MINUTES
BUILDING BOARD OF APPEALS
REGULAR MEETING
OCTOBER 28, 2016
9:00 AM

Kyle Denham, Chairman, called the October 28th Building Board of Appeals meeting to order with the following Board members present: Kyle Denham, Crystal Harrington, Rylee Hartwell, Don Landrith and Ervin Wilson. Board member David Pommert and Mark Eastman was absent. City officials present: Jeff Oliver, Building Inspector: Jordan Paul, Assistant City Attorney: Bryan Wicklund, Chief Building Official and Susan Champlin, Notary Public.

Mr. Denham	**Do we have a motion to excuse Mr. Pommert and Mr Eastman?**
Mrs. Harrington	**Mr. Chairman, I make a motion that we excuse Mr. Pommert and Mr Eastman from this meeting.**
Mr. Denham	**All those in favor of excusing them, say "aye" (Mr. Denham, Mrs. Harrington, Mr. Hartwell, Mr Wilson and Mr Landrith voted "aye") Motion carries, 6-0.**
Mrs Champlin	**you might say, Kyle that they make the motion and second it again.**
Mr Denham	**OK. I forgot. Did you make the motion?**
Mrs Harrington	**I made the motion?**
Mr Denham	**Mrs Harrington made the motion, Mr Wilson second it.** Before we get started, I would like to recognize Susan Champlin. She is going to be retiring from the City and she has done the minutes for this meeting and many other boards and commissions for the City. We appreciate your faithful service for all these years. I know when you do the minutes, I do not have to check them over because they are always accurate. So I appreciate that. I think we owe her a round of applause.
Mrs Harrington	Thank you, Susan. You are meticulous.
Mr. Denham	We are going to miss you. Thank you.
Mrs Champlin	We want to introduce Bet Willhite. She works for Bryan in the Building Department and will be taking over.
Mr Denham	Welcome. Hi, Bet. Thanks for coming. Appreciate it.
Mr Denham	Anyone who wants to come up and talk about a specific properties, come up and give us your name and address and which property you are here to speak on, please.

ITEM #2784	**2108 W 3rd St** **OWNER: 2108 W 3 Tr** **ADDRESS: PO Box 3133, Joplin, MO 64803** **"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the September 23, 2016 meeting for a "Demolition Hearing" and Progress Report (SECOND TIME BEFORE THE BOARD)**
Bill Michael	I'm Bill Michael. I am the Trustee for the 2108 W 3 property.
Mr Denham	Item # 2784.
Mr Michael	This is Denton Gillelan. He has leased/purchased the property from me. I will let him tell you what his plans are for the property.
Mr Denham	Morning.
Mr Gillelan	Morning. I'd like to, I have several projects. I haven't got to this one. I just need to get going on it and get it finished and/or sell it "as is". I'd like to get on it next. I have one I am just finishing up so I need to get it finished. It won't take too much longer and then I will get working on this one.
Mr. Denham	Are you a contractor?
Mr. Gillelan	No.
Mr Denham	Will you be hiring contractors to do the work?
Mr Gillelan	I can, Yah. I generally try to do most everything I can, myself. I've done it for a long time, so I know what I am doing, so --
Mr Denham	Do you have a building permit, yet? Have you talked to Bryan
Mr Gillelan	Yes, I've got a building permit for this one.
Mr Denham	Are you aware of what has to be done to get this building off our Agenda?
Mr Gillelan	I guess you have to update me, 'cause this is, uh, before we just need to put a, finish the roof and so forth on the back of the house. There's additional things that needs to be done.
Mr Oliver	Give you my run down on it.
Mr Gillelan	OK.

Mr Oliver — I had posted the structure. Actually, I had seen Denton on the property, I'm going to say, 3 or 4 months ago. I informed him that, you know, he needed to get his contractor's license. They were just doing a little bit more demo at the time. But, he needed to get a permit to rehab it. Eventually, I ended up posting the structure. Unfortunately, I didn't get it tagged in the system. Mr Michael came in and purchased a permit. Was able to do that 'cause I didn't have it flagged in the computer to not sell the permit without talking to me first. But anyway, when Mr Michael purchased a permit to redo the roof, I called Bill a couple of weeks ago. Visited with him on the phone for a little bit. Informed him that just doing the roof was not going to get this property off the Agenda. There's a LOT more work that is to be done there. Denton, sort of familiar with this Board. He's had other properties that has been up here before. I've kinda talked to Denton about getting his contractor's license, or that he would have to hire contractors that do have license in the City to work on the property. That is kinda where we are at. They do have a permit to re-roof it. But I did tell Bill that that would not get it off this list.

Mr Denham — OK. And you said you have to finish up another project before you can start this one. How long do you think that would take?

Mr Gillelan — Oh, about another week and I will be done with it. It is in Webb City.

Mrs Harrington — Jeff, you have given him an extensive list of what has to be done, specifics?

Mr Oliver — No I have not.

Mrs Harrington — Is that necessary or does he ---

Mr Oliver — Yes, I mean, basically, this house, for the most part needs to be gutted and rehabbed.

Mrs Harrington — Is that right? It's hard to tell from the picture. That's what I want ---

Mr Oliver — I can pass the file around, if you'd like. There's holes in the roof. It's got --

Mrs Harrington — It's uninhabitable right now?

Mr Oliver — Absolutely.

Mrs Harrington — OK. And your plan is to rehab it and then sell it or rent it?

Mr Gillelan — Right, uh huh ---

Mr Denham — Did you write your address down there for the record for yes?

Mr Gillelan — Yes, I did.

Mr Denham	OK, Thank you.
Mr Oliver	Do you also have a lease/purchase, which means this is not recorded?
Mr Michael	No, it's still in the ---
Mrs Champlin	I need to have you by the mic.
Mr Denham	Would you speak into the microphone, please. We've got to record this for our minutes.
Mr Michael	This is in the name of the Trust. It has not been transferred. The ownership has not been transferred.
Mr Denham	It is a lease/purchase?
Mr Michael	A lease/purchase.
Mr Oliver	So that's why you purchased the roofing permit, because we cannot see a permit to Denton because ---
Mr. Michael	He told me to come in because Gillelan could not purchase it.
Mr Oliver	Any further work that is done, Bill you'll still have to get the permit unless it gets recorded. And there's a lot of work to be done.
Mr Denham	You might want to meet with Jeff either here or on site, just go over his list, just so you are aware of what is involved before you invest a lot of time and money.
Mr Michael	Is there a list?
Mr Oliver	I can go over it with it with you.
Mr Denham	I don't think there is one.
Mr Michael	Can you get a list for Denton and myself?
Mr Oliver	Sure.
Mr Michael	Our addresses are down here.
Mr Harrington	I'm sorry if I am confused, but are you all in partnership to take care of this?
Mr Michael	I'm the Owner, I'm the Trustee and…

Mrs Harrington	How long have you owned it?
Mr Michael	Uh, two years.
Mrs Harrington	Two Years. So it's probably been in disrepair while you owned it.
Mr Michael	Excuse me?
Mrs Harrington	it went into disrepair when…
Mr Michael	No. I bought it "as is".
Mrs Harrington	And you didn't do anything about it for two years
Mr Michael	No. I bought it to sell and immediately sold it to Denton.
Mrs Harrington	Immediately after two years?
Mr Michael	No, immediately after I bought it, two years ago.
Mrs Harrington	So you own it but you've never taken out of his name?
Mr Michael	It's in my name. It's in the Trust name now and I'm the Trustee. But I bought, bought it to sell.
Mr Harrington	uh huh.
Mr Michael	And I sold it, "as is" to Denton.
Mrs Harrington	Ok, and then, so you've let it set for two years like this?
Mr Michael	Right.
Mr Harrington	While you worked on other properties, is that right?
Mr Gillelan	Yes.
Mrs Harrington	I don't understand the uh, I don't understand somebody owning the property and letting it set in the neighborhood for that long when there are obviously, you know, pretty bad problems with it. So, it feels like the staff is pretty familiar with you and this property. At least, I don't know if there are others, but, uh, I guess I am anxious to get a tight time line on this because the people in the neighborhood shouldn't really have to live in an area where there's a house that is in bad need of repair.
Mr Gillelan	I understand. Yes, Ok.
Mr Denham	So, you said you can start in a week?

Mr Gillelan	Yes
Mr Denham	How long do you think it'd take to get it finished?
Mr Gillelan	Well I would finish up the roof. That would be the first thing, to get that back end closed up.
Mr Denham	Let me rephrase that – We meet every month. What would you have done, actually, our next meeting is the first week of December. What would you have done in about 5-6 weeks?
Mr Gillelan	Attend the meeting and bring, show what I've done.
Mr Denham	What do you think you'd have done at that point?
Mr Gillelan	Uh, I'd have that part that's dismantled put back together by then.
Mr Oliver	I will remind the Board, the permit that is currently, that we, we currently have is just for the roof. The work that needs to be done, I have had a conversation with Denton on site a while back. He's got to have a licensed electrician, licensed plumber, licensed heat and air guys. There's a lot of work to be done here. I don't know, you're going to invest a lot of money in it when you technically don't owe it. It's still in Bill's name.
Mr Gillelan	Yah. I understand. I'm taking a leap of faith there.
Mr Oliver	And do you have the funds to do all that when you get a permit that's good for six months, to do all the rest of it?
Mr Gillelan	Well, I probably… yah, it's going to be close. I didn't plan on ---
Mr Oliver	That hadn't been the history on other projects.
Mr Gillelan	Well, there is a lot I have fixed up that you haven't seen, but, uh, I'm sure I can.
Mr Oliver	Even with all that being said, he does have a permit to do the roof.
Mr Denham	OK.
Mr Oliver	That will not get it off this Agenda. And you will have to purchase a permit to do the rest of it.
Mr Gillelan	OK.
Mr Denham	Our next meeting is December 9, I believe.

Mr Oliver	Correct.
Mr Denham	If the Board choses to continue to that time, I would hope you have another permit in place and quite a bit of progress to show us at that time.
Mr Gillelan	Could I attend the next Board meeting?
Mr Denham	Yah, I would recommend it.
Mr Gillelan	It's on the 9th?
Mr Denham	It's on the 9th.
Mr Oliver	Denton, you got your address down there?
Mr Gillelan	Yah
Mr Oliver	OK, thank you.
Mr Gillelan	Thanks.
Mr Denham	Do we have a motion to continue?
Mr Wilson	**Mr Chairman, I make a motion that Item # 2784, 2108 W 3rd St, be continued to our December 9th meeting for Progress Report and Demolition Hearing.**
Mr Hartwell	**Second.**
Mr Denham	**Motion by Mr Wilson, seconded by Mr Hartwell that Item # 2784, 2108 W 3rd St be continued to our December 9th meeting for Progress Report and Demolition hearing at that time. All those in favor say "aye", (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Wilson and Mr Landrith voted "aye") Those Opposed? (None) Motion carries, 5-0.** Just so you know, Gentlemen, our other options are to either order the building demolished or order the building repaired, at what time the City would take bids to make the repairs or demolish, so we really need to see some progress between now and that next meeting.
Mrs Harrington	Mr Chairman, I would incline to think that if there isn't significant progress, in my own brain, factoring in that two year period of time when they let this house set with noting done to it. So I am going to be anxious to see on December 9th, where we stand, because I can't see letting it wait for anything.
Mr Hartwell	By what Mrs Harrington has said so far, there is also a patterned history here, it sounds like, form Jeff, with the gentleman that's working on this

property. So those two things coupled together shouldn't make us wait any longer.

Mr Denham — Do you understand what we are say?

Mr Gallahan — Yah.

Mr Denham — Thank you. Anyone else like to come up and speak about a specific property? Morning.

ITEM # 2689

1310 Missouri Ave
OWNER: Clayton Doudy
ADDRESS: 13020 Frontage Rd., Bentonville, AR 72712
"Demolition Hearing" has been posted in the Joplin Glove Legal Section. Item continued from the August 26, 2016 meeting for a "Demolition Haring" and Progress Report (SEVENTH TIME BEFORE THE BOARD)

Mr Gallagher — Morning. My name is Heath Gallagher. I'm here for property at 1310 Missouri Avenue.

Mr Denham — Item # 2689, What can you tell us about the property?

Mr Gallagher — Just in the past hour or so, our partners and I have decided that we are going to demo the property. Uh, just because of the state it's in and the time period, we now know how long it's been an issue. We just bought it a couple of months ago because we repaired the property next door to it and it is up for sale now. We've made the necessary changes to it but we decided to demo it. We'll grab a Demolition Permit down stairs and we expect to have it done by the end of the year, depending on weather. Everything has been pretty good so far. Uh, Mr Oliver let us know that we need to pull out the footings, we need to make it a mow able lot. That's what we are going to do.

Mr Denham — OK.

Mr Oliver — Do you plan on doing the demo yourself, or…

Mr Gallagher — Yah. We will get a piece of equipment. We will get dumpsters in there. We've got guys in there and get it all taken care of and pulled out. Not a problem.

Mr Denham — OK. Our next meeting is December 9th. If you will be done or at least started by then, it would be great.

