MINUTES
BUILDING BOARD OF APPEALS
REGULAR MEETING
DECEMBER 7TH, 2019
9:00 AM

Crystal Harrington, Chairman, called the December 7, 2019 Building Board of Appeals meeting to order with the following Board members present: Mark Callihan, Rylee Hartwell, Ervin Wilson, Curtis Ledford, Crystal Harrington, William Tylle. City Officials present: Jordan Paul, Assistant City Attorney, Bryan Wicklund, Building Specialist, Jeff Oliver, Building Inspector and Bet Willhite, Notary Public.

Mrs Harrington — We'll call the, uh, November, December Board of Appeals Meeting to order. The first order business is role call. Kay', um, we have a request from Mr, uh, Bryan, Mr Wicklund, Mr Bryan, uh, he would like to address the board about, uh, matter or two.

Mr Wicklund — Uh, just a little bit of house keeping ta' take care of. I believe, um, you have the August minutes in front of you from the August meeting. We are about currently three months behind on getting these minutes to you which is not good and part of the reason, part of, big part of the reason is that it's very difficult to understand the board when they are speaking. So, I wanted to, and we've had to do this before, I wanted to emphasize the importance of speaking one at a time, getting the microphone up on your lapel, on your collar, get it up high, don't look up at the ceiling when you are talking. Um, also request that if there is anything that you would like to say as a board member, that you let the Chair person know and let them call on you. Um, I don't know if Mrs Harrington wants to be Madam Chairwoman, Mr Chairman…

Mrs Harrington — Yo'.

Mr Wicklund — Mrs Harrington, however, but let her then call on you, that will also help en' taking the minutes rather than trying to figure out who is mumbling. We at least know the name of the person mumbling. Um, it just, the same, the same issue occurs with Council Meetings, any, any really any Board er' or meeting that happens up here in the room. The acoustics in here are terrible, our sound system is not great, um, the difference is, Building Board of Appeals is one of only two Boards that I know of that the minutes have to be kept verbatim. City Council doesn't, they, they, do not print out verbatim minutes of the Council Meeting, they are not required to. Legally the Building Board of Appeals has to have these verbatim minutes taken so, speak clearly, um, some voices translate into the recorder better than others, Mr Wilson yours is especially difficult for some reason, but what

Mr Hunsaker — Well, we're still haulin' it out. We should be ready to pull it down in January. 'Cause we're tryin' to get everything we can hauled and hauled off before we get that demolition permit.

Mrs Harrington — Uh huh.

Mr Hunsaker — So, we've been tearin' out the inside, we'll tear up the floors, basically just gettin' the inside of it down to just studs. As well as the outside, what, we can of the outside.

Mrs Harrington — When did you start your, your, demo process?

Mr Hunsaker — I think it's been…

Mrs Harrington — I noticed this is…

Mr Hunsaker — Two and a half…

Mrs Harrington — The fourth time you've came here…

Mr Hunsaker — Months.

Mrs Harrington — Pardon me?

Mr Hunsaker — I think it's only been two and a half months ain't it? I think…

Mrs Harrington — Um…

Mr Hunsaker — I missed last month, but I've been, this is only my third, uh, second time for being here.

Mrs Harrington — Kay' and you missed two times then. This is the fourth time it's been on our agenda. My, uh, only reason for asking is that, um, we probably need to get a, a, real definite time line after, at least after four to five months. Uh, uh, of having this on the agenda would like to move um' along so, um, when did you actually start getting the property ready to demolish?

Mr Hunsaker — Well, two months ago, because the first month I didn't know, I didn't come in because I really didn't know I was involved with that, and then I came in on the second time, and then the third time I missed because in retail you get involved en' you just don't think about it and, uh, today I set an alarm and made sure that I was goin' ta' be here. But anyway…

Mrs Harrington — That works.

Mr Hunsaker — Yeah.

