Building Board of Appeals Meeting Minutes

September 24, 2021

Call to order

Mr. Hartwell called to order the regular meeting of the Building Board of Appeals at 9:05 am on September 24, 2021.

Roll call

Mr. Hartwell conducted a roll call. The following persons were present: Rylee Hartwell, Kyle Denham, Lance Windsor, Gary Wilson, Garret Wagner, Steve Urie-Ross, Leif Malone, Assistant City Attorney Jordan Paul, City Building Inspector Jeff Oliver and City Building Official Bryan Wicklund.

Technical Issues

Audio/Video recordings were unavailable, and the minutes were based on the notes that were taken by the Clerk.

Approval of Minutes

Mr. Hartwell asked for a motion to approve the minutes as presented for the August Board of Appeals meeting. Mr. Denham made a motion to approve the August Building Board of Appeals minutes and Mr. Urie-Ross seconded the motion. (7 Aye, 0 Nay)

Continued Items

Item 2913, 3615 S. Range Line Rd.

Aaron Gumpenberger was not present at the meeting. Patrick Wood was present at the meeting. Mr. Wood advised they have the Joint Venture Agreement with Letters of Intent in place with a property in Mount Prospect, St. Joseph, and now Joplin. They did experience delays due to pursuing the Joint Venture agreement, but they are moving forward now. They are still having break-ins at the property. Mr. Denham asked if a permit was in place for this project. Mr. Wood replied they do not have one, but construction should still begin by the end

of the year. Mr. Denham asked if this was still with the same franchise and Mr. Wood replied yes. Mr. Denham asked if the construction documents had been started and Mr. Wood replied no. Mr. Hartwell asked Mr. Wicklund to speak about this property. Mr. Wicklund stated the City doesn't want to demolition a property if it can be rehabilitated. Mr. Wicklund stated he would like to hold off until the end of the year, but if this project goes into next year, he believes the Board may need to pursue other options. Mr. Hartwell asked for a motion. Mr. Denham made a motion to continue Item 2913, 3615 S Range Line Rd to the October 22nd Building Board of Appeals meeting for a progress report and demolition hearing, seconded by Mr. Urie-Ross (7 Aye, 0 Nay)

Item 2921, 1124 Murphy Ave.

Michael Wilson was present as the owner of the property. They brought in a Contractor Freddie Ricky to help them as the job just proved to be too large for them to complete. Mr. Ricky advised he believes he can have the whole job done by next month. Mr. Hartwell asked if he felt it would be complete by the next meeting on 10/22. Mr. Ricky confirmed yes, he was confident it would be done. Mr. Hartwell asked for a motion. Mr. Windsor made a motion to continue Item 2921, 1124 Murphy Ave. to the October 22nd Building Board of Appeals meeting for a progress report and demolition hearing, seconded by Mr. Wagner. (7 Aye, 0 Nay)

Item 2940, 217 Michigan Ave.

Owner was not present at the meeting. Mr. Oliver informed the Board there have been no changes or progress made at this property, but it appears someone is mowing. Mr. Hartwell stated he hopes this will be ready for hearing next month. Mr. Hartwell asked for a motion. Mr. Denham made a motion to continue Item 2940, 217 Michigan Ave. to the October 22nd Building Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Urie-Ross. (7 Aye, 0 Nay)

Item 2942, 4323 W 27th Pl.

Linda Tarpley tried to be present via phone on behalf, but there were technical issues with the phone system, so we had to let her go. Ms. Tarpley sent Jeff Oliver an email that will remain in the record.

Item 2946, 323 N. Mineral Ave.

Owner of the property was not present at the meeting. Mr. Oliver informed the Board there is a permit in place, but there has been no progress. Mr. Oliver spoke with Mr. Hills about six weeks ago, but he has not heard from him since. Mr. Oliver stated he is wondering if he ran out of money. Mr. Hartwell asked for a motion. Mr. Windsor made a motion to continue Item 2946,

323 N. Mineral Ave. to the October 22nd Building Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wilson. (7 Aye, 0 Nay)

Item 2947, 2408 Willard Ave.

