Building Board of Appeals
Meeting Minutes

August 28, 2020

Call to order

Mr Hartwell called to order the regular meeting of the Building Board of Appeals at 9:04 am on August 28, 2020.

Roll call

Mr Hartwell conducted a roll call. The following persons were present: Rylee Hartwell, Curtis Ledford, Gary Wilson, Mark Callihan, Garret Wagner, David Reeder, and Ashley Micklethwaite.

Approval of Minutes

Mr Hartwell asked if any members had amendments for the July 24, 2020, minutes.

Mr Ledford stated that he does have one amendment. On Item 2908, 2409 S. Willard Ave. The motion was made by Mr Ledford and the second by Mr Wagner.

Mr Ledford made a motion to amend the minutes to reflect the correct motion and second on item 2908, 2409 S. Willard Ave. Mr Callihan seconded the motion.

Mr Ledford motioned for approval of minutes as amended. Mr Callihan seconded the motion for approval. (7 Aye, 0 Nay)

Continued Items

Item 2908, 2409 S. Willard Ave.

Mrs Yatziri Allison was present for the meeting as the owner of the property. Mrs Allison informed the board that there has been a lot of progress made on the house. The gas, framing, electric, and plumbing have all passed inspection. Mrs Allison continues to state that they have the HVAC contractor coming this week to finish his work. Mr Oliver agrees with Mrs Allison and states that since all the work has been completed and inspections passed that he does not consider this building a dangerous structure any longer. Mr Hartwell agrees that it no longer meets any of the dangerous building criteria but wants to keep the item on the agenda until the

project is complete. Mr Hartwell asks for a motion. Mr Callihan made a motion to continue item 2908, 2409 S. Willard Ave. to September 25th, seconded by Mr Reeder. (7 Aye, 0 Nay)

Item 2893, 123 S. Ozark Ave.

Mr Joe Spangler was present for the meeting as the owner of the property. Mr Spangler explains to the board that he never received any of the letters from the City on the property and did not know that it was up for demolition. Mr Spangler states that he even had roofers at the house when the demolition crew showed up to start work and that's how he found out about the situation. Mr Spangler requests that the board put a stay on the demolition order so he can move forward with fixing the house. Mr Hartwell asks Mr Spangler who Matt Clark is as he signed for the certified letters that were sent to him at 123 S. Ozark Ave. Mr Spangler replied that he did not know who that person was and they shouldn't have signed for the letter nor been at his house. Mr Paul wanted to make sure that Mr Spangler understood that if the board decided to go forward with the stay order that he would be continuing at his own risk as the board could decide to demolish the house at any time going forward. Mr Spangler acknowledged he understood that he was proceeding at his own risk if the board decided to order the stay. Mrs Micklethwaite asks Mr Oliver if the house was posted with a dangerous building placard. Mr Oliver replied, yes, it was as shown in the pictures. Mrs Micklethwaite then asks Mr Spangler why he didn't notice the placard, or if he did, why he didn't contact Mr Oliver as instructed on the placard. Mr Spangler states that he didn't see the posted on the house. Mr Hartwell informs the board that from looking at pictures Mr Oliver has in the folder he posted the structure twice, the first time December 2019 and the second time in August 2019 and he is not in favor of putting a stay on the demolition order. Mr Wagner asks Mr Oliver what kind of work is needed. Mr Oliver replied that the house needs a total remodel. Mr Callihan states that he is not in favor of putting a stay on the demolition order either. Mrs Micklethwaite asks Mr Paul to clarify that if they do not put a stay order on the demolition if a motion is needed. Mr Paul replies that if the board does not want to order the stay then a motion is not needed, and things will proceed as normal. Mr Hartwell asks for a motion with the demolition. No motion was made.

Item 2913, 3615 S. Rangeline Rd.