Mr Gallagher — OH yah. We will have…

Mr Denham	This has been on our Agenda for 17 meetings.
Mr Gallagher	Yah, unfortunately, we just got it two months ago so we didn't know anything about it.
Mr Denham	That is kinda the pattern. Property owners shuffle a lot on these Agendas.
Mr Gallagher	We now know to ask for that.
Mr Denham	OK. Well I appreciate you stepping up and taking care of it. Thank you. Do we have a Motion?
Mrs Harrington	**Mr Chairman, I make the motion that Item #2689 at 1310 Missouri be continued until December 9th for a Demolition Hearing and Progress Report.**
Mr Landrith	**Second.**
Mr Denham	**A motion by Mrs Harrington, seconded by Mr Landrith that Item # 2689, 1310 Missouri be continued to our December 9th meeting for Progress Report and Demolition Hearing. All those in favor say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Wilson and Mr Landrith voted "aye") Those Opposed? (None) Motion carries, 5-0.** Thank you.
ITEM # 2786	**211 S Park** **OWNER: Lois Shilkett** **ADDRESS: 812 N Pearl Ave, Joplin, MO** **"Demolition Hearing" has been posted in the Joplin Glove Legal Section. Item continued from the September 2, 2016 meeting for a "Demolition Hearing" and Progress Report (SECOND TIME BEFORE THE BOARD)**
Mrs Shilkett	My name is Lois Shilkett. I would like to discus 211 S Park St. I believe it is 217.
Mr Denham	211.
Mrs Shilket	211, ok.
Mr Denham	It is Item # 2786. Are you the owner?
Mrs Shilkett	Yes.
Mr Denham	You tell us a little bit about what your plans are for this property?
Mrs Shilkett	Well, I'm using for storage at this time. I had bought it, I was going to fix it up and sell it. And, uh, the man I had doing it hired, I don't know, he

fired somebody who came down to the City and told them he was doing a bunch of stuff wrong. So the City came out at that time and said no more work could be done on it.

Mr Denham — Did he have a permit, do you know?

Mrs Shilkett — I do not know that. I don't think so, but I don't know that.

Mr Denham — That's probably why he got shut down.

Mrs Shilkett — And, uh, he, I know I lost of a whole bunch of money in the process of all this happening. Sued him, anyway, I, the house has new window, new plumbing. I don't know if it would be approved because I don't know how, if he had a licensed person do it. I don't think so. The wiring has been stolen out of it, so it doesn't have any wiring in it. I do have the siding to side it. If I, uh, put boards on the outside and then had somebody side it, would that be an acceptable solution and I just keep it as a storage place? If it just doesn't look so unsightly? I mean…

Mr Denham — I don't think it is zoned for storage. I think that is zoning issue more than something our Board addresses but, I don't know. What is your take on it, Bryan?

Mr Wicklund — It think she is referring just her own personal storage.

Mrs Shilkett — Right. I'm not renting it to anyone to store in it.

Mr Wicklund — That use would be allowed.

Mr Denham — OK.

Mrs Shilkett — So I am asking if that would fix t ---

Mr Oliver — When this prior work took place,

Ms Shilkett — Yes.

Mr Oliver — Did they do any work on the floor, that you recall.

Mrs Shilkett — Yes

Mr Oliver — Floor joist, things of that nature?

Mrs Shilkett — Yes, Yes. And they did work in the rafters and added a room to what was just a back porch.

Mr Oliver — The structure's secure. We can pass the file around but I was unable to see that, obviously, because, you've got it secured as far as the inside.

Mrs Shilkett	Right, Right.
Mr Oliver	Exterior wise, your siding, your sheathing all those things appear to be pretty dilapidated.
Mrs Shilkett	Non-existent, I would say.
Mr Oliver	I mean, you might want to think about the money you would have to put in to rehabbing some of the walls and things like that. If it would be worth it.
Mrs Shilkett	Right, I already have the siding in the house.
Mr Oliver	But you've got have a good structure behind it.
Mrs Shilkett	I have to. Exactly. And I don't, I have no idea what that would cost. But I guess, if that's, I don't know, that is my solution. And I wasn't going to rent it to anyone. I was just going to use it to store stuff in.
Mr Oliver	Right.
Mr Denham	Is a permit required for siding installation?
Mr Oliver	Yes.
Mr Denham	Is there an inspection process to make sure that the structure is sound if is covered up with vinyl or something?
Mr Oliver	Not necessarily. Huh, a resident can come in and purchase a permit for siding and side it. We do not inspect the side, however, on this project…
Mrs Shilkett	You could not put siding on the house until you reinforced the exterior walls of it.
Mr Oliver	Correct.
Mr Denham	I'm just wondering if the framing itself is even sound enough to support it.
Mrs Shilkett	It is. I mean it is, there's no walls on the inside either. There's just the wood structure and it's all fine.
Mr Wicklund	On this particular property, along with a siding permit, we would, the Building Department would do a framing inspection, at least on the exterior shell to make sure that it's sufficient.
Mr Denham	Our next meeting is December 9th, is that a time frame where you would be the siding on by then?

Mr. Shilket	Yes, I think so. And what would need to get a permit?
Mr Oliver	Yes, ma'am.
Mrs. Shilkett	And also, when would you come, before and after, or how would, when would I need to contact someone about an inspection?
Mr Wicklund	Probably, before you get the permit, we would come out and actually look at the framing.
Mrs Shilkett	OK.
Mr Wicklund	Once you get a contractor who is going to do the siding, either you could pull the siding permit or that contractor could. Then we would want to do an inspection, again, after they put the plywood up, before they cover it up with the siding and we would look at it.
Mrs Shilkett	OK, so I understand. When I get the permit or before I get the permit?
Mr Wicklund	I would recommend even before you get the permit, getting with Jeff or myself and we would actually go out onto the property and inspect the framing just to make sure nothing else, more extensive, needs to happen on those outside walls.
Mr Denham	That way you don't invest any more money into it, because you know…
Mrs Shilkett	Right, 'cause if I can't do it then I don't need a permit.
Mr Denham	Right.
Ms Shilkett	Ok, ---
Mr Wicklund	Is your contact information, your phone number on that paper?
Mrs Shilkett	No.
Mr Wicklund	You might leave your phone number, we will contact you and set up a time to meet you out there.
Mr Denham	We have a motion to continue?
Mr Hartwell	**Mr Chairman, I make a motion that Item # 2786, 211 S Park be continued to our December 9th meeting for a Progress Report and Demolition Hearing.**
Mr Wilson	**Second**

Mr Denham — **Motion by Mr Hartwell, second by Mr Wilson, that Item # 2786, 211 S Park be continued to our December 9th meeting for Progress Report and Demolition Hearing. All in favor say "aye" ((Mr Denham, Mr Hartwell, Mrs Harrington, Mr Wilson and Mr Landrith voted "aye") Those Opposed? (None) Motion carries, 5-0.** Thank you.

Mrs Shilkett — Will it be at 9:00 again?

Mr Denham — Yes, December 9th. Thank you. Would anyone else like to talk about a particular property?

ITEM # 2779

2514 N Kingsdale
OWNER: Abruzzo Builders Inc
ADDRESS: 1403 E 4th St., Pittsburg, KS 66762
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the September 23, 2016 meeting for a "Demolition Hearing" and Progress Report (HIRD TIME BEFORE THE BOARD)

Mrs Bettesso — My name is Jewell Z Bettesso, 2721 S Winfield. I'm here about 2514 N Kingsdale. I live next to the house is not being not being worked on. All I can tell you is I am sick of looking at it. It has been 62, I work from home, so this is why I know specifically what goes on because I stare at it all day. Sixty-two days, they have been there eight partial days. We have some windows and some soffit. We took the dumpster away so now we are putting the garbage on the property. And he is not here and he is not there today. And I just want to know where we're going with this guy.

Mrs Harrington — When was the last time you saw him there?

Ms Bettesso — There were two men inside, yesterday. They put some soffit up on Monday and Tuesday and the owner, himself, came and singlehandedly, put up about 16 rows of siding on Sunday. Before that, there was like over a month in between, that there was no action there. We have had vandalism in the neighborhood. That house is not locked down or no French doors, no garage doors. Nothing.

Mr Wicklund — Within the last thirty days, I know that they have requested two inspections. The first one failed. It was actually a re-inspection from an earlier inspection. It failed for a second time and then they attempted to make the needed changes, called again. It failed the third time. They are getting closer but I agree ---

Ms Bettesso — From attending these meetings, I thought that Mrs Harrington said it was supposed to have been closed down thirty days ago and it still is not.

Mrs Harrington — Well, I am trying to see, was he here last time?

Ms Bettesso	Nope.
Mr Denham	NO.
Mr Wicklund	NO. He had made several promises to me in regards to the pace that they are going to get it closed up, sided and he hasn't stuck to any of those deadlines that he gave himself.
Mr Denham	Does he own the property to the west?
Mrs Harrington	Yes.
Mr Denham	Is he the one who poured that awful driveway approach that looks like it just, its right out of the back of a cement truck?
Ms Bettesso	Yeah.
Mr Denham	That needs to come out. That's ridiculous.
Ms Bettesso	And it's got different pieces of skaffling and stuff laying all over that lot.
Mr Denham	Whose RV is in that lot?
Ms Betteso	That actually belongs to the house on the other side of Kindgsdale and they own that property.
Mr Denham	So it looks like its part of that property but it's not.
Ms Betteso	em, huh.
Mr Denham	OK. I drove by yesterday and I was pretty disappointed in the lack of progress.
Ms Bettesso	He doesn't have a crew. There's just a couple of …
Mr Denham	He made it pretty clear that he was doing it on his own schedule, when he could fit it in.
Mr Oliver	Mr Abruzzo moved. He wasn't at the last meeting, maybe the last two meetings. We did not know he had moved. I happened to be, uh, in the office when he called to schedule one of his inspections and Kim asked me about it. I asked Kim to get an address from him. He is now living in Webb City. We sent a certified letter and he has signed for it. Somebody has signed for it.
Mr Denham	He is definitely aware of this meeting.
Mr Oliver	Yes. Somebody has it. I don't know what his ---

Mr Denham — To move forward, would we have to stop this permit? Basically, suspend his permit?

Mr Wicklund — The history of this, Jeff, can I see the file? Original building permit was issued back in February of 2015. And he was making progress there in the beginning, before whatever the reason is that he is not now. At one point, that permit, obviously, has expired. I had contacted him and he let me know that he was ready to get back on it. He was going to stay on it and I told him that I could not renew his old permit without him showing some kind of progress and good faith that he was going to stick with it. So he actually showed up, I think the very next day, on site and roofed it. I went ahead and extended the permit at that point. That all occurred, let's see what the date is, --- in June of 2016, late June. So, once he put that roof on I went ahead and extended it. That gave him another six months, at least, where the permit was good. Now I let him know he needed to make continued progress throughout that time frame. But that permit, the extension does not expire until December 28th. So, yes, I think if the Board chooses to take action on it, part of action would be to void the current permit.

Mr Denham — OK.

Mr Wicklund — Just for the lack of action.

Mr Denham — It sat open for a number of months.

Mr Wicklund — It's never been closed.

Mr Denham — And I'm concerned about the framing connections and things like that. But your framing inspector's reviewed that and is satisfied.

Mr Wicklund — That is one of the inspections that has not completely passed. Now, they have been in at least twice this month and they have actually passed enough that they went ahead and passed the sheathing inspection to where he is allowed to do the soffits, siding and close it up on the outside. He's got some really pretty minor framing issued that he needs to go ahead and correct on the interior, right now. But it is real close to being ready for, to pass for the framing inspection, although it's been real close for the last year.

Mrs Harrington — When we talked to him the last time he was here, I believe that was two months ago and you were here, em, I don't have those minutes with me. We didn't talk about it last month, it doesn't look like. Em ---

Ms Betteso — I was here last month.

Mrs Harington — Yah, and, em ---

Mr Denham	We did talk about it last time.
Mrs Harrington	Yah, we did talk about it but not with him. We talked about order to repair, didn't we?
Mr Denham	That was an option we discussed.
Mrs Harrington	What's your name?
Ms Bettesso	Jewell Betesso
Mr Denham	It's on the second page in our minutes. It's right at the very beginning.
Mr Wicklund	I will say, this particular property has been brought up in Council meetings as an example of projects that have been allowed to drag on for too long.
Mr Denham	Yah, it's the poster child for that.
Mr Wicklund	So I know they've gotten phone calls as well.
Mr Denham	We were addressing it back when it was just a foundation or basement wall, as I recall. Did he go and cap it with a slab? Or did he extend the stem wall up? It looked like there's been some additional concrete placed on ---
Ms Betteso	He capped it.
Mr Denham	He turned it into a slab?
Ms Betteso	Em, huh.
Mr Wicklund	Well, for whatever reason, even early on with this, with the originally permit, he had several failed inspections and ended up needing to get engineers involved. I've got all those letters to where they've, they approved the, all the concrete work and everything. But this project has been, well, I know the struggle from the beginning.
Mrs Harrington	But what I am seeing from the minutes is, our discussion lead to the possibility of ordering it repaired or demoed and Mr Paul said, if you want to give us, uh, we talked about a couple of meetings ago, that if you want to kind of indicate to us, you want to a hearing on this next time, we'll have it correct. I mean, we don't want to do them on the spot but it sounds like everyone here is ready to move on this property so we can have it ready to go for certain next meeting. If that's the indication of the Board's. I see a lot of heads nodding. Is that what we want on this one? And I think we do. I do. I just think that ---

Mr Paul — I think based on what you all have, have discussed today, I do think that we should do what we've done in the past and have the Building Inspector and the Board void the Building Permit so that there's not an active permit on it. But I think you've got good notice on here and I think the Board certainly is in the position, that uh, based on Bryan and Jeff's testimony, such as it will be, is in a position to where you can make a finding to order a Repair/Demolished or not. So, uh, if that's your pleasure, we, we can have a hearing on it today.