Mrs Harrington	Is there any questions or comments? Mr Wicklund has something, or…
Mr Wicklund	Um, I just I appreciate the progress you've made. I don't know what the Boards gunna' decide as far as if, if they want to give a time line or not. But, during this process you really need to keep it secured, keep the windows boarded up, keep it locked up, um, I know you're tearin' out the inside of it, but if you don't keep it secured it creates an even bigger issue while you're doin' the work so, if you would you really need to board up any openings and keep…
Mr Hunsaker	Mmkay' we can do that. Yeah, we've got two guys that keep breaking in that they, uh, been pottyin' in the front of the house, it's just been real, uh, it's just nasty. But, but, yeah, we can board it up.
Mr Wicklund	Thank you.
Mrs Harrington	Mr Oliver.
Mr Oliver	Are you still wanting to save the back portion?
Mr Hunsaker	Yes.
Mr Oliver	Okay.
Mr Hunsaker	Yeah, that's what I'm sayin we…
Mr Oliver	I didn't know if you had changed your mind er'…
Mr Hunsaker	No, no, we'll, that's the whole point is get it hauled out, because once I get it ready cut it loose from, from that back part, I want to make sure it's ready ta', as quick as possible to get it goin'.
Mr Oliver	Okay.
Mr Hunsaker	So…
Mrs Harrington	So, when you, when you anticipate completion of the project?
Mr Hunsaker	Well, I don't think, it'll take us long, probably January fifteenth, somethin' like that, once, once, I get everything I can hauled off gone, in January I'll pull the demolition permit, and then I'll have it done before that thirty days is, is up.
Mrs Harrington	Hmm. Mr Hartwell.

Mr Hartwell — Uh, I have nothing to refer to in regards to what was said the last few meetings with Mr Hunsaker. So, can you please explain to me what you mean by your keeping a back part. What does that mean?

Mr Hunsaker — Well, the back part before I has bought it, it had been added on to and it's got manufactured rafters and two by ten floor in it, there is no reason to tear it down. It's on a block foundation and so what I want to do is tear off the rock part of it, which is the front part and then we'll close it up, turn it and then…

Mr Hartwell — So, you will convert that to what?

Mr Hunsaker — I didn't hear you?

Mr Hartwell — What will that become?

Mr Hunsaker — It will become a two-bedroom house.

Mr Hartwell — Okay.

Mrs Harrington — Anybody else? Mr Callihan, I see a look on your face that's ….

Mr Callihan — Oh yeah, it's, I, I also did not, uh, realize there was a back part. When you see the front, it's kinda like you don't need to go any further, uh, I, I, did not notice the back side of it but, I'm concerned, it's been four months on our agenda and your trying to salvage as much as you can. I understand that but, I drove by, doors open, looks like it's a just a haven for anybody that needs a place to stay.

Mr Hunsaker — That's 'cause they kept kicking the door in.

Mr Callihan — Yes sir.

Mr Hunsaker — But, like I told him, we can board it up, it just, you know…

Mr Callihan — I understand, it just, uh, I'm more concerned about the, the, neighborhood around it, than that structure so, expediency is, is, a big issue, uh, it's been four times. You're thinking you might have it down in January…

Mr Hunsaker — Yes.

Mr Callihan — But, then you got to go back in and rebuild. What, what, would be your schedule for building on the addition?

Mr Hunsaker — Well, I'm not building on an addition? I'm just closing it up and then we'll rewire it, en' plumb it and finish it out.

Mr Callihan — Okay.

Mr Hunsaker — It's already framed for the most part, I have to make a few corrections for them to check, but, it's, it's the back part is already done, except for wiring and plumbing.

Mr Callihan — Does the back part have everything? A kitchen, bathroom, everything like that?

Mr Hunsaker — Yeah, yeah, it's all plumbed in.

Mr Callihan — Okay.