Aaron Gumpenberger was present via conference call as the owner of the property. Mr Wicklund explains to the board the information that he is aware of. Mr Wicklund states that Mr Gumpenberger represents an investment company that just foreclosed on the old Holiday Inn within the last couple weeks. Mr Gumpenberger is not part of the original investment group with Mr Patel who had been conference calling in previously and has been the owner up until this point. The account was sold to this investment company and they have roughly 15-20 properties like this across the country that are in the same condition this building is in and seem

like they're wanting to move forward quickly. Mr Callihan asks for clarification that Mr Patel is no longer the owner of the property. Mr Wicklund confirms that is correct, Mr Patel is no longer the owner nor involved with this case any longer. Mr Gumpenberger joined the call and introduced himself, Mr Hartwell asked Mr Gumpenberger to tell the board a little bit about the property and the plans he has for it moving forward including any time schedule he has in place. Mr Gumpenberger explains that the previous owner defaulted on the loan therefor it was foreclosed on and now he has full ownership of the property. Mr Gumpenberger stated "all I can reiterate to you is that, you know, what happened with the firefighters, the neglect, and the abandonment is a reflection of the previous owner and not us. We consider ourselves more to be here as a solution to fix this property." Mr Gumpenberger explains that his first goal is to get the property secured and he has received around $22,000 dollars to primarily put a fence around it, get security cameras installed, and muck out the swimming pool, and possibly turn on temporary power if that is something that is needed within the first 45-days. Mr Gumpenberger informs the board that he also wanted to talk with the board to see if anyone thought there was anything else that needed to be deemed urgent besides the camera's, swimming pool, and the fence. Mr Hartwell states that in previous meetings with the old owner it was an expectation that there was an individual on site who would provide 24hour security, is that something that is possible? Mr Gumpenberger explains that is extremely expensive and sometimes a false sense of security because you only have one person for the entire property. Mr Gumpenberger continued stating that he has found a company called Verify Security Solutions and they install cameras on the property that are motion sensor based and do not require power because they are battery operated and connected to the 4G network. Anytime the motion sensor detects anything it will notify myself, our caretaker, and the police in real time. Mr Hartwell informs Mr Gumpenberger that our Police Chief, Solan Roland is present and would like to invite him up to speak. Chief Roland informs Mr Gumpenberger that he has asked for Mr Wicklund to send me your contact information and once he has that he will send over a trespassing affidavit so they can arrest trespassers on the property. Since the 6th of this month Chief Roland stated the PD has been on site 6 times, 1 arrest, two suspicious vehicles, and a lot of pedestrian checks. Chief Roland expresses his is concern regarding security, being that without onsite security present you're basically making the PD your security. Right now, the PD responds to roughly 85,000-90,000 calls per year and our force is already spread thin which concerns me on response time. Mr Gumpenberger stated that at every location he works with the local law enforcement to what works best for them. For example, we could have the alerts sent to myself and to the local property caretaker first to make sure the threat is real and then send it on to the police if it is. Chief Roland agreed that would be best. Mr Gumpenberger stated that the little credit he can give the previous owner is that he did go and get bids for fencing around the property and he will be using those bids to get the fence perimeter installed as well. Chief Roland asks if the board has any other questions of him. Mr Ledford asks Chief