Misty Gamble was present as the owner of the property. Miss Gamble informed the Board that she and her fiancé are no longer together so there has been a delay due to that, but she is pursuing other ways to work on the house now. Miss Gamble stated the roof is now felted and should be complete by Monday. Miss Gamble advised she has now purchased the siding and has a dumpster on the property to continue the clean-up process. Mr. Hartwell expressed concern over the items in the front yard. Miss Gamble assured the Board she intends to continue working on cleaning up the property. Mr. Denham asked what the plan was for the burned car. Miss Gamble advised she and her son are going to see if the engine in the car is salvageable and if it isn't, they will have the car towed off by a salvage yard. Mr. Denham stated the fire was 7 months ago and he hates to see this continue to drag on. Mr. Oliver stated Miss Gamble did not have insurance at the time of the fire. Mr. Oliver asked Miss Gamble if she has obtained Builders Risk insurance and she stated had not. Mr. Oliver recommended that she start there. Mr. Hartwell asked for a motion. Mr. Denham made a motion to continue Item 2947, 2408 Willard Ave. to the October 22nd Building Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Urie-Ross. (7 Aye, 0 Nay)

Item 2955, 622 S. Porter Ave.

James Edwards was present as the owner of this property. Mr. Edwards informed the Board that he rented a place yesterday, he just needs a few more days to get moved out of the property. Mr. Edwards advised he did not receive a letter last month, but he did this month. Mr. Oliver advised he is correct and apologized for the oversight. Mr. Hartwell thanked Mr. Edwards for cooperating with the Board. Mr. Hartwell asks for a motion. Mr. Denham made a motion to release Item 2955, 622 S. Porter Ave. due to the signed consent form. Seconded by Mr. Urie-Ross. (7 Aye, 0 Nay)

Item 2956, 1502 Bird Ave.

Owner was not present at the meeting. Mr. Oliver informed the Board there are new owners of this property and he has not sent them letters. Mr. Oliver asked the Board to continue this meeting till next month, to reach the new owners. Mr. Hartwell asks for a motion. Mr. Denham made a motion to continue Item 2956, 1502 Bird Ave. to the October 22nd Building Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Urie-Ross. (7 Aye, 0 Nay)

Item 2958, 2421 S. Florida Ave.

Lindsey Niebaum was present on behalf of the new owner of the property, Adam Murphy. Miss Niebaum informed the Board Mr. Murphy has brought in a crew that has cleaned out the inside of the structure. Miss Niebaum stated they are looking at a 6-month timeframe for this project. Mr. Murphy has applied for a permit and Mr. Oliver has that application. Mr. Oliver advised the Board he wanted to discuss this with the Board before putting this through. Mr. Oliver asked the Board to continue this property to next month's meeting. Mr. Hartwell asked for a motion. Mr. Denham made a motion to continue Item 2958, 2421 S. Florida Ave. to the October 22nd Building Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Urie-Ross. (7 Aye, 0 Nay)

Item 2962, 1127 S. Sergeant Ave.

Owner was not present at the meeting. Mr. Oliver asked the Board to continue this item to next month's meeting. Mr. Hartwell asks for a motion. Mr. Denham made a motion to continue Item 2962, 1127 S. Sergeant Ave. to the October 22nd Building Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Urie-Ross. (7 Aye, 0 Nay)

Item 2963, 418 W. 2nd St.