Mr Hunsaker — I mean the plumbing there, it just has to be, there is a little bit of floor damage in the corner and stuff. Just repair work on the back part of it.

Mr Callihan — I understand. Thank you.

Mrs Harrington — Any other questions, comments? I would entertain a motion. No motions, forthcoming.

Mr Callihan — Madam Chairwoman, I make a motion that item number 2846, 1419 W. 9th St., uh, be, uh, the put on our…

Mrs Harrington — January…

Mr Callihan — January twenty-fifth agenda for Demolition and Progress Report, er, Demolition Hearing and Progress Report.

Mr Hartwell — Second.

Mrs Harrington — **Kay', I have a motion by Mr Callihan, second by Mr Hartwell that item number 2846 at 1419 W. 9th St. be continued to January 25th for a Demolition Hearing and Progress Report. All those in favor say "aye" (Mr Callihan, Mr Hartwell, Mr Wilson, Mr Ledford, Mr Denham, Mr Tylle and Mrs Harrington) Those opposed?**

Mr Wilson — Abstained.

Mrs Harrington — **Kay, mmkay' we have the board in favor, no opposed and one abstention by Mr Wilson. We will see you on the twenty-fifth of January.**

Mr Hunsaker — Okay.

Mr Harrington — Hopefully, it'll be down.

Mr Hunsaker — Thank you, your honor.

ITEM # 2835 — **308 S. Michigan Ave.**
OWNER: Anglin & Associates #12
ADDRESS: P.O. Box 794578
"Demolition Hearing" Has been posted in the Joplin Globe Legal Section. Item continued from the October 26, 2018 meeting for a "Demolition Hearing" and Progress Report (EIGHTH TIME BEFORE THE BOARD)

Mrs Harrington — Morning.

Mr Gossard — Morning, it's the top one, 2835, 308 S. Michigan.

Mrs Harrington — Kay'.

Mr Gossard — We, uh, the trimmers are in there now, we've got, uh, the outside is done, we've got, uh, uh, sheet rock, tape and mudded, um, the guys are in there trimming right now. I mean, it's starting to look like a new house so, my plan is two weeks, were done. Uh, depend, my flooring guy is a little bit behind on the carpet, uh, he's got I think seven projects ahead of him. But, he does this stuff pretty fast, so we should be pretty much on schedule getting' our final inspection, hopefully not the end of this week but next week. I don't see any reason we wouldn't be good to go. So…

Mrs Willhite — Excuse me, sir, did you state your name?

Mr Gossard — Uh, Dan Gossard.

Mrs Willhite — Thank you.

Mr Callihan — I drove by the other day and it looked like there was quite a bit of work to be done, I drove by yesterday and you've made a lot of progress.

Mr Gossard — Yeah, I had a lot of people over there workin'.

Mr Callihan — I bet you did.

Mr Gossard — Yep. Been pushin' it.

Mr Callihan — Yeah. Thanks.

Mrs Harrington — Anybody else have any questions or comments?

Mr Gossard — Turn the heart up outside, if we could do that, that…

Mrs Harrington That would help.

Mr Gossard Can't get my toes to warm up.

Mrs Harrington Well, this, this is looking very good, uh, to me. And, if your two-week time line is accurate I think…

Mr Gossard Yeah, will I need to come back after we're all done er'…

Mrs Harrington Um, you will have a final inspection.

Mr Gossard Right.

Mrs Harrington Right, and, uh, uh, I think as long as you communicate with Mr Oliver…

Mr Gossard Okay.

Mrs Harrington Uh, he'll let us know if it's ready to be released.

Mr Gossard Okay.

Mrs Harrington After he hears from you. Is that, Jeff?

Mr Gossard Okay.

Mr Oliver Sure.

Mr Callihan So, we'll give it thirty days. Is that what you're sayin'?

Mrs Harrington Yeah, I would, I would, definitely keep it on the agenda.

Mr Callihan Okay.