Roland if that pacifies him for the time being. Chief Roland states that it currently does, especially if the security system is prescreened before the call is made out to the police department for response. Mr Callihan informs Mr Gumpenberger that at a previous meeting there was a gentleman that was here and informed the board that he was on the old construction crew that was doing work on the building in years past. While work was being done vagrants were still living in the building, so he is very doubtful that a fence and security system will work at all. Mr Gumpenberger replied back saying he completely understands and before they board and fully secure the property he is wanting to work with law enforcement and do a full sweep of the property to hopefully get everyone out to help keep the property secured and have the motion security cameras catch any motion on the inside. Mr Callihan asks Mr Gumpenberger to confirm that the $22,000 dollars is not only for the security cameras, draining the pool, fencing the perimeter, but also for boarding up and securing the structure? Mr Gumpenberger confirms that is correct, it would be boarding up the structure on the first level and the entrances. Chief Roland informs Mr Gumpenberger that he will make sure to have officers available and will coordinate with him ahead of time to do the sweep. Mr Gumpenberger states that next week he will contact all the general contractors and fencing companies to tell them payment ready and set all the work up to be done up while he is in town. Mrs Micklewaite expresses concern about entrances on the second level and recommends that he boards the second level, or at least the broken windows. Mr Hartwell expresses that he would like to have a special board meeting or a meeting with him on site with city staff. Mr Gumpenberger agrees and states that he is more than willing to make that happen while he is in town. Mr Ledford asks Mr Gumpenberger to clarify what he will be doing within the first 45 days. Mr Gumpenberger states that his goal within that 45-day window is to have the property fully secured and vagrant free. Mr Hartwell invites Chief Furgerson and Fire Marshall Dale Brooks to speak on the issue. Chief Furgerson states that he agrees with the board that this needs to be fixed and secured quickly. Chief Furgerson states that he knows that Mr Gumpenberger this aware of the mayday situation but does not want a similar situation in the future. Chief Furgerson asks Mr Gumpenberger to put together a timeline or schedule of what he is wanting to accomplish and email that to Bryan Wicklund. Mr Gumpenberger replies that he is more than willing to do that and even go a step further and have Bryan Wicklund be the point person that he carbon copies in all of his emails with contractors, so the city has more confidence in him than the previous owner. Chief Furgerson states that he is fine with that but would like to still see a timeline put together and sent in. Mr Gumpenberger replies that he can put a timeline together but instead of just throwing dates on it he would like to contact all the general contractors first to know their timelines of when things can get started and completed. Chief Furgerson agrees and states that it would make him feel more confident as the city has a whole has been told something will be done with this property many times and nothing is ever done. Mr Gumpenberger says he is more than willing to do that for the board

and the City. Mr Hartwell thanks Mr Gumpenberger for calling in and asks the board if there are any other questions. Mr Hartwell asks for a motion. Mr Callihan made a motion to continue item 2913, 3615 S. Rangeline Rd. to September 25th, seconded by Mr Reeder. (7 Aye, 0 Nay)

Item 2902, 524 S. Byers Ave.

David Papen was present for the meeting as the owner of the property. Mr Hartwell clarifies that this property has already been ordered demolished by the board. Mr Papen explains that he purchased around 7 properties and once the sale went through, he contacted the building department and went in secured it and cleaned up the property. Mr Papen explained that he purchased the property at a tax sale and couldn't fix the property until all the liens were cleared from the title. Mr Papen stated that he did not get a notice and did not get a call from the building department. Mr Papen stated that he now has the funds cleared from the bank to fix it and is ready to submit a building application. Mr Hartwell states that he might not have received any letters from the building department, but they sent 8 letters to you at the Roosevelt address. Mr Papen expressed that it would be disheartening to him to know that the property would be demolished when he has multiple lines of communication with the City of Joplin and no one tried to call him. Mr Paul clarifies that the information that was provided was through the secretary of state and the information was followed as they should have. Mr Papen replied that information should have been changed years ago. Mr Ledford asked Mr Papen how long it took to clear the title work. Mr Papen stated that he purchased the property in late 2018. Mr Ledford asked for dates of when the structure was first posted. Mr Oliver replies that the photo that he has of the placard being posted was on August 26, 2019. Mr Ledford questions Mr Papen that he boarded up the house and secured it before it was ever even posted? Mr Papen agreed that was correct, and he had documents to support that as well and request a stay on the demolition order to start work on the property. Mr Papen states that he is wanting to invest in Joplin and can have people start work as soon as next week. Mr Hartwell asks Mr Oliver if we have seen properties from Eco Evolutions in the past. Mr Oliver was unsure. Mr Papen stated that he has not because the company wasn't even formed until 2018. Mr Oliver wanted to make it clear that Mr Papen did see the dangerous building placard on the structure. Mr Papen stated that he did and that's when he contacted the City. Mr Oliver asks who he spoke with at that time. Mr Papen stated that he believes the email was to Troy Bolander and Bryan Wicklund. Mr Wicklund stated that he may have contacted him but remembers roughly 3 years ago he walked through the house with a lady who claimed to be the owners wife who was going through a divorce and wanted to know what could be done with the property. Mr Wicklund stated that he doesn't specifically remember talking to Mr Papen, but he would always tell someone who bought a property at a tax sale to clean it up and secure it. Mr Hartwell stated that he doesn't see a way forward and personally doesn't want to have the stay order placed. Mr Ledford makes a motion to have the stay order placed and a second