Mrs Harrington — I think it is time, because I don't think that he's taking us seriously. I think, I think he feels like, if he puts on a half a dozen pieces of siding, that he's made progress. But I don't feel any differently about this one than I did the first one that we addresses. That it set for two years and just because it is in a different area of town where, yah, know, it's as highly visible to a Council Members, it is still the same situation.

Mr Denham — It doesn't matter, whether it's a nice neighborhood or affluent, we got to treat them the same.

Mrs Harrington — Exactly. Exactly. And I just, I am ready to move forward.

Mr Denham — This Abruzzo Builder, he is a licensed contractor?

Mr Olive — Yah.

Mr Denham — He specialize in one trade, or, I mean, is he more of a GC?

Mr Oliver — I think his main source of income, as far as construction goes, maybe concrete.

Mr Denham — I am getting the feeling that maybe he's got himself, overhead,

Mrs Harrington — it's out of his depth.

Mr Denham — Yah. Beyond his depth of expertise. Either that or he just doesn't care.

Mrs Harrington — Piece mills it for financial reasons.

Mr Oliver — Em, I think he's new to the area.

Mrs Harrington — Until this I haven't heard of him. Hadn't had any calls or had anybody ask for recommendations on him.

Mr Denham. — If we wanted to do something, the first order of business it to revoke his permit.

Mr Paul — And I think that Bryan should also announce on the record that he was going to void it.

Mr Denham — Do we have any more questions for her? You are welcome to stay and sit down but you don't necessarily have to stand there if you don't want to.

Ms Bettesso — I will be back for the next meeting after this.

Mr Paul — You can stay if you want to but we are probably going to take action here in a little bit. It might take a few minutes.

Mr Denham — I appreciate you coming here. We understand.

Ms Betteso — Thank you.

Mr Denham — Shall we go to the next item while we waiting on Jeff?

Mr Paul — Yah, that's fine.

Mr Denham — Anyone else want to address a particular item? Morning.

ITEM # 2782

905 Central St
OWNER: Adolphus Robinson
ADDRESS: 905 Central, Joplin, MO
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the September 23, 2016 meeting for a "Demolition Hearing" and Progress Report 9SECOND TIME BEFORE THE BOARD).

Mr Robinson — I'm Jeffery Robinson with the property at 905 Central.

Mr Denham — That is Item # 2782. What can you tell us about this property?

Mr Robinson — Uh, actually I've had it, uh. My father passed away like ten years ago. Uh, and I've had it since then. Right now, uh, I'm trying to get it the property in my name and I'm waiting to talk with, uh, Austin Bradley for those reasons. Uh, but I've talked with Mr Oliver, uh, and he side I need to demo the back porch ASAP. You know, things of that nature which, uh, I'm going to get on that. I just want to, uh, I need to get a permit, you know to do the proper things that I need to do, uh, to get that started with that demo and then just block it off and close it off like he said. Then I've got to, uh, repair the roof and facet on the front of the house and things like that. Like, this is my first time being here so I'm just, uh, wondering if I could have some time to, to get those things done or. And then I am in the process of wanting for this lawyer to call me back so I can get the property actually in my name and I think I would like to get it cleaned up and things like that, uh, but when I get the property in my name, I'd like to just sell the little lots that I have, uh, because, financially, it's just really, I have a couple of other places I have to take care of and uh, I'm just trying to get it into my name now to either get a loan to get it properly fixed or just sell the

property, you know, uh, but I'm willing to do what I have to do to where I'm up to standards to where I do have to be here and wasting your time for this. But I'm willing to do whatever I have to do. If I have to get a permit. Do I have to have to have a permit to actually do the demo for my back porch and the clean up or?

Mr Oliver — No. Permits are only required if you are tearing the whole structure down.

Mr Robinson — OK.

Mr Oliver — What your doing is tearing a portion of it off ---

Mr Denham — What the issue is, when you tear down that and, he called it a back porch but I think it is enclosed. I went and saw it. It's about to fall in. If you don't demo it you won't have to 'cause it's just going to be in big pile. But we don't want it left open where that transition between what you tore down and what you leave is just open and open to the weather. I don't know if it has siding, it's obviously, that was an addition at one point, but we can't just have it open on ---

Mr Robinson — No, no, uh, the intentions was to, to tear that out. That's what's going to take me the longest is the demo of that and then just close it off.

Mr Denham — It looks to me that if you don't get a new roof on there, the rest of the structure is going to be just like that back area. I mean, the shingles look like they're getting pretty worn out.

Mr Robinson — Yah.

Mr Denham — This photograph makes the house look a lot better than the front. The front elevation looks a lot better than anything else.

Mr Oliver — Jeff and I have talked several times on the phone and I've tried to explain some of the steps he would need to take. The roof was discussed. I told him that he should come and talk to the Board here but I thought you guys would work with him a bit as long as he was trying to make some progress. He has torn a shed down, em, I've told Jeff that even doing the demo is not going to get it off the list. That he would need to purchase a permit and at some point in the near future and get a roof on it.

Mr Denham — OK. This is our second time to have this on our Board. Our next meeting is December 9th. Do you think you could have some more definitive plans on when you could get moving on it?

Mr Robinson — Yah. And I will probably have progress, uh, by then and have that back half, you know, demoed and uh, closed up. Will I have to have a permit to, uh, you know, box it off, close it up after the demo, or ---

Mr Oliver — Well, that kind of opens up another can of worms, I guess. If the Board chose to allow you, uh, to get what is called a Dangerous Building Permit, that would allow you to board the whole structure up. There is a certain way it's got to be done. We will have to discuss that. The City wants it done a certain way. You have to board every opening, permit is $200.00, and it will give you six months.

Mr Robinson — OK.

Mr Oliver — It's up to the Board, here if they are willing to do that.

Mr Robinson — I understand.

Mr Denham — We'd rather see you just finish the project, truthfully. I see that as only just a temporary band aide.

Mr Oliver — We don't do that very much. I don't know what the inside of structure looks like. Obviously, the part that's caved in is very bad.

Mr Denham — Yah, that back …

Mr Oliver — The main part of the structure, you know, you do have it secured. I haven't seen it. I'd like to see it to give you a recommendation on it.

Mr Robinson — Ok.

Mr Oliver — I believe, you know, and it's just my opinion, rehabitable. I mean, you want to put that much money into it.

Mr Robinson — Uh, I, I mean, me, I'm, I know it probably sounds kinda childish but I'm, just, kinda sentimental, you know. It's my Grandmother's, uh, I'm trying to get it actually into my name, you know, and if that can happen sooner than later, you know, I would like to qualify to get a loan and, you know, redo the whole thing.

Mr Oliver — Sure.

Mr Robinson — You know and that's what I'm working on but my struggle now is that I want to get it to where I can get it off my list, you know. And if something happens within now and between December 9th to where all that legal stuff will get down, you know. I will probably just, you know, just refurbish the whole thing. But, uh, now I'm going to do what I have to do and what I can do within my means to comply with the City Ordinance wants me to do.

Mrs Harrington — You know, I, this house, em. I met your father. Dealt with him some. We built the Habitat house next door to his, em, ten years ago, or more now.

Mr Robinson — Yes.

Mrs Harrington — And he didn't like us very much when we started. He was very proud of his home. And he really wanted to be sure that while we were working there, we didn't do any damage to his lawn or his property or his anything. He didn't like us a lot. In the end, we were good friends. We ended up good friends. But he had a lot of pride in this property and it, I'm sad to see it in this condition. Em, and I think it either, I think it deserves to be either, em, put back together so it's a respectable, uh, home or it needs to be demolished and the memories of it be held within. Because I think it would hurt your father to see it the way it is now. Em, how long ago did he pass away?

Mr Robinson — Uh, it will be eleven years, uh, February.

Mrs Harrington — Eleven years ago? That it was, obviously, closer to 12 or 15 years ago when we dealt with him.

Mr Robinson — I would have had the repairs done before my father passed away but, uh, he just, he said I don't want you to work and put all your hard money into it Jeff. You know, you can, you know, when I'm gone it will be yours and you can do it then. I wish that he would have let me, uh, you know do it.

Mrs Harrington — Whose name is the property in now?

Mr Robinson — It's, uh, it's still in my, uh, my, you know, my father's … Well, actually, uh, it was in my in my Grandmother's name, uh, and then, you know, when she passed away, it was left to her six kids. But they are all passed away now. Uh, and I'd put an ad in the paper, you know, for any members that would want to contest. I've done all that and I haven't heard anything from that. And know, uh, I'm trying to get it into my name and stuff like, that so that I can really get some things done.

Mrs Harrington — Well, if it's been eleven years, it's time to make a decision and take care of this lady. Either take it down or get it fixed. But we're going to put you on a pretty tight time line to do that, I think. See how it's been eleven years.

Mr Oliver — I see, if the Board decides to continue it to our December 9th meeting, you need to get your papers to get it into your name. You need to get the demo done on the back.

Mr Robinson — OK.

Mr Oliver — Get everything cleaned up, even the shed you worked on. Get your permit.

Mr Robinson — OK, Alright.

Mr Oliver — I mean, that basically sums up what needs to happen.

Mr Denham — It may take a lot longer than that just to get it through probate and get it into his name. You need to get moving on that part. It could take a considerable amount of time.

Mr Robinson — Ok, Alright. Thank you.

Mr Denham — Thanks for coming. Appreciate it. Good luck.

Mr Denham — What's our motion, here?

Mr Harrington — **Mr Chairman, I would like to make a motion that Item # 2782, at 905 Central, be continued until December 9th for a Progress Report or Demolition Hearing.**

Mr. Wilson — **Second**

Mr Denham — **Motion my Mrs Harrington, second my Mr Wilson, that Item # 2782, 905 Central St be continued to our December 9th meeting for a Progress Report, Demolition Hearing. All those in favor say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Wilson and Mr Landrith voted "aye") Those Opposed? (None) Motion carries, 5-0.** Morning.

ITEM # 2699

1402 S Joplin
OWNER: Roy Hess
ADDRESS: 2515 W 30th St
"Demolition Hearing" has been posted in the Joplin Glove Legal Section. Item was ordered to be demolished at the September 23, 2016 meeting for a "Demolition Hearing" and Progress Report (TIME BEFORE THE BOARD)

Mr Hess — I'm not on the Agenda, today, but I was told that I could come in and address the Board today. Uh, I am here for a property at 1402 S Joplin, I got the letter about the City demolishing the building. Uh, I guess I'm here to request a stay, uh, I'm kinda got things together. I had someone come out and, uh, someone from the City came out and looked at the second building, uh, Friday, I think it was. But they told me there wasn't a problem with it. It's, well, it's pretty secure. It's a concrete block building and it has only one door and, uh, has a volt door for the only door access. There's no windows and a concrete block, or a concrete roof on it. It's dry, and, uh, pretty much empty. They said it wouldn't be a problem. I guess, one of the previous owners had, a, used it for fur storage when women use to wear fur and he must have had a cagillion furs, 'cause it is a pretty good size building just to store furs, but, two levels. So, anyway, I've a, one of the problems I had was getting the cash together to, a get the roof repaired. I was trying to put off getting the money, you know, from one source. But anyway, I've got most of the money coming in through a deposit that is supposed to be here next week so I'm ready to go with, uh, the roofers and I guess, I guess what I'm looking at now is if there is a problem with some

of the contents. Seeing if I could just move that over to that building that's basically a volt until I can get rid of the, 'til I can get rid of --- I hadn't thought of that before until, 'til they looked at it and said that it didn't look like there was not a problem with that building. That it was pretty secure. So I guess, what I'm requesting is a stay or a guess, you know, I'm not sure how I go about this. I guess, the next thing is getting an attorney to file an appeal, or something. If I can't do it myself.

Mr Wicklund — So you're requesting, or your plans are to move the stuff out of the bigger building into the smaller building and then go ahead and demolish the bigger one?

Mr Hess — No, get a, have a roofer repair the building. Put a roof on it and then do whatever else I have to do to secure it. Have somebody come out to look at it, I guess before I, before I actually do the contract with the roofer. But… But the second building, I was told, wasn't a problem. It'---

Mr Wicklund — If not, there's no need spending time talking, discussing it. The second building is fine, uh, commercial property's different than residential. There's no reason the second building can't stay there and have a business operating out of it. So we are only dealing with the bigger structure. The main structure. It's been ordered demolished.

Mr Denham — The reason we ordered it demolished, it's been on our Agenda for 18 times.

Mr Hess — Yah, I know…

Mr Denham — You know, we've asked you multiple times to get with Jeff and Bryan and each time you said you didn't know you needed to. And we reminded you, you still hadn't done it and you didn't show up at the last meeting. We've been very patient. We've been trying to work with you on this but it's a year and a half, two years into it.