Mr Hartwell Kay', Madam Chairwoman, I make a motion that item number 2835, 309 Michigan Ave be continued to our January 25th meeting for a Progress Report and Demolition Hearing.

Mr Wilson Second.

Mrs Harrington **I have a motion by Mr Hartwell, second by Mr Wilson that item number 2835 at 309 Michigan Ave be continued to January 25th for a Demolition Hearing or Progress Report. All those in favor say "aye" (Mr Callihan, Mr Hartwell, Mr Wilson, Mr Ledford, Mr Denham, Mr Tylle and Mrs Harrington) Those opposed (none) Motion passes.**

Mr Gossard — Thank you.

Mr Callihan — Thank you.

ITEM # 2838 — **2213 ADELE**
OWNER: David Williams
ADDRESS: P.O. Box 794578
Ordered demolished at the June 22, 2018 meeting. A stay of demolition was granted at the October 26, 2018 meeting.

Mr Williams — David Williams, for 2213 Adele.

Mrs Harrington — Kay'. That is item number 2838.

Mr Williams — Yes. Okay, so, uh, my contractor, uh, at the moment is not in town. He had to go out of town. His daughter got cancer, so he had to go away. Before that he had pneumonia or pneumonia, but anyway, we've spent a lot of money, we're makin' progress, but you know, we got a long way to go but, were moving forward on it en' hope the board let's us keep goin'. I had a little, uh, dilemma and I was, uh, as far as getting' the names of my HVAC, uh, mechanical contractor and I guess we have the electrical contractor. And, I, uh, apologize to the Board, and, uh, Mr Oliver, I did not get my permit purchased. The further permit that I had, we had had the initial permit and, um, he didn't wanna'…

Mrs Harrington — Did…

Mr Williams — Go ahead I'm sorry…

Mrs Harrington — I'm sorry, uh, did you say you've made a lot of progress?

Mr Williams — Yes.

Mrs Harrington — Where, what progress do you feel like you've made?

Mr Williams — Well, we've, uh, stabilized the house, we've, uh, we are working on foundation portions, uh, some diggin' out of the foundations, uh, got the boards off the floor so that's all exposed, so, we can get all the, the, uh, work done on the subfloor and joist and all. And, uh, got some walls prepared…

Mrs Harrington — I'm looking at pictures that were taken yesterday, twelve-six of eighteen, I'm going to pass these around to the board, we might need a couple of minutes for everybody ta' review these pictures that, um, Mr Oliver took yesterday. I, I, have to admit I'm not seeing a lot of progress, so, let me, let me, I'm, I don't know everything there is to know about construction, I'll,

uh, I'll look to someone far more, uh, professional contractors to give an opinion about that. Uh, meanwhile, Jeff, do you have a, a report for us?

Mr Oliver — Yeah, um, I've got, uh, inspection correction notices here where, um, I met with this contractor back on November fifth, um, during that meeting on site, I went through with the contractor and listed some items and some things he would need to do as far as pulling a new permit. Which, we had talked about at the last meeting. Um, Dave (mis-spoke should be David) came in a couple days after that, I spoke with him at the counter, went over this same list with him, um, I believe he told me he would be back within a couple of days to purchase his new permit and that still today has not been done. Now, having said that, I'd left him a couple uh' messages last week, um, yesterday I was able to talk to him, I did inform him that I would not sell the permit at this point, until he came and talked to you guys. Um, so that original conversation with his contractor again, took place on November fifth and we didn't hear anything for several weeks.

Mrs Harrington — So, where you in that, in, at the property on the fifth of November?

Mr Oliver — That's correct.

Mrs Harrington — Okay, and you were obviously there yesterday to take these pictures?

Mr Oliver — That's correct.

Mrs Harrington — So, what difference was there between those two, uh, times? Was there any difference that you saw?

Mr Oliver — There has been a little bit more demolition if you will. Trying to prep it to go back.

