts because a floor joist for my house was a week's worth of groceries. She stated that not everybody in Joplin has a $150,000.00 income or lives in a $200,000.00 home. A lot of people are poor, and a lot of people are living meal to meal to meal. When you make smart aleck comments like that, and it is on video. Mr. Denham stated the meeting is over now. Mr. Denham said he appreciated her comments, but the meeting is concluded. Ms. Bray stated, nothing like being rude. Mr. Denham stated, that is what I say. Ms. Bray said she would think she would have a right as a citizen of Joplin to make my opinion known so obviously you are one of the Board members that does not care about the citizens of Joplin.

Mr. Tucker made the motion to Adjourn. Mr. Denham stated the Board needed to complete the agenda.

Mr. Tucker stated with her gone and for the record that was very uncalled for because the Board has been very professional every time he has been in the setting. Mr.

Denham stated he does not recall saying that and if he did, he did not mean to insult her. Mr. Tucker stated he did not believe Mr. Denham had ill intent.

**Item 2913, 3615 S. Range Line Rd.**

Aaron Gumpenberger was not present at the meeting. Mr. Oliver stated Troy Bolander has had meetings with Aaron, one of the current owners and they are still trying to work through getting the funding for the demolition. Mr. Oliver asked for the Board to continue this item for 30 days. Motion to continue Item 2913, 3615 S. Range Line to September 23rd Board of Appeals meeting for progress report and demolition hearing made by Mr. Duncan. Seconded by Mr. Wagner. (6 Aye, O Nay, 1 Absent) Motion carried.

**Item 2964, 2526 E. 12th St.**

Owner of the property was not present at the meeting. Mr. Oliver stated that at the last meeting there were structural issues, but they are addressing that issue. Currently, the house has passed all other rough-ins and is ready for sheetrock. Mr. Oliver said he does not believe the property is a danger any longer at this time. He said the owners have invested a lot of money in the property. Motion to remove Item 2964, 2526 E. 12th St. from the agenda made by Mr. Malone. Seconded by Mr. Wagner. (6 Aye, 0 Nay, 1 Absent) Motion carried.

**Item 2976, 1417 W. 20th St.**

The owner was not present at the meeting. Mr. Oliver stated he did not have an update on the property. Property has remained secured and last we know they are working with the insurance company to secure funding for the rehab. Motion to continue Item 2976, 1417 W. 20th St to September 23rd 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.

**New Business**

**Item 2995, 2012 S. Connor**

The owner was not present at the meeting. Mr. Oliver asked the Board to continue this Item to the next meeting. Mr. Oliver stated he believed this property sold at the tax sale this month. Motion to continue Item 2995, 2012 S. Connor to September 23rd 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 2997, 606 S. St. Charles Ave.**

The owner was not present at the meeting. Mr. Oliver stated the owner came in this morning and took paperwork. The owner was given a list of demolition contractors. Mr. Oliver stated this may work itself out without any action. Mr. Denham stated, so they are agreeable to the demolition. Mr. Oliver stated the owner purchased the dangerous building permit several months ago but never did anything with it. Never secured the building, never did anything so he added it to the agenda and now he came in this morning and wants to demolish the property. Motion to continue Item 2997, 606 S. St. Charles Ave. to September 23rd Board of Appeals meeting for a progress report and demolition hearing made by Mr. Malone. Seconded by Mr. Wagner. (6 Aye, 0 Nay, 1 Absent) Motion carried.

**Item 2998, 1406 S. Moffet**

The owner was not present at the meeting. Mr. Oliver stated this property was subject of a fire approximately one year ago. He stated the residence is occupied so it will be a little touchy. He said the property is a mess and he had to have officers present with him the day he posted the property. Mr. Oliver stated there are out of state owners. He believed the occupant is related to the out of state owners. Mr. Oliver stated there are multiple occupants. The property does not have electric or water. Mr. Tucker asked when these buildings are posted as dangerous buildings are there to be occupants. Mr. Oliver advised, no. Mr. Tucker asked if the PD did anything about that. Mr. Oliver stated the owners would have to sign a paper basically saying the police could arrest anyone in the building. Mr. Paul stated that is called a no trespass affidavit. If the property is vacant and the owners are cooperative, they will sign and gives authority anytime we see someone there to cite them for trespass otherwise if it is private property the police do not have any idea whether someone is there lawfully or not. Mr. Paul stated, now, if they do not sign it then typically, we will work our way through the process and if we get all the way to a demo order and they are still there which is an issue we are dealing with on another property right now we would probably need to go get a Court Order to

have that person removed. Motion to continue Item 2998, 1406 S. Moffet to September 23rd Board of Appeals meeting for a progress report and demolition hearing made by Mr. Tucker. Seconded by Mr. Windsor. (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. Tucker. Seconded by Mr. Wagner. Meeting adjourned at 10:45 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