Renee Casey was present as the owner of the property. Mr. Oliver advised this property was sold to PX Commercial LLC. Miss Casey informed the Board she brought copies of cleared checks and invoices for the work that their contractor was supposed to be doing. Mr. Hartwell asked Miss Casey what the time of completion would be for this project and she replied as soon as possible. Mr. Oliver asked Ms. Casey if she had seen the property. Ms. Casey advised that she had, and they may have to work out their concerns with their contractor in court. Ms. Casey assured the Board that this is not their quality of work. Mr. Denham stated she may just want to cut ties with that contractor. Mr. Hartwell advised they need to have a schedule, timeline, and a permit at the next meeting. Mr. Hartwell asks for a motion. Mr. Denham made a motion to continue Item 2962, 1127 S. Sergeant Ave. to the October 22nd Building Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (7 Aye, 0 Nay)

Item 2964, 2526 E. 12th St.

Owner of the Property was not present at the meeting. Mr. Hartwell calls for a motion for a dangerous building hearing. Motion was made for the hearing. Mr. Paul calls Jeff Oliver under oath and is sworn in by Rachel Freund, 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, and that can be seen in the photographs that are being passed around. Mr. Paul

asked Mr. Oliver if the photographs reflect a placard that he placed on the property and is the purpose of that placard to notify any party that might be present on the property of this proceeding and Mr. Oliver replied yes. Mr. Oliver advised Mr. Mallonee has been present at the meetings. Mr. Paul asked what Mr. Oliver did to ascertain the ownership of the property and Mr. Oliver explains that he had a title search done using Great American Title showing Dutton Investment Group as the owner. Mr. Paul asked Mr. Oliver what if anything else did you do to notify any interested party of this action. Mr. Oliver states that he sent certified letters to Dutton Investment Group and he has signed receipts. Mr. Paul asked Mr. Oliver what if anything else did you do to notify any interested party of this action. Mr. Oliver tells the Board that the item was advertised in the Joplin Goble with the publication dates of 9/2, 9/9, 9/16, and 9/23 of this year. Mr. Oliver expresses that he has based his opinions off the Code of Ordinances with sub-section lines 6, 13, and 18 for Item 2964, 2526 E. 12th St. Mr. Oliver explains that in his professional opinion, he would recommend demolishing the structure. Mr. Hartwell asks for a motion. Motion to demolish Item 2964, 2526 E. 12th St. to include any out-buildings made by Mr. Windsor, Second by Mr. Wilson. (7 Aye, 0 Nay)

Item 2965, 2023 Bird Ave.

Forrest Mallonee was present as the owner of the property. Mr. Hartwell calls for a motion for a dangerous building hearing. Motion to hold a demolition hearing made by Mr. Urie-Ross, Second by Mr. Denham. (7 Aye, 0 Nay) Mr. Paul calls Jeff Oliver and reminds him that he is under oath. 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, and that can be seen in the photographs that are being passed around. Mr. Paul asked Mr. Oliver if the photographs reflect a placard that he placed on the property and is the purpose of that placard to notify any party that might be present on the property of this proceeding and Mr. Oliver replied yes. Mr. Oliver advised Mr. Mallonee has been present at the meetings. Mr. Paul asked what Mr. Oliver did to ascertain the ownership of the property and Mr. Oliver explains that he had a title search done using Great American Title showing Forrest Mallonee as the owner. Mr. Paul asked Mr. Oliver what if anything else did you do to notify any interested party of this action. Mr. Oliver states that he sent certified letters to Forrest Mallonee and he has signed receipts. Mr. Paul asked Mr. Oliver what if anything else did you do to notify any interested party of this action. Mr. Oliver tells the Board that the item was advertised in the Joplin Goble with the publication dates of 9/2, 9/9, 9/16, and 9/23 of this year. Mr. Oliver expresses that he has based his opinions off the Code of Ordinances with sub-section lines 4, 12, and 18 for Item 2965, 2023 Bird Ave. Mr. Oliver explains that in his professional opinion, he would recommend demolishing the structure. Mr. Hartwell asks for a motion. Motion to demolish Item 2965, 2023 Bird Ave. to include any out-buildings made by Mr. Wagner, Second by Mr. Urie-Ross. (7 Aye, 0 Nay)

Item 2966, 806 S. Connor Ave.