Mrs Harrington — The, the, floors, that sort, that, what he said, but that's all?

Mr Oliver — Yeah, over a four-week period, that's in my opinion, that's not…

Mrs Harrington — Not a lot.

Mr Oliver — A lot.

Mrs Harrington — Um, I'm a little distressed about the fact that where just looking at so much debris and trash left in the yard. Uh, not that, that's a big deal except it kind of does give an indication of progress, and…

Mr Oliver — It's not…

Mrs Harrington — That means…

Mr Oliver — His contractor did come in, I believe it was Monday, uh, spoke with him at the counter a little bit, he did, he has had family members who have been ill, and he was leaving to go to Texas. I want you to be aware of that as well.

Mrs Harrington — Mr Wilson.

Mr Wilson — Uh, the thing that bothers the most, and I did vote nay on resending the meeting, but as far as I'm concerned, they'll, it seems like very, very, slowly doing what he has to do. But, still there is no permit pulled…

Mrs Harrington — Yeah.

Mr Wilson — And, that, that, to me is, uh, and indication that he don't want to do it. Why wait, and I, I, can't go along with it, I'm sorry, but I can't.

Mr Williams — I do have a permit. I do have a permit pulled.

Mr Oliver — Dave, (mis-spoke should be David) you pulled a permit, um, and in that permit not everything was listed.

Mr Williams — Right.

Mr Oliver — Okay, um, and I informed Fred and you, I'm only goin' to think probably in the minutes of the last meeting that there needs to be a new permit pulled.

Mr Williams — Well, I very much want to do the project, so, I, I, just want to refit that idea, I very much want to. And, I apologize for my lack of getting' that done. I got side tracked, admittingly then my contractor I kinda' thought was had it all under control and I think I was mistaken, just crossed wires, but I very much want to get it done. It is going slow, and apologize to the board, I very much want to do it, I want to save the property. I just don't want to leave a hole there in the neighborhood. I'm very excited to get it done, and I apologize for the slowness, part of it the contractor has been busy with some other projects and then he had some illnesses come up and I just apologize to the board, I'm not, I, I, want to do it right, I want to get it done right, I, I, want to do exactly what the inspectors say to do and, uh, make a good property for the City. I'm, I'm not trying any way trying do anything but the right thing.

Mrs Harrington — Is this the only property that you're working on right now?

Mr Williams — Well, it's the only, yeah, it's the only major project, uh, this contractor is working on for me. I've got other properties that I've got a maintenance

man that is doing maintenance work on things, you know, things that pop up in the course of business.

Mrs Harrington — Mr Oliver.

Mr Oliver — I got a copy of the original permit that was pulled, um…

Mrs Harrington — What date is on it? Sorry, I always ask the hard questions.

Mr Oliver — That was pulled on October 23rd.

Mrs Harrington — Kay'.

Mr Oliver — Um, the permit states that you're rebuild wall, repair floor. That's all that was put down.

Mr Williams — Right.

Mr Oliver — And, you got a total of seven-thousand dollars.

Mr Williams — Right.

Mr Oliver — There is no way that is true.

Mr Williams — No, I understand…

Mr Oliver — That's why…

Mr Williams — I think was part of it was my misunderstanding of how the permit process works and how, and that it didn't have, wasn't prepared to do electric or HVC (mis-spoke), HVAC, until the other projects were done, and…

Mrs Harrington — Okay, so after that twenty third of October, uh, uh, permit that you pulled, um, you came to us on October twenty-sixth and asked us to put a stay on that. Um, I remember, uh, talking about the cost of the permit, you haven't applied for another permit at this point.

Mr Williams — Well, I was told that I had to have my, the contractors in place before I could get the permit.

Mrs Harrington — Right.

Mr Williams — And, I wasn't ready to do that particular part of the job and did not have a HVAC contractor in place at that time. And, I, so, to me I had to wait until I had…

Mrs Harrington — And, you still don't?