Mr Hess — I've been trying to find a way to get rid of two bulk sales to get rid of the, of the inventory that's in there and just haven't been able to do it. I've gotten rid of some of it, sold some of it and working on the rest of it. But in the meantime, you know, if that other building isn't a problem, there is nothing, like, there's no electrical to it, so there's nothing, that I could see, that would ever cause a fire if I could just move that other stuff over there in the meantime and get the building repaired and then go from there. Probably, within a year or so, I will probably try to sell it. I'd get the roof on it. You know, I've had kind of a weird, I don't know how they find you but I've had in the last two or three weeks, I've had two inquiries, people wanting, looking for storage space.

Mr Wilson — The way the building sets right now, it's not usage as storage space.

Mr Hess — Yah, right. I know. I'm just saying ---

Mr Wilson — For one thing, now you're talking, maybe, another year? Now, that's totally unacceptable.

Mr Hess — No, ---

Mr Wilson — If I may, sir. To go for another year before we could release this from our Agenda is totally unacceptable, to me. And I think you're, we've, really, bent over backwards trying to help you as far as giving you time to do things. But right now it's got to the point where it either comes down or that's it. That's all we can do. We've already bent over backwards for this and I can't see doing any more to do anything with this when you still have not got a roof on it, the building still have stuff stored in it. It is still a fire hazard. You still have people coming in and around the building, vagrants and transients. It's just too much to go with. That is what I see.

Mr Paul — I does not sound like you have actually talked with anybody. It sounds like, today, you are tell us what you would propose to do going forward, not anything that you have actually done over the last thirty days. Is that a fair statement?

Mr Hess — No, the roofers are ready to go if I would sign a contract. And I didn't say I needed a year. I said I was planning to sell it within a year, if I got it repaired.

Mr Wilson — So, it's going to take you a year to sell it and, but still yet, you got to get it roofed, have it cleaned up, set to bench or sell it to somebody for storage. So you know, I'm not in favor of resending it.

Mr Hartwell — Mr Hess, can I ask you this? Uh, it's been here so many months, why the sudden urgency? You got this letter that we are going to demolish it, why, why are the roof, 'cause I've heard you say multiple times you have to wait until you get a contact, and get people to look at it, and no one wants to roof it. And then suddenly, you have lines of people that want to roof it. So what is the sudden urgency when it wasn't before?

Mr Hess — I had a roofer, I was just trying to get other quotes, trying to get a cheaper, cheaper quote. Trying to get a little more reasonable cost in it than what the original. And then I got back with them and I found out that they had, uh, also included the roof on the second building which, it's dry so they took that out, so that kinda made, made, uh, a large difference on their quote.

Mr Paul — Well, the Board doesn't have to take any action on this unless it wants to take the stay. You don't have to vote to deny the stay 'cause it's not before you in that form.

Mrs Harrington — I'm not inclined to make any, any stay.

Mr Paul	He is obviously, free to come here and ask for it. But it, it's the way you would proceed on it is, in my opinion, there's not a vote that is required.
Mr Denham	No action required.
Mr Paul	No. The demo order will stay in place and the thirty days, which ought to be up, what, Jeff, today or tomorrow? Pretty close, if it's not up already.
Mr Oliver	Uh, Yah. I think we gave a little bit more time, 'cause we had a, when he actually signed for it, I think there's an extra week or so in there. And we talked with Mr Hess at the counter last week. So we were willing, at that point, to, uh, give him up to the time where Kyle and, uh, Bryan signed and dated the letter.
Mr Paul	Well, that is not going stick to whatever the ordinances say. I think the ordinances are thirty days from, I want to say from the meeting, but it could be from the date of the mailing of the letter and if that's the case, you'd have thirty days from that date. But ---
Mr Denham	To appeal.
Mr Paul	Yes.
Mr Hess	So, so, what you are saying, my option now is to just get an attorney and appeal it.
Mr Paul	Yes.
Mr Hess	Ok. The letter was signed Oct 3rd so I guess, I've got thirty days from ---
Mr Paul	Again, I don't have ordinance right in front of me. You'd have to look at it. Em, I can't recall, at the top of my head, whether its thirty days from the date of the decision or its thirty days from the date the letter is mailed but it is probably going to be one of those two. The point is, you are really close, right now, to that thirty day mark.
Mr Hess	OK.
Mr Denham	Does anyone want to have a motion or are we happy leaving just as it is?
Mr Wilson	Mr Chairman, I want to make a motion ---
Mr Denham	No, we don't want to make a motion unless we want to resend or put a stay on it.
Mr Wilson	OK, I see.

Mr Denham	My question is, do we want to take any in today's meeting?
Mr Wilson	No.
Mrs. Harrington	NO, I don't'
Mr Denham	Thank you for coming.
Mr Hess	Just out of curiosity, I guess you've had other appeals before?
Mr Denham	Yes, certainly.
Mr Hess	But, how long does that process normally take?
Mr Denham	I haven't been involved in the legal process.
Mr Paul	It depends on the case.
Mr Hess	So, months?
Mr Paul	It could.
Mr Hess	In the meantime, I guess I just let it set there 'cause I wouldn't want to put a roof on it and find out that, uh, I lost the appeal?
Mr Paul	Em, we can't give you legal advice. So, that is a conversation between you and your attorney on what you do or don't want to do with the property, given the demo order and given that there might be litigation involved.
Mr Hess	Ok, Alright. I will, I guess I will get an attorney.
Mr Denham	Are we ready to go back to Item # 2779, 2514 N Kingdale?
Mr Paul	We're ready. I don't want to deprive you of all your materials at this point.
Mr Denham	First order is to revoke or resend his permit.
Mr Paul	And I think, it doesn't necessarily need to be a part of this body's action. But, I mean, for clarity of the record, I think, maybe, Bryan just wants to announce that he's voided the permit.
Mr Wicklund	Well, and I need to do that in writing. Em, I need to send notice to the contractor and to the owner that the permit is being voided.
Mr Paul	And that is something you can do today?
Mr Wicklund	Yes.

Mr Denham	So we don't need to take action on that? You do that?
Mr Wicklund	Yes.
Mr Denham	Internally?
Mr Paul	Yah.
Mrs Harrington	But we could take our action parallel to him doing that? We don't have to wait until ---
Mr Paul	Yes.
Mrs Harrington	That's been done, in order---?
Mr Paul	Yes, and I'm not sure of the fact that there is a building permit on it. I think it is cleaner have permit voided. But I'm not sure that even if the permit is active if the precludes you all from taking action. So, uh, I think we prefer just to, to be as clean as possible, to have it on the record that he is in the process of doing that or that he's done it and then, that we, it is reflected. That we if it does go up on appeal, that that was in place before you took action, should that fact be relevant…
Mr Denham	So what's the feeling of the Board? Are we wanting to order it repaired or order it demolished, at this point?
Mr Paul	I think, for the record, you would need to hear the evidence before you'd make the finding.
Mr Denham	So we just need to have a Dangerous Building Hearing?
Mr Paul	uh huh.
Mr Denham	We have a motion to have this property subject of a Dangerous Building Hearing?
Mr Wilson	**Mr Chairman, I make a motion that Item # 2779, 2514 N Kingsdale be a subject of a Dangerous Building Hearing.**
Mr Hartwell	**Second.**
Mr Denham	**Motion by Mr Wilson, second by Mr Hartwell, that Item # 2779, 2514 N Kingsdale be subject of a Dangerous Building Hearing. All those in favor say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Wilson and Mr Landrith voted"aye") Those Opposed? (None) Motion carries, 5-0.** The Board turns it over to the City.

Mr Paul	Thank you. And just to be clear, on the conversation you just had fore hand, remember, the Board is free to ask any questions, of the witness as a part of the hearing and to make that a part of the record. So when you reach the decision on which route you want to take, feel free to ask all the questions you want of Jeff or Bryan.
Mr Denham	Ok, Thank you.
Mr Paul	This is the Building Board of Appeals meeting in the Joplin Municipal Building, this 28th day of October, 2016, for the purpose of conducting a dangerous building hearing. The City will present its evidence first, after which the public has a right to cross-examine witnesses and be heard, as well as present witnesses or exhibits. The case for today is Item # 2779 on the Agenda, also known as 2514 N Kingsdale. The City calls Jeff Oliver.
Mrs Champlin	Jeff, you do solemnly affirm, under the penalty of perjury, that the testimony you shall give in the matter at issue shall be the truth, the whole truth, and nothing but the truth?
Mr Oliver	I do. Uh, my supervisor, Bryan Wicklund, will be handling most of this case, thought, so you might want to swear him in is as well.
Mr Paul	Which one of you wants to testify first?
Mr Wicklund	I will.
Mr Paul	Are you hear for Kingsdale.
Audience	No.
Mr Paul	OK, Great.
Mr Wicklund	Yes, I will do this one.
Ms Champlin	OK. I will swear you in then.
Mr Paul	The City calls Bryan Wicklund.
Ms Champlin	Bryan, you do solemnly affirm, under the penalty of perjury, that the testimony you shall give in the matter at issue shall be the truth, the whole truth, and nothing but the truth?
Mr Wicklund	Yes.
Mr Paul	Will you please state your name and occupation?
Mr Wicklund	Bryan Wicklund. I'm the Building Official for the City of Joplin

Mr Paul	And how long have you been employed in your current position with the City of Joplin?
Mr Wicklund	Approximately three years.
Mr Paul	Have you in the official performance of your duties, had the occasion to inspection the property known as 2514 N Kingsdale?
Mr Wicklund	Yes.
Mr Paul	I am going to show what's been marked Exhibit # 1. Do you recognize Exhibit # 1?
Mr Wicklund	These are photographs taken by one of the Building Inspectors of the property at 2514 N Kingsdale.
Mr Paul	And to the photographs show a reasonable likeness of the premises in the present condition?
Mr Wicklund	Since the photographs were taken, em, the contractor has installed windows. But other than that, yes.
Mr Paul	So, with the exception of the contractor installing windows, do the photographs show a reasonable likeness of the premises in their present condition?
Mr Wicklund	Yes.
Mr Paul	If there is no objection, I offer Exhibit # 1.
Mr Denham	The Board accepts.
Mr Paul	What, if anything do you do to ascertain ownership of the property?
Mr Wicklund	Requested that title search be preformed.
Mr Paul	I am going to show, as marked as Exhibit # 2. Do you recognize it?
Mr Wicklund	This is title work for the property at 2514 N Kingsdale, showing the owner as Abruzzo Builders, Inc.
Mr Paul	If there's no objection, I offer Exhibit # 2.
Mr Denham	The Board accepts.
Mr Paul	What, if anything, did you do to notify the owners of the property of this action?

Mr Wicklund — We sent certified mail.

Mr Paul — I am going to show you what's known as Exhibit # 3. Do you recognize it?

Mr Wicklund — Exhibit # 3 is a certified letter address to Abruzzo Builders dated October 20th of 2016 notifying them of the Building Board of Appeals meeting that was going to be held on October 28th of 2016.

Mr Paul — That's today's meeting, correct?

Mr Wicklund — Yes, and we do have a signed receipt, uh, for that letter.

Mr Paul — And reflecting back to Exhibit # 1, the photographs, did Exhibit # 1 reflect the fact that there was a notice posted on the structure?

Mr Wicklund — Yes.

Mr Paul — Generally, speaking, what were the contents of that notice?

Mr Wicklund — Can I see the photographs, again please?

Mr Paul — Can you, can you give Exhibit Number 1 back to him, please? --- You can just read the notice if you're not sure what I'm asking for.

Mr Wicklund — Well, August 2nd of 2016, Building Inspector posted the property as a, declaring it a dangerous building.

Mr Paul — Thank you. What, if anything else, did you do to notify the owners of the property of this action?

Mr Wicklund — I had it published in the local newspaper.

Mr Paul — I'm going to show you documents that are Exhibit # 4. Do you recognize it?

Mr Wicklund — Exhibit # 4 is a public, or an affidavit of publication showing publication dates of 9/1, 9/8, 9/15 and 9/22 of 2016 in the Joplin Globe for notification of a possible demolition hearing that this Board was initially going to hold on September 23rd of 2016.

Mr Paul — And just to be clear, in addition to posting this property, sending certified mail and publishing, the owner has actually been present before this Board on multiple occasions, has he not?

Mr Wicklund — Yes.

Mr Paul — And, uh, despite the fact that he was informed, he would need to attend future meeting which he knows occur at the regular time each month, he has not attended those meeting, correct?

Mr Wicklund — Yes.

Mr Paul — OK. What school and education have you had in the building industry which qualifies you as an expert in the construction of buildings?

Mr Wicklund — I have been the Building Official for the last three years. Prior to that, uh, I've been employed with the City of Joplin as a building inspector for a total of approximately fifteen years. I'm certified through ICC with the property maintenance inspector. I've also been a general contractor on both residential and commercial properties with new builds and remodels.

Mr Paul1 — And from an inspection of this property, do you have an expert opinion as to whether or not these premises constitute a dangerous building as defined in Chapter 26, Article X, Section 26-612 of the Code of Ordinances of the city of Joplin, and if so, on which of the definitions of dangerous building do you base your opinion, if any?