by Mr Wagner. (2Aye, 4 Nay, 1 Abstain) The motion fails to pass. Mr Papen stated that he will be able to do his own demolition and he will set that up right away.

Item 2914, 1704 Grand Ave.

Owner of the property was not present for the meeting. Mr Oliver informs the board that the owners did their own demolition and the item can be removed from the agenda. Mr Hartwell asks for a motion. Mr Callihan made a motion to release item 2914, 1704 Grand Ave., seconded by Mr Wagner. (7 Aye, 0 Nay)

Item 2915, 1215 Iowa Ave.

Mr Kaleb Marty was present for the meeting as the owner of the property and representing Sunnyvale Investments. Mr Hartwell asks Mr Marty for a timeline on the property. Mr Marty explains to the board that the company had another gentleman that was supposed to be monitoring the property and the property at 1217 Iowa Ave., but he was not and is no longer with the company. Mr Callihan informs Mr Marty that this house is open and currently not secured. Mr Callihan asks Mr Marty if he has the funding available and in place for this project. Mr Marty confirms that he does. Mr Callihan mentions that he understands that he just took over this project but is wanting to know a timeline for when he thinks these projects will be completed. Mr Marty states that he currently has two guys on his crew that are currently in quarantine for covid-19 but as soon as they are back, he would like to put them on 1217 Iowa first to get it finished. Mr Callihan stated that he understood but he would like to know more of a schedule for 1215 Iowa. Mr Marty stated that he can meet with some local contractors on this property and get some quotes to see if it makes sense to remodel the house, if not they will demolish the property, so the city isn't worried about it. Mr Ledford asks Mr Marty if he is the owner of Sunnyvale investments. Mr Marty states that he is, when the company was founded, he had two partners but recently bought them both out and is the sole owner. Mr Hartwell explains that progress is the key and thanks Mr Marty for coming to the meeting. Mr Hartwell asks for a motion. Mr Reeder made a motion to continue item 2915, 1215 Iowa Ave. to September 25th, seconded by Mr Wagner. (7 Aye, 0 Nay)

Item 2916, 1217 Iowa Ave.

Mr Kaleb Marty was present for the meeting as the owner of the property and representing Sunnyvale Investments. Mr Hartwell asks Mr Marty for a timeline on the property. Mr Marty explains to the board that the company had another gentleman that was supposed to be monitoring the property and the property at 1215 Iowa Ave., but he was not and is no longer with the company. Mr Marty states that he thinks this property is close to being finished but has not walked through the property in a long time and is unsure where it currently is in the process. Mr Wicklund informs the board that the house did pass a framing inspection and

rough-in electrical inspection in June 2019, but it appears that's the last time a city inspector was in the home. Mr Oliver and Mr Wicklund agree that Mr Marty needs to apply for a permit extension as the permit is now expired and suggest that he calls in requesting a consultation with a city inspector to have knowledge of what needs to happen to finalize the project. Mr Marty states that he will call in and request the inspection for next week. Mr Hartwell asks for a motion. Mr Ledford made a motion to continue item 2916, 1217 Iowa Ave. to September 25th, seconded by Mr Callihan. (7 Aye, 0 Nay)

Item 2917, 1401 Iowa Ave.