Mr Williams — Well, I've got a guy that says he'll do it at this time, yes. I have a name of a HVAC contractor but, I'm not ready to do it yet. Go ahead…

Mrs Callihan — Um…

Mrs Harrington — Mr Callihan.

Mr Callihan — Mr Williams, in October I kinda' pushed for continuing this after it had already been voted on ta' demolish the property and I kinda' stuck my head out or stuck my neck out a little bit or a lot. Uh, I was hoping to see a whole lot more, uh, uh, uh, improvements, uh, progress. I drove by yesterday, and I was kinda' stunned. I was, I understand you've got issues, we've all got issues. Uh, again, I'm more concerned with the neighborhood this has already been voted on ta' demolish the property. We, we, on a leap of faith we, we, are last meeting, we, we, trusted you to make a whole lot more progress than what there has been. We've got a lack of correspondence goin' on with you and the building department and quite frankly, um, I'm…

Mr Williams — I responded as soon as I heard from the building department, I called the next, the day that I heard I got in there at four o'clock, the first call. And, I'm not saying it's not my fault that I didn't get the permit already purchased but I was told that I couldn't purchase it yet without that name.

Mr Callihan — I felt like in our last meeting, that we, that we, tried to make a believer out of ya' ta', ta', get this done. I think I said something to the effect of, uh, I can do land speed record, or something like that, and, this progress, the rate of it is just unexpectable.

Mr Williams — I perhaps should get a different contractor, I apologize. He, I, I, he, he, everything he said was under control and everything is moving along smooth and he had four months according to the last meeting that we had, and so I thought everything was okay, and I apologize that it's not going as fast as it should. I certainly will crack the whip on um' or change contractors to get it going fast enough, I plead with the Board they give me a change ta', ta', make it happen, it's just they get busy, the contractors get other projects, they are tryin' ta make a livin'. I have put a lot of money into the project already, several thousands.

Mr Callihan — I understand.

Mr Williams — So, it's gone money. I mean, I understand…

Mrs Harrington — Is this the one that the demo guy was on site?

Mr Oliver Correct.

Mr Callihan Yeah.

Mrs Harrington Did you pay the, the, demolition contractor?

Mr Williams Fifteen-hundred dollars, ma'am.

Mr Hartwell Crystal.

Mrs Harrington Mr Hartwell.

Mr Hartwell I'd like to say that although you've paid a number of, what you say a couple thousand dollars, into this project so far it appears that you reimbursed Nelson Enterprises for fifteen-hundred dollars on December seventh, um, if that's, is that correct?

Mr Williams Yes.

Mr Hartwell Okay, so that's relatively resent, that sounds like, um, was that today? Or is this incorrect?

Mr Oliver Uh, lets see, it just says by December seventh.

Mr Hartwell By December seventh, okay so, um, misunderstanding on my part, so, I stand corrected that, that, is incorrect than, um, but you have paid Nelson Enterprises. So, you signed a waiver that anything that you have put into this so far has no bend on what we do. So, I don't want to be in the situation where we, um, let this continue on and you loose maybe not four or five thousand dollars but ten, fifteen, twenty thousand dollars and then we have, um, you, you've lost money, the City, you're going to sue the City, we already know that, so, then after that, uh, then we are all in a bad position.

Mr Williams No, I'm not going to sue the City.

Mr Hartwell But, the point is that if I, we take this house down and there a short, there is not a lot of progress and you've put a couple thousand dollars and you're going to want to recoup that, anybody would want to. If I had done that I would want to try and have some sort of recourse, uh, to that effect, so, it's either I, in my opinion, we act at this point now and we take a action, or we continue this on and, and, move forward and see what happens by the next meeting but, quite frankly we've had this on our agenda for multiple months and also this was a long meeting, I mean we, we, our last meeting was in October, October twenty sixth in fact and now we are up in

December. So, you actually had kind of a gift of time anyway. It wasn't just a month, like under normal circumstances. We would have just one month, it would be one month from today that we'd have out next meeting which would be January twenty fifth. Not from today but our next one would be January twenty fifth and then a month after that. So, my point is I want to either take action on this today and take it down or I want to, uh, resend the, uh, stay on this or I think we have to continue it on. But, we got to get some action on this today, we can't just, uh, keep continuing, continuing this. It's not fair to him and it's not fair to the City and it's not fair to us because we can't go down this path again.