Mr Wicklund — I do. From Section 26-612 of the City of Joplin Code of Ordinances, specifically, Sections 13 and 18, in my opinion, would qualify this structure as a dangerous building. Section 13 is, whenever a building or structure has become an attractive nuisance to children or is opened on unauthorized or unlawful entry. And 18 is, whenever the building or structure is in such a condition as to constitute a public nuisance known to the common law or inequity jurice prudence. This structure, the original building permit was issued March 12th of 2015. Initially, there was approximately nine inspections done within that first six to eight months after that permit was issued. Progress was being made, however, progress stopped after those initial nine inspections. Started getting multiple complaints from neighbors on the condition of the premises. I know that the Neighborhood Improvement Division has been in contact with the contractor just for the condition of that the property has been left in on the outside, as well as the dumpster being left in the street. On June 28th of --- left me back up just a bit. On June 13th of 2016, I called the contractor, spoke with him. Let him know that we were concerned with the property and that I was receiving multiple complaints. He apologized for the slow progress. Stated that he was ready to get back on it. I told him that the permit had actually run its life and it had expired. So he wanted to know what needed to be done in order to get back, busy on the project. I told him I would extend the permit once he showed evidence, visible evidence on the property that he was ready to send a crew over there and leave them over there and continue working. Uh, they went over there, completed the roof. On June 28th, the contractor sent me a written request, requesting that, uh, the building permit be extended and noting that the roof had been completed. I went ahead and did that, however, uh, since that date of June the 28th, we are

still, yet, to complete the project to a point where the framing has passed. So we are dealing with a permit that was, initially issued in March 12th of 2015 and as of today's date, well over a year and a half later, we still have not even completed a framing inspection. As the last time the Building Department inspections were performed was actually on October the 25th, which the framing inspection, again, failed due to some anchor bolt placing. So, just with the length of time this project has taken and the number of complaints that the City Staff has received, I would definitely consider this to be a public nuisance as defined in Sub-section 18 and would recommend considering this as a dangerous building.

Mr Paul — And do you have a recommendation on whether this building should be repaired or demolished?

Mr Wicklund — Looking at it just from the perspective of the citizens, uh, having to pay for whatever order the Board gives, my opinion is, it's going to be very close to the same price from either a demolition contractor or hiring the exterior to be finished. When we've done this before, we've looked at, and this is not the first time, we've looked at those houses in the immediate vicinity and attempted to just complete the exterior to where it looks like the rest of the houses. It is a pretty nice neighborhood, so it's not just going to be vinyl siding. So there's going to be some pretty big expenses in trying to finish the outside. I do not believe that inside, any electrical, plumbing or any of that has even been started. At least, the last time I was in there. So, if it is ordered demolished, you are just looking at the concrete and the wood frame. I don't know that I have an opinion. I know that the neighborhood would not be totally satisfied if the building was just completed on the outside and then left set there. Due to the history, there is no way of knowing how long it would actually sit there.

Mr Paul — Thanks. And just to be clear, even though you don't necessarily have a recommendation on repair verses demolition, you do believe it is a dangerous building and it is your recommendation the Board make a decision one way or the other.

Mr Wicklund — Yes.

Mr Paul — You also mentioned that some neighbors had complained about this property at this meeting at and previous meetings. Would there testimony be reflected into today's minutes as well as previous minutes?

Mr Wicklund — Yes. There's been at least two property owners, I know, that have been present and have addressed their concerns.

Mr Paul — OK. Thank you. Bryan. If there's no objection, I offer Chapter 26, Articles IX and X, of the Joplin Code of Ordinances as evidence before the Board and also ask that the record be held open to include a copy of the Globe on the dates of publication and also ask that a copy of Board's

minutes from each meeting, featuring this item, be included in the record as well.

Mr Denham — The Board accepts.

Mr Paul — Thank you. Now would be the defendant's opportunity to cross examine the witness. I see a gentleman in the audience. Are you here on this item? This is a dangerous building but it is specifically for this Kindgsdale property. Is this what's you're here for.

Audience Member — NO.

Mr Paul — Ok. Thank you. We will get with you here in just a few minutes. Now would be the Board's opportunity to ask any follow-up questions with Mr Wicklund.

Mr Denham — Bryan, a lot of neighborhoods have covenants that require a certain materials to be used on the exterior. I'm sure you don't know the covenants off the top of your head, but that could dramatically affect the cost of the order to repair if it has to be stone and brick or stucco or something like that, as opposed to vinyl siding.

Mr Wicklund — It could but regardless of the private convents, we would go ahead and attempt to match the neighborhood.

Mr Denham — If it was ordered repair.

Mr Wicklund — Yes.

Mr Paul — Any other questions from the Board for Bryan?

Mr Wilson — As far as the building itself, what was your opinion of the interior frame work that is in place right now? Is it in good shape or poor shape or so, so. How's that setting right now?

Mr Wicklund — As exposed, because being open to the weather?

Mr Wilson — Yes.

Mr Wicklund — It's definitely discolored and it's not good on the wood. Uh, my opinion is that it hasn't really affected the structural strength of anything, at this point, to where it would be considered less than what the minimum code requires.

Mr Wilson — So, mainly, that's just cosmetic.

Mr Wicklund — Yes.

Mr Wilson	And accordingly, you stated that there's probably no plumbing and no electrical work being done in there, uh, at this point?
Mr Wicklund	Correct.
Mr Wilson	OK
Mr Paul	Any other questions.
Mr Harrington	Is this property on a pad, crawl space or a basement?
Mr Oliver	This the one, where they ended up filling it with a bunch of chat and put the slab on it.
Mr Wicklund	It's a – It's unique. It's a slab on some – the stem walls are like eight foot tall and then they backfilled it with gravel. So, how you would define that, I don't know. It's on a slab.
Mrs Harrington	So, if we ordered it demolished, our demo would be complete in removing all of that, as well. So, em, for a moment of clarity for myself, if were ordered demolished, then the city would put a lien against the property to try and recoup the funds?
Mr Paul	Yes. There would be special tax bill whether we repair it or demolish it.
Mrs Harrington	So, when the individual sold the lot, if he did in the future, that would be our opportunity to recoup the cost.
Mr Paul	Ideally. I think that if you sell without title insurance, sometimes, people can avoid liens and I think that happens from time to time. But, generally speaking, if you have a normal sale involving title work and exceptions, that should show up as a lien that would need to be satisfied.
Mr Denham	But the lien transfers with transfer of ownership.
Mr Paul	It follows the property. Yes. And in theory, we would always be able to put it up at a sheriff's sale.
Mrs Harrington	So, Bryan, was I right to understand that you said they can finish the exterior, the property owner still has to finish the interior and then attempt to sell it.
Mr Oliver	We could do it in the bid specs, I guess, we could put a time line on it. The permit is good for six months, so ---
Mrs Harrington	But, I'm just thinking of how long it is going to continue on.

Mr Paul — I don't want to get too messy here. We are still, technically, on questions for Bryan. We can deliberate as soon as we are finished with him.

Mrs Harrington — I apologize.

Mr Paul — No, you're fine. Are there any other questions that you want? Because anything you want to ask him about you should ask right now. Because we really, to be proper, should ask all questions and then you all deliberate amongst yourselves.

Mr Wilson — Well, there is one thing you got to take into consideration, also.

Mr Denham — Is this a questions? You need to ask questions. We will deliberate after.

Mr Wilson — Well, what I am asking. Yah, it's in a form of a question. Alright, we do the exterior. Have it done. The interior is up to whoever ends up with the building, is that correct? As far as, is it the owner who has it now or whoever who buys it, or what like that, then there's the interior. Well, what if they don't like how it's made? They have to tear the interior out?

Mr Wicklund — We ---

Mr Wilson — So would it be better in the long run to demo, plan land, ready for someone to come in, purchase that land and build on it in their own way and do it --- we can monitor it to have it done right. The City can monitor that. Is that feasible?

Mr Wicklund — That's what the Board is going to have to decide. Which way ---

Mr Wilson — I am bringing these questions up to ask for your guy's expertise on it since you deal with stuff like this every day. So, in the long run, would it be better to do a demo and then a rehab, order for repair?

Mr Harrington — I'm not sure that's a fair question for this staff.

Mr Wicklund — That would all depend on who the buyer is. Like you said, I just know that financially, as far as spending the money, you are looking at about the same, at this point, as to whether to tear it down or just finish the outside. Now, my opinion is that the Board actually has the authority to do a third option. You could order the entire project be completed. If you chose to do that, it would cost considerably more to do an order to repair than it would be to demolish what's there. But you would have a habitable structure by the time you were done.

Mr Oliver — This is my opinion; if it is ordered repaired you guys to keep in mind that we're not just going to, that we just don't need to side it and finish the house itself. The way this thing is setting on the lot, I don't believe the neighbors would be happy without the driveway and some of that front of

the property being fixed at the same time. It is kind of an odd, sets up on a hill. A lot of the ---

Mr Wicklund — The exterior would have to be 100% complete. I Mean, that's the way we have done it in the past, with the ordered repairs. So, that is correct. It's not just siding or brick. It's also driveway, porches, sidewalks, garage doors, entry doors.

Mr Wilson — Ok.

Mr Paul — Any other questions for Bryan? Ok. If the City has no other witnesses, the City will rest. Now will be the opportunity for a defendant to testify or present evidence. We only had one gentleman in the audience here today. He has indicated that he is not here on this case. We are not informed that the owner or representative of the owner would be here today, so we don't have any reason to believe that anybody else is going to be here. Therefore, we will turn it back over to the Board for deliberation and a decision.

Mr Denham — Bryan said we've got three options. I hate to see option three. That kind of puts the City in to the position of being a speculative developer. I know Bryan thinks it is a tossup. I kind of think making the repairs is actually, going to cost more than the demolition because it does set up quite a bit out of the ground. I don't know if you remember, but during a lot of our past hearings, people have made a big, uh, effort to try to save foundation walls and basement walls because it was worth untold, thousands of dollars. Well, this just proofs, he didn't even use it as a basement. He capped it off and filled it with gravel. So, all that time we tried to save this foundation and basement wall kind of lead up to this problem. I'd personally think we just need to demo it. I think that's the best option for everyone and uh, ---

Mr Wilson — I do too.

Mr Denham — He's had plenty of time to try and take care of this. The way it has been left open it's just unacceptable. That's my opinion. If you have any other question ---

Mr Harrington — What I would like to, em, I know it's not open for discussion, but as part of this, notifying him, uh, would he be given the option to get in there and get out what he wants?

Mr Paul — Yes, he's going to be have the opportunity. He's going to get notice that we had the hearing today, he is going to get a copy of the Findings of Fact and Conclusions of Law. And, it was like on Mr Hess, earlier, his ex-wife had actually been in contact with us about, can we get some stuff out of the buildings. And, of course, they are free to remove anything they want, at any point, it is still their property. It's still their stuff, obviously, you probably don't want to be doing it while they are in the process of

demolishing it. But there's absolutely nothing that prevents him from salvaging whatever he wants to between now and time of demolition, which is a practical matter. We have an automatic thirty day stay and then, even after that, it's going to take a week or two to get to Council so he's got some time there to get out whatever he wants.

Mr Denham — Any other comments or motions?

Mr Wilson — **Mr Chairman, I would like to make a motion. Mr Chairman, I move that Item # 2779, 2514 N Kingsdale, be declared a dangerous building in accordance with Joplin Code of Ordinances, Chapter 26, Articles IX and X, Section 26-612, Sub-sections 18 and 19, Section 13 and 18, to include all foundation work, and so ordered demolished.**

Mr. Denham — **Do we have a second?**

Mr Hartwell — **Second**

Mr Denham — Can we, because it's on a different property, require that that little bit of concrete be removed that is next door, at the same time?

Mr Paul — I'd be hesitant to do that. I mean, I do think that if it is something that you've got your eye on, just ---

Mr Denham — It's probably in public right of way. I don't even know if it extends onto his property line. It's just a six or eight foot approach but I honestly, they didn't screed it off. It's just dumped right out of the truck and whatever it poured and leveled to is ---

Mr Paul — There's no reason you couldn't notice it up for next time and take action on it in sixty days.

Mr Denham — I'd just hate to see it sit there for ---

Mr Wicklund — If it was, because it is the same owner, if it was a garage sitting over there, we would include it.

Mr Denham — Ok. If it is not actually on his property, if it is in the City right of way you'd have the right to do it anyway, wouldn't you?

Mr Wicklund — Well, yah, but it is, as owner, it is his responsibility to maintain it. So, we just don't go around just taking people's driveways out without working with them.

Mr Denham — I doubt if he had a permit or an approval or inspected.

Mr Wicklund — No it did not ever pass inspection. He did not have a permit for that approach, that is for sure.

Mr Denham — It may have left over ---

Mr Wicklund — I think they just cleaned the truck out and then tried to flatten it.

Mr Paul — So, we have a motion and a second and ---

Mr Denham — **We have a motion by Mr Wilson , second by Mr Hartwell, that Item # 2779, 2514 N Kingsdale, be declared a dangerous building, ordered demolished in accordance with the City of Joplin Code of Ordinances under Chapter 26, Articles IX and X, Section 26-612, Sub-sections 13 and 18. All in favor of the demolition say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Wilson and Mr Landrith voted "aye") Those Opposed? (None) Motion carries, 5-0.**

Mr Paul — You want to help this gentleman before we do our next one?

Mr Denham — Would you like to step up and tell us what property you are here to speak on? Give us your name and address, please.

NON-AGENDA — My name is Jeffery Johnson. I live at 5517 Spurgeon Rd. I bought a piece of property at the tax sale on the 22nd and a week later there was a notice posted on the front of it. I'm just trying to find out what is going on with the property.