Sharon Wiggins-Alexander was present on behalf of her parents, the owners of the property. Ms. Wiggins-Alexander stated she would like to request this property be extended to next month's meeting as she is waiting on two Arson reports, she is also looking into a controlled burn option. Mr. Wicklund advised the Environmental Protection Agency would not allow a controlled burn. Mr. Windsor stated he would be okay continuing this property to next month. There was a motion to continue this item, but Mr. Denham asked Mr. Oliver if he had this item ready for a demolition hearing today and Mr. Oliver replied yes. Mr. Hartwell calls for a motion for a dangerous building hearing. Motion to hold a demolition hearing made by Mr. Denham, Second by Mr. Urie-Ross. (7 Aye, 0 Nay) Mr. Paul calls Jeff Oliver under oath and reminds him that he is under oath. 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, and that can be seen in the photographs that are being passed around. Mr. Paul asked Mr. Oliver if the photographs reflect a placard that he placed on the property and is the purpose of that placard to notify any party that might be present on the property of this proceeding and Mr. Oliver replied yes. Mr. Paul asked what Mr. Oliver did to ascertain the ownership of the property and Mr. Oliver explains that he had a title search done using Great American Title showing Wes and Carol Barbee as the owners. Mr. Paul asked Mr. Oliver what if anything else did you do to notify any interested party of this action. Mr. Oliver states that he sent certified letters to Wesley and Carol Barbee and he has signed receipts. Mr. Oliver tells the Board that the item was advertised in the Joplin Goble with the publication dates of 9/2, 9/9, 9/16, and 9/23 of this year. Mr. Oliver expresses that he has based his opinions off the Code of Ordinances with sub-section lines 6, 12, 13, and 18 for Item 2966, 806 S. Connor Ave. Mr. Oliver explains that in his professional opinion, he would recommend demolishing the structure. Mr. Hartwell asks for a motion. Motion to demolish Item 2966, 806 S. Connor Ave. to include any out-buildings made by Mr. Denham, Second by Mr. Urie-Ross. (7 Aye, 0 Nay)

Item 2967, 722 S. Indiana Ave.

Owner of the property was not present at the meeting. Mr. Hartwell calls for a motion for a dangerous building hearing. Motion to hold a demolition hearing made by Mr. Denham, Second by Mr. Urie-Ross. (7 Aye, 0 Nay) Mr. Paul calls Jeff Oliver and reminds him that he is under oath. 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, and that can be seen in the photographs that are being passed around. Mr. Paul asked Mr. Oliver if the photographs reflect a placard that he placed on the property and is the purpose of that placard to notify any party that might be

present on the property of this proceeding and Mr. Oliver replied yes. Mr. Oliver stated he left a message for Mr. Stevens on August 24th with no answer. Mr. Paul asked what Mr. Oliver did to ascertain the ownership of the property and Mr. Oliver explains that he had a title search done using Great American Title showing Randy Stevens as the owner. Mr. Paul asked Mr. Oliver what if anything else did you do to notify any interested party of this action. Mr. Oliver states that he sent certified letters to Randy Stevens and he has signed receipts. Mr. Paul asked Mr. Oliver if the address those letters were mailed to was 722 S. Indiana Ave and Mr. Oliver replied yes. Mr. Paul asked Mr. Oliver what if anything else did you do to notify any interested party of this action. Mr. Oliver tells the Board that the item was advertised in the Joplin Goble with the publication dates of 9/2, 9/9, 9/16, and 9/23 of this year. Mr. Oliver expresses that he has based his opinions off the Code of Ordinances with sub-section lines 10, 12, 13, and 18 for Item 2967, 722 S. Indiana Ave. Mr. Oliver explains that in his professional opinion, he would recommend demolishing the structure. Mr. Hartwell asks for a motion. Motion to demolish Item 2967, 722 S. Indiana Ave. to include any out-buildings made by Mr. Denham, Second by Mr. Urie-Ross. (7 Aye, 0 Nay)

New Business

Item 2968, 217 N. Gray Ave.