Owner of the property was not present for the meeting. Mr Hartwell calls for a motion for a dangerous building hearing. Motion to hold a demolition hearing made by Mr Ledford, Second by Mr Callihan. (7 Aye, 0 Nay) Mr Paul calls Jeff Oliver under oath and is sworn in by Olivia Stockdale, Notary Public. Mr Paul questions Mr Oliver if he has had the opportunity to inspect the property at issue and show reasonable lackness for the matter at issue? Mr Oliver states yes, he has inspected the property and it does qualify for demolition. Mr Oliver informs the board that the property at issue had a fire and that can be seen in the photographs that are being passed around. Mr Oliver explains that he had a title search done using Great American Title showing Shilo Cook as the owner of the property. Mr Oliver states that he sent certified letters to Mr Cook at various addresses with signed receipt from the address in Pineville, MO. Mr Oliver states that Certified letters were sent to a John Co. Inc as an interested party in the property. Mr Oliver states that he also sent Certified letters to Mr Kevin Checkett as an interested party in the property. Mr Oliver tells the board that the item was advertised in the Joplin Goble with the publication dates of 7/2, 7/9, 7/16, and 7/23 of this year. Mr Oliver expresses that he has based his opinions off the Code of Ordinances with sub-section line 6 and 13. Mr Oliver explains that this is a very large structure that had a fire which destroyed 3/4 of the building and in his professional opinion, he would recommend demolishing the structure. Mr Callihan asks for a motion. Motion to demolish item number 2910, 1815 S. Moffet Ave. made by Mr Ledford Second by Mr Wagner. (7 Aye, 0 Nay)

Item 2918, 1333 Iowa Ave.

Owner of the property was not present for the meeting. Mr Oliver informs the board that all the issues on this property have been resolved and the item can be released from the agenda. Mr Hartwell asks for a motion. Mr Wagner made a motion to release item 2918, 1333 Iowa Ave., seconded by Mr Callihan. (7 Aye, 0 Nay)

Item 2919, 2102 S. Joplin Ave.

Mr Robert Baldwin was present for the meeting as the owner of the property. Mr Baldwin informs the board that two people broke into the house and released one, the next day there was a fire at the house. Mr Baldwin mentions that he has gone in and secured the structure and then asks the board what else they want him to do at this point. Mr Oliver questions Mr Baldwin stating that he is the property owner, what would he like to do with the house? Mr Baldwin states that he just signed contracts to sell 5 other of his houses and supposedly this house is one that he would be interested in buying in the next couple of months. Mr Oliver informs the board that the day that he posted the structure Mr Baldwin was on site starting to do the clean-up. One of Mr Oliver's questions to Mr Baldwin while posting the structure was if he was going to rehab the property and he waited on bringing it to the board thinking that he would hear something but several months went by with no progress. Mr Baldwin states that he can pull a permit on the property, but his question is if he does pull the permit and the property sells if the permit will transfer over to the new owner. Mr Oliver first asks Mr Baldwin when he thinks he will close on the property. Mr Baldwin explains that the first group of properties he is supposed to close within thirty-days, at the end of 60-days is when he is supposed to come back and buy another group. All together the buyer will purchase 60 properties from Mr Baldwin. Mr Paul asks Mr Baldwin if the property has or had insurance. Mr Baldwin confirms that it did not have insurance. Mr Oliver asks if the board chooses to continue the item for 30 days until the next meeting if the new potential owner can come to the next meeting. Mr Baldwin replies he thinks that is possible, the reason why he couldn't attend the last meeting was because he was in quarantine as he was exposed to covid-19. Mr Paul asks Mr Baldwin if he is opposed to demolition and explains a demolition consent form if he wants to sign it. Mr Baldwin states that he does not consent to demolition and the house is not bad enough to demolish it. Mr Hartwell asks for the pleasure of the board, either having a demolition hearing or wanting to continue. Mr Callihan made a motion to continue item 2919, 2102 S. Joplin Ave. to September 25th, seconded by Mr Reeder. (7 Aye, 0 Nay)

Item 2920, 2838 Michigan Ave.