Mr Denham — What was the address of the property?

Mr Johnson — 622 S Moffet.

Mr Oliver — As of right now, I'm the one that goes out and posts property based on complaints and different things. Uh, I talked to a gentleman that came to the counter, I assume, about a month ago.

Mr Johnson — Yah, the week it was posted, he came in. I asked him to come in and then I came in about three weeks ago.

Mr Oliver — I have not put it on the Agenda yet.

Mr Johnson — Ok.

Mr Oliver — I think, trying to recall the conversation with the gentleman at the counter, I understand, tax sale, you may not want to do a whole lot of work on it.

Mr Johnson — At the advice of my attorney, he's told me not put a dime into the property because it's going to a year and a half before I can get a marketable title.

Mr Wicklund — Well, so, what we've done in the past on these is, the City Council has created a Vacant Dangerous Building Permit, which is not free, but it's not

the same expense as you trying to fix the property up. How much does it cost?

Mr Oliver — It's $200.00

Mr Wicklund — It's $200.00

Mr Johnson — Every six months?

Mr Wicklund — Every six months. If we extend it during that year and a half, twice. So you'd end up spending $600.00 and whatever expense you had implied in paint. But I can tell you, without that, just leaving it like it sits in a year and a half, it won't be there in a year and a half. The Board will, most likely, order it demolished. So that's up to you.

Mr Johnson — Ok, Thank you.

ITEM # 2783

1921 Perkins St
OWNER: Harold and May Bullard
ADDRESS: 1720 S Murphy Ave, Joplin, MO
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the September 23, 206 meeting for a "Demolition Hearing" and Progress Report (SECOND TIME BEFORE THE BOARD)

Mr Paul — We have Item # 2783, which is 1921 Perkins, if the Board wants to consider a hearing on that property.

Mr Denham — Do we have a motion to have Item # 2783, 1921 Perkins a subject of a dangerous building hearing?

Mrs Harrington — **So moved.**

Mr Denham — **Do we have a second?**

Mr Harrington — **Second.**

Mr Denham — **Motion by Mrs Harrington, second by Mr Hartwell that Item # 2783, 1921 Perkins be the subject of the Dangerous Building Hearing. All those in favor say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Wilson and Mr Landrith voted"aye") Those Opposed? (None) Motion carries, 5-0.** The Board turns it over to the City.

Mr Paul — This is the Building Board of Appeals meeting in the Joplin Municipal Building, this 28th day of October, 2016, for the purpose of conducting a dangerous building hearing. The City will present its evidence first, after which the public has a right to cross-examine witnesses and be heard, as

well as present witnesses or exhibits. The case for today is Item # 2783 on the Agenda, also known as 1921 Perkins. The City calls Jeff Oliver.

Ms Champlin — Jeff, you do solemnly affirm, under the penalty of perjury, that the testimony you shall give in the matter at issue shall be the truth, the whole truth, and nothing but the truth?

Mr Oliver — Yes.

Mr Paul — You, please, state your name and occupation?

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

Mr Paul — How long have you been employed in your current position with the City of Joplin?

Mr Oliver — Going on eight years.

Mr Paul — And have you any official performance of your duties, had an occasion to inspection the property known as 1921 Perkins.

Mr Oliver — Yes I have.

Mr Paul — I am going to show that this has been marked as Exhibit # 1. Can you identify that for me, please?

Mr Oliver — Yes, these are photos that I took of the property on 8/29 of this year.

Mr Paul — And do the photographs show a reasonable likeness of the premises in its present condition?

Mr Oliver — Yes, they do.

Mr Paul — If there is no objection, I would offer Exhibit # 1.

Mr Denham — The Board accepts.

Mr Paul — And while it is in front of you, Jeff, what does the first page of Exhibit # 1 depict?

Mr Oliver — It is a placard, a Warning Packard, posting the structure as a Dangerous Building. At the time of the posting, I didn't know the address of the property. So the Warning placard will not have the address on it.

Mr Paul — But it is posted at the address?

Mr Oliver — But it is posted at the address and I did do it on the street front.

Mr Paul — OK, that's to the purpose of this, is to give any person who either owns the property or thinks they own the property, notice that it is in front of this Board. It has been noticed up as a Dangerous Building Board in view of ordinance.

Mr Oliver — Correct.

Mr Paul — There is no objection of offer # 1?

Mr Denham — The Board accepts.

Mr Paul — What, if another, did you do to ascertain ownership of the property?

Mr Oliver — I had a title search done.

Mr Paul — I want to show that it is marked as Exhibit # 2. Do you recognize it?

Mr Oliver — It is a title search that we received. It shows, em, that a Harold Bullard and a Mary Bullard, husband and wife, as the owners.

Mr Paul — If there is no objection, I offer Exhibit # 2.

Mr Denham — The Board accepts.

Mr Paul1 — What, if anything, did you do to notify the owners of the property of this action?

Mr Oliver — Sent certified letters.

Mr Paul — I show that it is marked as Exhibit # 3, do you recognize it?

Mr Oliver — This is a certified letter, sent to Harold and Mary. It is dated October 10th letting them know of today's meeting, October 28th. I have a signed receipt for this letter by a Maybelle Cook. There is also a letter here, dated September 12th, letting Harold and Mary know of the meeting that was held on September 29th and I do not have signed receipt on that letter.

Mr Paul — Thank you. If there is no objection I offer Exhibit # 3.

Mr Denham — The Board accepts.

Mr Paul — What, if anything else, did you do to notify the owners of the property of this action?

Mr Oliver — It was posted in the Joplin Globe.

Mr Paul — And I hand you what has been marked as Exhibit # 4. Do you recognize it?

Mr Oliver — It's the confirmation of an order, or to publish in the Joplin Globe. The publication dates were Thursday, October 6th, Thursday, October 13th, Thursday, October 20th, and Thursday, October 27th of this year.

Mr Paul — Thank you. If there's no objection, I offer Exhibit # 4.

Mr Denham — The Board accepts.

Mr Paul — And I want to back up here. Can I have Exhibit # 3 back, please? I am going to hand you back Exhibit # 3, Jeff. What address is depicted on that letter?

Mr Oliver — 1720 Murphy Avenue.

Mr Paul — And to be clear, that's not the address of the property before the Board, correct?

Mr Oliver — That's correct.

Mr Paul — And that is where we believe the owner to live, is that correct?

Mr Oliver — Correct

Mr Paul — And I am going to show you what is marked Exhibit # 5 here. Can you identify Exhibit # 5?

Mr Oliver — This is a printout from Jasper County Beacon.

Mr Paul — That's maintained by the Assessor's Officer, correct?

Mr Oliver — Correct

Mr Paul — And, regarding this particular property, who does it show as the owner and their address?

Mr Oliver — Harold and May Bullard.

Mr Paul — So the owner information is consistent with the title work, correct?

Mr Oliver — Yes.

Mr Paul — And the address reflected on that's where you sent the certified letter, correct?

Mr Oliver — That's correct.

Mr Paul — OK, Thank you. I offer Exhibit # 5.

Mr Denham — The Board accepts.

Mr Paul — What school and education have you had in the Building Industry which would qualify you as an expert in the construction of buildings?

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

Mr Paul — And from an inspection of the property, do you have an expert opinion as whether or not this premises constitute a dangerous building as defined in Chapter 26, Article X, Section 26-612, the Code of Ordinances of the City of Joplin? If so, which definition of a dangerous building do you base your opinion, if any?

Mr Oliver — Yes, I do. Sub-section, Line 1: Whenever the exterior walls are at their vertical structure are list, lean, buckled to such an extent that the plum line passes the center of gravity does not fall in side of the middle one-third of the base. Line 4: Whenever the building or structure is exclusive of the foundation shows substantial damage or deterioration of the supporting or not supporting members or enclosing or outside walls or wall coverings. Line 10: Whenever the building or structure, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, trash, filthy, inadequate light, air ventilation, or sanitation facilities, whereas otherwise determined to be unsafe, unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness of disease. And also, Line 13: Whenever the building or structure has become an attractive nuisance to children or is open to unauthorized or unlawful entry. You can see by the photos being passed around, this structure is pretty severely dilapidated. There is actually parts of a carport, front porch area where the roofs are collapsing. The carport area, the walls have buckled. Uh, I believe there is a picture in back, a set of photos where you can tell the inside has been trashed. It's just full of trash and debris. The roof leaks in multiple areas which could potentially cause sickness due to mold.

Mr Paul — And when you talk about the building being dilapidated, which definition are you specifically applying there?

Mr Oliver — Line 1and 4.

Mr Paul — Line 1and 4?

Mr Oliver — Yes.

Mr Paul — And is that the same for the roof?

Mr Oliver — That's correct.

Mr Paul — How about your other definitions?

Mr Oliver — Line 13, it's open.

Mr Paul — And that's reflected in the photos?

Mr Oliver — Correct.

Mr Paul — Open doors and open windows?

Mr Oliver — Yes.

Mr Paul — And how about your last definition?

Mr Oliver — I also used Line 10: Unfit for human habitation, obviously, it's not occupied at this time.

Mr Paul — That's based on the structure not being sound, not having a complete enclosing, that kind of stuff?

Mr Oliver — Correct.

Mr Paul — And is that reflected in the photos?

Mr Oliver — Yes.

Mr Paul — And then, on your last definition?

Mr Oliver — Lines 1 and 4 were --- that's all.

Mr Paul — I guess I thought there was another one in there. I was not on the same page. Ok, thank you. Now would be the defendant's opportunity to --- Well let me back up here. If there is no objection, I offer Chapter 26, Article IX and X of the Code of Ordinances as evidence before the Board. I'd also request that the record held open to include a copy of the Globe on the dates of publication. And I'd also request that a copy of the Board's minutes featuring this Item be incorporated.

Mr Denham — The Board accepts.

Mr Paul — Thank you, Jeff. Now would be the defendant's opportunity to cross examine the witness. We don't have anyone in the gallery at this time. We are not aware of anyone who intended to be here today. Now would be the Board's opportunity to question Mr Oliver. I see no questions and the City will rest.

Mr Denham — Do we have a motion for demolition?

Mr Wilson — **Mr Chairman, I move that Item # 2783, 1921 Perkins St be declared a dangerous building in accordance with Joplin Code of Ordinances, Chapter 26, Articles IX and X, Sub-section 26-612, Sub-sections 18-19, Lines 1, 4, 10 and 13, and so ordered demolished.**

Mr Landrith — **Second**

Mr Denham — **Motion by Mr Wilson, second by Mr Landrith, that Item # 2783, 1921 Perkins, be declared a dangerous building, ordered demolished in accordance to the City of Joplin Code of Ordinances under Chapter 26, Articles IX and X, Section 26-612, Sub-sections 1, 4, 10 and 13. All those in favor of demolish say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Wilson and Mr Landrith voted"aye") Those Opposed? (None) Motion carries, 5-0.**

Mr Paul — We've got two more which have the same owner. Do you guys want to consider taking up those. They are going to be # 2776 and # 2777, although the properties are not adjoin, so we probably need to do separate hearing for the two of them.

Mr Denham — Do we have a motion to hold a dangerous building hearing for Item # 2776?

Mr Wilson — **Mr Chairman, I make a motion to have Item # 2776, 1701 S Bird Avenue be subject to be the dangerous building hearing.**

Mr Denham — **Is there a second?**

Mrs Harrington — **Second**

Mr Denham — **Motion by Mr Wilson, second by Mrs Harrington that Item # 2776, 1701 Bird, be subject of the Dangerous Building Hearing. All those in favor say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Wilson and Mr Landrith voted"aye") Those Opposed? (None) Motion carries, 5-0.** The Board turns it over to the City.

ITEM # 2776

1701 BIRD
OWNER: Louise Fransham
ADDRESS: 116 W 2nd St, Carthage, MO 64836
"Demolition Hearing" has been posted in the Joplin Glove Legal Section. Item continued from the September 23, 2016 meeting for a "Demotion Hearing" and Progress Report (THIRD TIME BEFORE THE BOARD)

Mr. Paul — Thank you. This is the Building Board of Appeals meeting in the Joplin Municipal Building, this 28th day of October, 2016, for the purpose of conducting a dangerous building hearing. The City will present its evidence first, after which the public has a right to cross-examine witnesses

and be heard, as well as present witnesses or exhibits. The case for today is Item # 2776 on the Agenda, also known as 1701 Bird. The City recalls Jeff Oliver and reminds you that you are under oath.

Mr Oliver — Yes.

Mr Paul — Would you please state your name and occupation?

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

Mr Paul — And how long have you been employed in your current position with the City of Joplin?

Mr Oliver — Approximately eight years.

Mr Paul — And have you, in performance of your duties, had the occasion to inspection the property known was Item # 2776, also known as 1701 Bird?

Mr Oliver — Yes, I have.

Mr Paul — I want to show you what is marked as Exhibit # 1. Do you recognize it?

Mr Oliver — Yes, Exhibit # 1, are, uh, that I have taken at the property of 1701 Bird. It actually has two postings on it. I originally posted the structure on May 11th. Had not brought it to the Board for a couple of months there and then went out and re-posted it on August 2nd of this year as I was getting ready to, uh, bring it to the Board, here.

Mr Paul — And do the photographs show reasonable likeness of the premises in their present condition?

Mr Oliver — Yes, it does.