Donna Bray was present as the owner of the property. Miss Bray informed the Board that she had a permit before Covid hit. Miss Bray advised she also had surgeries that delayed her making any progress. Miss Bray stated the back wall is demolished now, she has a dumpster, and the debris from the porch is cleaned up. Miss Bray advised the back wall is framed up now. Mr. Hartwell asked if Miss Bray was currently living in the house and she replied no, she is living with her son. Mr. Oliver advised they can do a consult with her onsite at the property, so they know what they need to do for inspections. Mr. Hartwell asks for a motion. Mr. Denham made a motion to continue Item 2968, 217 N. Gray Ave. to the October 22nd Building Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (7 Aye, 0 Nay)

Item 2969, 3024 E. 9th St.

Owner was not present at the meeting. Mr. Oliver stated there was a fire at this property and it is overgrown. He spoke with Peggy recently. Mr. Oliver asked the Board to continue this property to next month. Mr. Hartwell asks for a motion. Mr. Denham made a motion to continue Item 2969, 3024 E. 9th St. to the October 22nd Building Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (7 Aye, 0 Nay)

Item 2970, 2009 E. 4th St.

Owner was not present at the meeting. Mr. Denham asked if this was an occupied structure. Mr. Oliver advised he has not witnessed anyone there on the property and that Mr. Oakerson stated 6 weeks ago that no one should be there. Mr. Oliver asked the Board to continue this property to next month. Mr. Hartwell asks for a motion. Mr. Denham made a motion to continue Item 2970, 2009 E. 4th St. to the October 22nd Building Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (7 Aye, 0 Nay)

Other Business

Item 2950, 223 Galena Ave.

Mr. Oliver explained that this property is days from demolition, a demolition hearing was held at the May 28th Building Board of Appeals meeting. Anna Fiscus, the daughter of the deceased owner Neal Fiscus wished to address the Board regarding this item. Miss Fiscus did not learn of her Father's death till four months after he passed. Miss Fiscus stated the Attorney in Springfield Jennifer Triplett, who is also representing her grandfather's estate, has not been attending meetings or updating the Board on this property. Miss Fiscus advised they would like to request an extension on the demolition as they would like to sell the property as is. Miss Fiscus advised there have been break-ins at the property, but they filed a trespassing ordinance with the Police Department. Miss Fiscus stated she did not see the placard posted indicating that the property was before the Board. Mr. Paul explained the stay motion process to stop a demolition for the new Board member and Ms. Fiscus. Attorney Jennifer Triplett received and signed for the certified letters that were mailed. Mr. Hartwell asked if any Board member wished to put forth a stay motion and no member raised their hand. Mr. Paul advised Ms. Fiscus that no member of the Board put forth a motion to stop the demolition. Ms. Fiscus thanked the Board for allowing her to speak.

Mr. Hartwell welcomes Mr. Leif Malone to the Building Board.

Mr. Hartwell stated he would like for future calls during the Board meeting to go to Jeff Oliver's cell phone, rather than coming in through the conference call system due to the technical issues that were experienced during the meeting with the two conference calls.

Mr. Hartwell asked for a motion to adjourn the meeting. Motion made by Mr. Urie-Ross, second by Mr. Wagner to adjourn the meeting at 11:12 am.

Approved FOR MR. HARTWELL

Rylee Hartwell, Chairman

Approved Rachel Freund

Rachel Freund, Notary Public

RACHEL FREUND
NOTARY PUBLIC-NOTARY SEAL
My Comm. Expires
July 25, 2025
ID. # 21884848
Commissioned for Jasper County
STATE OF MISSOURI

My commission Expires: July 25, 2025