Owner of the property was not present for the meeting. Mr Oliver informed the board that the property has sold, and a permit is currently in place. Mr Oliver asks for the board to continue the item till the next meeting. Mr Hartwell asks for a motion. Mr Ledford made a motion to continue item 2920, 2838 Michigan Ave. to September 25th, seconded by Mr Callihan. (7 Aye, 0 Nay)

New Business

Item 2921, 1124 Murphy Ave.

Owner of the property was not present for the meeting. Mr Oliver asks the board to continue the item till the next meeting. Mr Hartwell asks for a motion. Mr Ledford made a motion to continue item 2921, 1124 Murphy Ave. to September 25th, seconded by Mr Reeder. (7 Aye, 0 Nay)

Item 2922, 123 Oak Ave.

Owner of the property was not present for the meeting. Mr Oliver asks the board to continue the item till the next meeting. Mr Hartwell asks for a motion. Mr Ledford made a motion to continue item 2922, 123 Oak Ave. to September 25th, seconded by Mr Reeder. (7 Aye, 0 Nay)

Item 2923, 1034 S. Kentucky Ave.

Owner of the property was not present for the meeting. Mr Oliver asks the board to continue the item till the next meeting. Mr Hartwell asks for a motion. Mr Ledford made a motion to continue item 2923, 1034 S. Kentucky Ave. to September 25th, seconded by Mr Reeder. (7 Aye, 0 Nay)

Item 2924, 115 N. Landreth Ave.

Mr Takeshi was present for the meeting as the owner of the property. Mr Takeshi asked for the board to explain why he was here and what was wrong with his house. Mr Oliver asks Mr Takeshi what his plans were for the house going forward. Mr Takeshi states that this is his hobby, but he hasn't decided if he wants to demolish the property or remodel it yet. Mr Takeshi continues to mention that he talked with someone on the 4th floor of City Hall to see if there were any historical restrictions, which there is not. Mr Wicklund confirmed that he probably spoke to Thomas Walters and agreed that there are not any restrictions due to the home being historical. Mr Wicklund explains to Mr Takeshi that if he did decide to demolish the house that the property is zoned R3 so he can build new duplexes or potentially even 3 houses. Mr Hartwell explains to Mr Takeshi that since this is the first time for this item to be on the agenda the board will automatically continue for 30 days till the next meeting, but Mr Hartwell asks for Mr Takeshi to have a plan in place for the next meeting. Mr Hartwell asks for a motion. Mr Ledford made a motion to continue item 2924, 115 Landreth Ave. to September 25th, seconded by Mr Reeder. (7 Aye, 0 Nay)

Item 2925 116 N. Moffet Ave.

Owner of the property was not present for the meeting. Mr Oliver asks the board to continue the item till the next meeting. Mr Hartwell asks for a motion. Mr Ledford made a motion to continue item 2925, 116 N. Moffet Ave. to September 25th, seconded by Mr Reeder. (7 Aye, 0 Nay)

Item 2926, 1308 Central Ave.

Owner of the property was not present for the meeting. Mr Oliver asks the board to continue the item till the next meeting. Mr Hartwell asks for a motion. Mr Callihan made a motion to continue item 2926, 1308 Central Ave. to September 25th, seconded by Mr Reeder. (7 Aye, 0 Nay)

Item 2927, 1402 W. 4th St.

Owner of the property was not present for the meeting. Mr Oliver informed the board that a demolition consent form has been signed by the owner and asks the board to release the item from the agenda. Mr Hartwell asks for a motion. Mr Callihan made a motion to release item 2927, 1402 W. 4th St., seconded by Mr Ledford (7 Aye, 0 Nay)

Mr Hartwell asked for a motion to adjourn the meeting. Motion by Mr Ledford, second by Mr Wagner to adjourn the meeting at 11:35am.

Approved Rylee Hartwell

Rylee Hartwell, Chairman

Approved Olivia Stockdale

Olivia R Stockdale, Notary Public

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

My commission Expires: December 11, 2022