Mr Paul — And, to be clear about what you were just discussing there on posting, can you tell the Board what the purpose of the posting is?

Mr Oliver — To let citizens or anybody who may have an interest in the property, know that it was posted as a dangerous structure and, uh, they probably should not enter the property, things of that nature.

Mr Paul — It gives them notice of this proceeding.

Mr Oliver — Correct.

Mr Paul — Thank you. If there is no objection, I offer Exhibit # 1.

Mr Denham — The Board accepts.

Mr Paul — What, if anything, did you do to ascertain ownership of the property?

Mr Oliver — I had a title search done.

Mr Paul — I am going to show it marked as Exhibit # 2. Do you recognize it?

Mr Oliver — Yes, this is the title search we received from Great American Title dated August 9th of this year.

Mr Paul — And who does it show as the owner of the property?

Mr Oliver — A Louise, or Heirs and devisees of Louise Fransham.

Mr Paul — Thank you. If there's no objection, I offer the Board Exhibit # 2.

Mr Denham — The Board accepts.

Mr Paul — Now Jeff, I am going to show you what is marked as Exhibit # 3, which I am going to represent to you, are some case.net documents. What is the first page appear to be?

Mr Oliver — It is a sheet from case.net that has been printed out, basically, our note on hear is indicating that no estate was opened.

Mr Paul — And so, it looks like there was a search done before this person's name in the 29th Judicial Circuit, which is Jasper County, looking for an estate and there doesn't appear to be any case opened, is that correct?

Mr Oliver — Correct.

Mr Paul — And if you move through the pages there, it does look like there was a guardianship proceeding opened up on this person at some point, is that look right?

Mr Oliver — Yes

Mr Paul — And can you tell the court what the case number is?

Mr Oliver — 14AP-PR00106.

Mr Paul — There looks like there is a docket entry in your packet. Can you read the underline portion, or just read the entire docket entry?

Mr Oliver — Hearing held, attorney for petitioner, Dwight Douglas, advises the court that the respondent died, April 5th 2014 and dismissed the petition.

Mr Paul — OK. And Dwight Douglas is the general counsel at Freeman Hospital, is that correct?

Mr Oliver — Yes.

Mr Paul — And it would not be unusual for Freeman to file for guardianship for someone who doesn't have any other relatives or kin nearby, would that be correct?

Mr Oliver — Yes.

Mr Paul — And that looks like that's what happened in this case, but the person passed away.

Mr Oliver — Yes.

Mr Paul — And finally, looking at your last page, here, does it also look like a similar search was performed in Newton County and there wasn't an estate opened there, either?

Mr Oliver — That's correct.

Mr Paul — So is it your best understanding that this person has passed away and that this property is kind of in limbo because of no one's ever probated the estate?

Mr Oliver — That's correct.

Mr Paul — If there's no object, I offer Exhibit # 3.

Mr Denham — Board accepts

Mr Paul — And I also show you what is marked Exhibit # 4, here. Can you tell me what that is?

Mr Oliver — Again, this is a sheet that was printed from Jasper County Beacon.

Mr Paul — Does it show the owner the same as the title work?

Mr Oliver — Right, it is an overhead shot of the property. It's highlighted and it shows the owner, Louise.

Mr Paul — And guess, to be clear, the title work shows the heirs of Fransham to be the owner but the point is, it still shows Fransham as the owner, correct?

Mr Oliver — Correct.

Mr Paul — And does it have an address there?

Mr Oliver — 116 West 2nd St, Carthage, MO.

Mr. Paul — And I show that it is marked Exhibit # 5. Let me back up, there. What, if anything did you do to notify the owners of the property of this action?

Mr Oliver — Sent certified letters out.

Mr Paul — And I've shown you that it's marked as Exhibit # 5. Do you recognize that?

Mr Oliver — Yes, these are, uh, certified letters sent. The first one here is dated October 10th, sent to Louise to the address in Carthage letting them know of today's meeting, October 28th. Do not have a signed receipt for that letter. Behind this are a couple of other letters for, uh, meetings that were held in August and September, sent to the same address and we have no signed receipts for those letters, either.

Mr Paul — And the address on the notice letters is the same as the Assessor's Office has on file, per Exhibit # 4, is that correct?

Mr Oliver — That's correct.

Mr Paul — And so as far as you can tell, is that the last known address for this person?

Mr Oliver — Yes.

Mr Paul — If there's no objection, I offer Exhibits # 4 and 5.

Mr Denham — The Board accepts.

Mr Paul — What if anything, else did you do to notify the owners of this action?

Mr Oliver — It was published in the Joplin Globe.

Mr Paul — I am showing you, what is marked Exhibit # 6, there. Do you recognize that?

Mr Oliver — Yes, I do. It's the Affidavit of Publication. The publication dates for this address, 1701 Bird Avenue were 9/1, 9/8, 9/15 and 9/22 of this year.

Mr Paul — Thank you. If there is no objection, I offer Exhibit # 6.

Mr Denham — The Board accepts.

Mr Paul — What school and education have you had which qualifies you as an expert in the construction of buildings?

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

Mr Paul — And from an inspection of the property, do you have an expert opinion as whether or not this premises constitute a dangerous building as defined in Chapter 26, Article X, Section 26-612, the Code of Ordinances of the City of Joplin? If so, which definition of a dangerous building do you base your opinion, if any?

Mr Oliver — Yes.

Mr Paul — And, if you would, as you go through each definition, could you please give the facts under each definition and if you have to repeat facts, that's fine.

Mr Oliver — So you want me to do one at a time?

Mr Paul — Yes.

Mr Oliver — Sub-section, Line 7: Whenever a door, aisle, passage way, stairway, fire escape, other means of egress is not of sufficient size, width or size or is damage, dilapidated, obstructed or otherwise unusable or is so arranged so as not to provide safe or adequate means of egress in case of fire or panic. While this house is vacant, it is open. And, if we were to have some vagrants in it and it caught fire, you can see by the photos that have been passed around, there is so much trash and debris scattered throughout this structure that it would be difficult to navigate your way out. Line 10: Whenever the building or structure, because of inadequate maintenance, dilapidation, decay damage, faulty construction, arrangement, trash, filth, inadequate light, air ventilation or sanitation facilities or otherwise, is determined to be unsafe, unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease. Again, tying in the previous definition, structure is full of trash, so, in its current condition it is unsanitary structure and certainly unfit for human habitation. Line 12: Whenever a building or structure or land it occupies exists or is maintained in violation of any specific requirements or habitation applicable to accessibility of the structure or land provided by this Article or other application law, ordinances of this state or city relating to the condition, use or location or maintenance of the building, structure or land. Obviously, with the condition this structure is in, it not being maintained. It is vacant. Nobody is taking responsibility for it. With all those taken place, the trash and debris and things of that nature, and slowly dilapidating, it certainly does not meet the City of Joplin's Codes or Ordinances. And then finally, Line 13: Whenever the building or structure has become an attracting nuisance to children or is open to an unauthorized of unlawful entry. As you can see, again, by the photos, there's a couple in there that show the back door is open for unauthorized entry.

Mr Paul — Thank you. If there's no objection, I offer Chapter 26, Articles IX and X of the Joplin Code of Ordinances as evidence before the Board under the

request that the record be held open to include a copy of the Joplin Globe on the dates of publication and I also request that the record be held open to include a copy of the minutes from each meeting featuring this Item.

Mr Denham — The Board accepts.

Mr Paul — This would now be the defendant's opportunity to cross-examine the witness. We don't have anyone in the gallery. We also are not aware of anyone who intended to be here today on this Item. The City does not have any other witnesses. The City will rest. Now would be the defendant's opportunity to testify. Again, we've no one in the gallery. We are not aware of anyone. We are not aware of anyone who was going to be here today, therefore, the matter is turned back over to the Board for deliberation and a decision.

Mr Denham — We have a motion for demolition?

Mr Wilson — **Mr Chairman, I move that Item # 2776, 1701 Bird Avenue, be declared and dangerous building in accordance with Joplin Code of Ordinances, Chapter 26, Articles IX and X, Sections 26-612, sub-sections, 18 and 19, Line 7, 10, 12 and 13 and so ordered demolished.**

Mr Denham — **Is there a second?**

Mr Landrith — **Second.**

Mr Denham — **Motion by Mr Wilson, second by Mr Landrith, that Item # 2776, 1701 S Bird, we declared a dangerous building and ordered demolished in accordance to the City of Joplin, Code of Ordinances under Chapter 26, Articles IX and X, Section 26-612, Sub-Sections 7, 10, 12 and 13. All those in favor of demolition say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Wilson and Mr Landrith voted"aye") Those Opposed? (None) Motion carries, 5-0.**

ITEM # 2777 — **914 w 17th St**
OWNER: Louise Fransham
ADDRESS: 116 W 2nd St, Carthage, MO 64836
"Demolition Hearing" has been posted in the Joplin Glove Legal Section. Item continued from the September 23, 2016 meeting for a "Demolition Hearing" and Progress Report (THIRD TIME BEFORE THE BOARD).

Mr Denham — Do we have a motion to have Item # 2777 subject to a dangerous building hearing?

Mr Hartwell — **Mr Chairman, I make a motion that Item # 2777, 914 W 17th ST be the subject of a dangerous building hearing.**

Mr Wilson	**Second**
Mr Denham	**Motion by Mr Hartwell, second by Mr Wilson, that Item # 2777, 914 W 17th St, be the subject of a dangerous building hearing. All those in favor say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Wilson and Mr Landrith voted"aye") Those Opposed? (None) Motion carries, 5-0.** The Board turns it over to the City.
Mr Paul	Thank you. This is the Building Board of Appeals meeting in the Joplin Municipal Building, this 28th day of October, 2016, for the purpose of conducting a dangerous building hearing. The City will present its evidence first, after which the public has a right to cross-examine witnesses and be heard, as well as present witnesses or exhibits. The case for today is Item # 2777 on the Agenda, also known as 914 W 17th St. The City recalls Jeff Oliver and reminds you that you are under oath.
Mr Oliver	Yes.
Mr Paul	Will you please state your name and occupation?
Mr Oliver	Jeff Oliver, Building Inspector for the City of Joplin.
Mr Paul	How long have you been employed in your current position with the City of Joplin?
Mr Oliver	Approximately eight years.
Mr Paul	And have you, in the performance of your duties, had the occasion to inspect the property know as 914 W 17th St?
Mr Oliver	Yes, I have.
Mr. Paul	I am going to show you what is marked as Exhibit # 1. Can you identify that?
Mr Oliver	Yes. These are photos that I've taken at 914 W 17th St.
Mr Paul	The photographs show reasonable likeness of the premises in their present condition?
Mr Oliver	Yes, they do.
Mr Paul	And can you describe to the Board what is depicted on the first page of Exhibit # 1?
Mr Oliver	Yes, it's the warning of a dangerous warning placard that we put on every structure that comes to this Board.

Mr Paul	And is the purpose of this to give notice to property own and others that it is subject to a proceeding before the Building Board?
Mr Oliver	Yes.
Mr Paul	Thank you. If there is no objection, I would offer Exhibit # 1.
Mr Denham	The Board accepts.
Mr Paul	What, if anything, did you do to ascertain ownership of the property?
Mr Oliver	We had a title search done.
Mr Paul	I am going to show you what is marked Exhibit Number 2. Do you recognize that?
Mr Oliver	Yes, this is a title search received from Great American, dated August 9, and it shows heirs and devisees of Louise Fransham.
Mr Paul	If there's no objection, I offer Exhibit # 2.
Mr Denham	The Board accepts.
Mr Paul	I'm going to show you what's marked Exhibit # 3, which I am going to represent to you are a couple of different printouts from Missouri case.net. Can you describe, generally, what is in front of you?
Mr Oliver	Uh, this is a printout from case.net. Basically, what the results of what we have here, there, there, was no estate open in Jasper County.
Mr Paul	And there wasn't one open in Newton County, either?
Mr Oliver	Correct.
Mr Paul	And it looks like there was a guardianship opened at some point in 2014, is that correct?
Mr Oliver	Correct.
Mr Paul	And is there a docket entry in that printout that indicates that the owner has passed away?
Mr Oliver	Yes, Attorney for the petitioner, Dwight Douglas, advises the court that the respondent died April 5, 2014 and dismisses the petition.
Mr Paul	And so, again, I think this was discussed in greater length in the companion case to this but, the ultimate point being that the owner has died and it

doesn't appear that his or her heir has ever opened an estate to pass title to this piece of property, is that correct?

Mr Oliver — Correct.

Mr Paul — If there is no objection, I offer Exhibit # 3.

Mr Denham — The Board accepts.

Mr Paul — I'm going to show you what's been marked Exhibit # 4. Do you recognize it?

Mr Oliver — Yes, again it is a printout from Jasper County Beacon. Shows and aerial of the property and lists the owners and mailing address.

Mr Paul — And the owner is listed as not the heirs of Louise Fransham but Louise Fransham, is that correct?

Mr Oliver — That's correct.

Mr Paul — So it is, more or less, consistent with the title work, except the Beacon printout doesn't reflect the owner's died yet.

Mr Oliver — Correct.

Mr Paul — And what, if anything, did you do notify the owners of the property of this action?

Mr Oliver — Sent certified letters.

Mr Paul — And I'll show that it is marked as Exhibit # 5, there. Can you identify that?

Mr Oliver — Yes. Certified Letter dated October 10, 2016, sent to Louise Fransham. It was sent to an address of 116 W 2nd St, Carthage.

Mr Paul — And is that the same address that's reflected on Exhibit # 4

Mr Oliver — That's correct.

Mr Paul — And is that basically what you understand, had been this person's last known address?

Mr Oliver — That's correct.

Mr Paul — Thank you.

Mr Oliver — The letter was to let her know her know of today's meeting, October 28th. I do not have a signed receipt. There are two prior letters that were sent; one

for a meeting in August and one for a meeting in September and there are no signed receipts.

Mr Paul — Thank you. If there's no object I'd like to offer Exhibits # 4 and 5.

Mr Denham — The Board accepts.

Mr Paul — What, if anything, else did you do to notify the potential interest holders of this action?

Mr Oliver — I had it published in the Joplin Globe.

Mr Paul — I'm going to show that it is marked as Exhibit # 6. Do you recognize it?

Mr Oliver — Yes, this is the Affidavit of Publication for 914 W 17th St. with publication dates of 9/1, 9/8, 9/15 and 9/22 of this year.

Mr Paul — Thank you. If there is no object, I offer Exhibit # 6.

Mr Denham — The Board accepts.

Mr Paul — To be clear of the notice you gave in this case, in addition to attempting to find the last known address and sending certified mail, you also posted the property and entered publication.

Mr Oliver — That's correct.

Mr Paul — And the City also, obviously, searched Case.net in attempt to locate this person and that they found out that this person has passed, correct?

Mr Oliver — Correct.

Mr Paul — There doesn't appear to be any more information on this person, in public records at this time, correct?

Mr Oliver — Correct.

Mr Paul — Thank you. What school and education to you had in the building industry which would qualify you as an expert in the construction of buildings?

Mr Oliver — I've been a general contractor on several residential projects in the Joplin area over a twenty year period.

Mr Paul — And from the inspection of this property, do you have an expert opinion as to whether or not these premises constitute a dangerous building as defined in Chapter 26, Article X, Section 26-612 of the Code of Ordinances of the City of Joplin? If so, which of the definitions of the Dangerous Building did you base your opinion, if any?

Mr Oliver — Yes. Sub-section, Line 10: Whenever the building or structure, because of inadequate maintenance, dilapidation, decay damage, faulty construction, arrangement, trash, filth, inadequate light, air ventilation or sanitation facilities or otherwise, is determined to be unsafe, unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease. You can see by the photos being passes around, again this structure is full of trash and debris throughout the inside of the structure. It is certainly unsanitary and in is current condition, unfit for human habitation. Line 13: Whenever the building or structure has become an attracting nuisance to children or is open to an unauthorized or unlawful entry. Again, the side entry door – this property sits on an alley. The side entry door is open for unauthorized entry. And I would like to throw in Line 15: Whenever the electrical system is totally, or partially, damaged, destroyed or otherwise made inoperable, unsafe or hazardous. While the structure does not have power to it, there is a very old entry service to the structure that appears to be unsafe. Would be hesitant to use it even if someone were to rehab the property.

Mr Paul — Thank you, Jeff. If there's no objection, I offer Chapter 26, Articles IX and X of the Joplin Code of Ordinances as evidence before the Board. I'd request that the record be held open to include a copy of the Glove on the dates of publication and I'd also ask that the record be held open to include a copy of the minutes from each meeting of the Board featuring this Item.

Mr Denham — The Board accepts.

Mr Paul — Now would be the defendant's opportunity to cross-examine the witness. We don't see anyone in the gallery. We are not aware of anyone who expressed an intent to be here today, therefore, the City will let Jeff step down. The City has not further witnesses. The City rests. This would not be the defendant's opportunity to testify, present evidence. Again, we have no one in the gallery. We are not aware of anyone who was going to be here today and, therefore, the case be turned back over to the Board for decision.

Mr Denham — We have a motion for demolition?

Mr Wilson — **Mr Chairman, I move that Item # 2777, 914 W 17th St, be declared a dangerous building in accordance with Joplin Code of Ordinances, Chapter 26, Articles IX and X, Section 26-612, Sub-section, 18 and 19, Lines 10, 13 and 15 and so ordered demolished.**

Mr Denham — **Is there a second?**

Mrs Harrington — **Second.**

Mr Denham — **Motion by Mr Wilson, second by Mrs Harrington, Item # 2777 , 914 W 17th St, be declared a dangerous building, ordered demolished in accordance to the City of Joplin, Code of Ordinances, under Chapter 26, Articles IX and X, Section 26-612, Sub-sections 10, 13 and 15. All those in favor of the demolition, say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Wilson and Mr Landrith voted"aye") Those Opposed? (None) Motion carries, 5-0.**

Mr Oliver — I would like to add in with the last two cases that have been done, the State requires that anytime there are two or more structures next to each other that are being demoed at the same time, they require asbestos inspection. If any is found, it is to be removed prior to demolition. So, just to let everyone know, it will add some time to the process for these to actually come down.

Mr Denham — Bryan, this is more of a zoning issue, but this was obviously a lot split, decades ago. But it wouldn't comply to today's building lot sizes, I wouldn't think, for two structures. After the demolition, would it go back to a single family on the whole lot? They could still have two, if they could get the setbacks?

Mr Wicklund — If it was legally split.

Mr Denham — And they could build and keep the setbacks?

Mr Wicklund — If they could, somehow, mange to build both houses without legally splitting it, it would only be allowed to have one structure on it.

Mr Denham — Thank you. Maybe we can release it.

ITEM # 2790 — **2301 Iron Gates**
OWNER: Baldwin Rental Properties
ADDRESS: PO Box 271, Joplin, MO 64802
"Finding of fact Hearing" scheduled for this date.

Mr Denham — It looks like the one on Iron Gates was already demolished but not cleaned up yet.

Mr Oliver — He actually just purchased his permit yesterday. I think he had done a little work before he got his permit. That's up to you. I mean, if you want to hang onto it and make sure that it gets totally cleaned up.

Mrs Harrington — Which one was that?

Mr Denham — It's Item # 2790. It's under new business. Don't we automatically continue for thirty days?

Mr Oliver — That would be correct.

Mr Denham — That's probably best. I mean, he demoed it but it is just a big pile at this point. Foundation is not out. The Debris is not out. Everything else, just continue to December 9th?

Mr Oliver — Well, I will talk about a few of them.

ITEM # 2746 — **2610 S Oliver**
OWNER: Higdon Homes
ADDRESS: 2629 Austin, Joplin, MO 64804
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the September 23, 2016 meeting for a "Demolition Hearing" and Progress Report (EIGHT TIME BEFORE THE BOARD)

Mr Oliver — As Bryan mentioned when he first came to the meeting, Item # 2746, 2610 S Oliver. That's a new build going on to an existing slab with Higdon Homes. They are actually doing the property next to it. If you want to go thirty days, fine. That permit's good for six months. You want to carry it out a little further or not –

Mr Denham — How is he proceeding on the other property? Is he making good progress?

Mr Wicklund — There's people there, nearly every day.

Mr Denham — I wouldn't mind extending that one out a few more months. Because this is the one that started out as some sort of charitable project and for whatever reason, they didn't follow through and he stepped up to try to finish them out. I wouldn't mind going 90 days or something like that.

Mr Oliver — OK, like February?

Mr Denham — I'm open, as long as he continues to progress.

Mr Oliver — February 24th or ---

Mr Denham — February is good.

Mr Oliver — March 24th?

Mr Denham — I think February is pretty fair. Everybody agree with that?

Mr Hartwell — Yes.

Mr Denham — We have a motion?

Mrs Harrington — **Mr Chairman, I make a motion that Item # 2746, at 2610 S Oliver, be continued until February 24th for a demolition hearing, progress report.**

Mr Wilson — **Second.**

Mr Denham — **There's a Motion by Mrs Harrington, second by Mr Wilson, that Item # 2746, 2610 S Oliver be continued to our February 24th meeting for a progress report and demolition hearing. All those in favor, say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Wilson and Mr Landrith voted"aye") Those Opposed? (None) Motion carries, 5-0.**

ITEM # 2788 — **1111 W 12th ST**
OWNER: Raymond J and Jewell I TR
ADDRESS: 3966 Chipmunk Dr, Joplin, MO 64804
"Finding of fact Hearing" scheduled for this date.

Mr Oliver — Information on # 2788, 111 W 12th St. There was a structure fire there. The owners came in and signed a consent form, so, hopefully we will be able to release that, possibly, at the next meeting, as well.

Mr Denham — Good.

ITEM # 2767 — **607 N Pearl**
OWNER: Jim and Pamela Ames
ADDRESS: 1444 Crestwood Dr, Joplin, MO 64801
"Demolition Hearing" has been posted in the Joplin Glove Legal Section. Item continued from the August 26, 2016 meeting for a "Demolition Hearing" and Progress Report (SIXTH TIME BEFORE THE BOARD).

Mr Oliver — Then, back to Item # 2767. Kyle, I think you brought up that had some concerns about earth, you will, falling out onto the sidewalk in front of Jim's property there. I've talked to him twice on the phone since the last meeting. When I went by yesterday, it didn't appear to me, like anything had really been done. I have called him and talked to him twice and told him that the Board had some concern about that. Nothing has been done, though. He works with Greg Carpenter a lot. Anyway, I called to him and talked to him twice and asked him. I don't know if he's not understanding or what ---

Mrs Harrington — It where that retaining wall is gone? Is that what you're talking about?

Mr Oliver — Yah.

Mr Harrington — Is that something for Code Enforcement instead of us?

Mr Oliver — Either way, we can keep an eye on it.

Mr Wicklund	Is the house on the Agenda?
Mr Oliver	Yah, we had two right next to each other. We released one last month, the month before. This one, if minimal repairs to the house itself had been done ---
Mr Wicklund	If the Board would, eventually, order it demolished, they would take the wall with it and just grade it out. If the Board releases the structure, the house, because repairs are made, we could probably pursue it through Code Enforcement.
Mr Denham	It could be graded out but something needs to be done; either a new wall or graded out, one or the other. It's just going to continue to erode and slope off on to the sidewalk, as is, I think.
Mr Wicklund	I'll check into that.
Mr Oliver	If you want to keep it on here, I will keep trying to put a little pressure on him if I can. You know how Jim is.
Mr Denham	Why don't we let Bryan check into Code Enforcement and ---
Mr Wicklund	Is that the only concern?
Mr Denham	Yah! I think he has pretty well buttoned up the outside.
Mr Oliver	That wasn't --- It was put on the Agenda for some issues with the house but this just kind of out.
Mr Wicklund	I think it would better to pursue this through Code Enforcement, yes.
Mr Denham	So we can release it? We have a motion to release Item # 2767.
Mr Landrith	**Yah.**
M. Denham	**We have a second?**
Mr Wilson	**Second.**
Mr Denham	**Motion by Mr Landrieth, second by Mr Wilson, that Item # 2767, 607 N Pearl, be released from our Agenda due to the completion of the repairs. All those in favor of the release say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Wilson and Mr Landrith voted"aye") Those Opposed? (None) Motion carries, 5-0.**

Mr Oliver — I believe the rest of them, we can go thirty days.

ITEM # 2758 — **1116 E Hills St**
OWNER: Isidro Ruiz
ADDRESS: PO Box 929, Neosho, MO 64850
"Demolition Hearing" has been posted in the Joplin Glove Legal Section. Item continued from the August 26, 2016 meeting for a "Demolition Hearing: and Progress Report (SEVENTH TIME BEFORE THE BOARD).

Mr Oliver — I will say, on Item # 2758, Mr Ruiz did purchase a building permit. I believe the Permit is about four months old now and there has been absolutely no progress. So, ---

Mr Denham — Are you about ready to hold a hearing? I mean, could you be ready next time.

Mr Oliver — I think so.

Mr Denham — I'd say that's the direction. I drove by it yesterday. It's really bad.

Mr Oliver — 8/24/16 is when the application was turned in.

Mr Denham — August of '16?

Mr Oliver — So next month would be four months.

Mr Denham — Yah. OK. Well, maybe next month you can have all the documentation ready to go and we can act on it. Do we have motion to continue the remaining items?

Mr Wilson — **Mr Chairman, I make the motion that all remaining items be continued to our December 9th meeting.**

Mr Denham — **Second?**

Mrs Harrington — **Second.**

Mr Denham — **Motion by Mr Wilson, second by Mrs Harrington that all remaining items on our Agenda will be continued to our December 9th meeting for Progress Report and Demolition Hearings at that time. All those in favor of the continuance, say "aye" " (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Wilson and Mr Landrith voted"aye") Those Opposed? (None) Motion carries, 5-0.** There is a reception for Susan at 2:00. Everybody is welcome. Do we have a motion to adjourn?

Mr Wilson — **So moved.**

Mr Denham **All those in favor of adjournment, say "aye" (Mr Denham, Mr Hartwell, Mrs Harrington, Mr Wilson and Mr Landrith voted"aye") Those Opposed? (None) Motion carries, 5-0.**

There being no further business to come before the Building Board of Appeals, the meeting stood adjourned at 11:47 a.m.

Approved _____
Kyle Denham, Chairman

Approved _____
Lindsay Dunn, Notary Public

My Commission expires: 6-29-2020