Mr Williams — Uh, I don't, I don't think we would have been here sayin' these things if my contractor not got pneumonia and his child got cancer and had to leave, I think you would have had progress that would have made it look a lot better today.

Mr Hartwell — And, totally, I, I, totally understand that I, I, work in a family business, I understand what that looks like. I know people have problems, I have problems, but I, um, I'm not saying that I'm not willing to give you a chance, I'm just saying that, you know, those type of comments only go so far because we have a situation…

Mr Williams — Right…

Mr Hartwell — Where you know, we kind of start off on the wrong foot on this, so it's not like we started well and then you have to see, if you were sitting next me up here if someone came in and said to you that, oh my contractor is sick, oh I didn't show up to any of the meetings, oh I didn't do this, oh I didn't get my permit. You can, I think it's reasonable to say that, that, would assembly be suspicious. And, I'm not calling you suspicious, I'm just saying that, that, type of behavior lead, leads, one to believe that the person on the other side of the podium isn't serious.

Mr Williams — I, I, did not, I mean with all the demolition stuff I didn't see it, I, I've said it before, it's probably hard for y'all to believe, I didn't, after the first time that I saw the notice in May, I didn't see anything more. I don't know how it slipped past, I really don't have an explanation for it, but I am telling you the truth, I'm not sittin' here tryin ta' force lies upon ya', it's just what happened, sometimes these things happen in life. I apologize. I, I, I, didn't know it until I saw the excavator, that it camed' to bas, otherwise it would have been gone. I'm just trying to save the house, I'm just trying to make money. I'm a capitalist, I'm tryin' ta' be a good citizen, make a little money, I'm not trying to hurt nobody. I don't wanna' hurt nobody or be against nobody. I'm just begging for, give me a month, let me have a month to see if I can get this guy goin' forward. And, if he can't make, and of course it's a bad time of year, but that's what it is.

Mrs Harrington — Well, it, I am holding a waiver that you signed in my hand when I read it over, um, I think that's the, that's the, commitment that you've made on, uh, November eighth when you signed this waiver to give me a month, let me get as much done and ill come back and report to you. And, uh, uh, I think that when you signed this waiver that was, um…

Mr Williams — Yes…

Mrs Harrington — Your approach, so, I'm not inclined to think that, uh, there will be a lot of change between now and our next meeting based on the history. I'm also given uh' minute to pause and reflect on your comments last time when your attorney was here about the purchasing of the permit about, um, not realizing what you were saying when you, um, made a commitment to a seven thousand-dollar expenditure on the property that, that, was accurate and I believe we ratcheted that up significantly when we, uh, made the consideration and pressed you to get a new permit, uh, for the appropriate amount of, uh, expense, um, at that point. And, you agreed to do that, that's, not happened either. So, um, I'm going to ask if anybody has any questions or comments about this? Mr Wilson?

Mr Wilson — Um, referring back to the date that we, uh, put this up for demolition, it was actually April, March or April when it was brought to the Boards attention. Then in may we did the Demolition Hearing which passed to demo the building, then it was from May, June actually until almost November when the contractor by the City showed up to demo the building and you showed up to stop it, but, uh, and I know that the City has sent notices to the fact that it is to be demoed and you have seemed to have ignored them, so…

Mr Williams — No, no, I did not ignore them.

Mr Wilson — I don't have to…

Mr Williams — I did not ignore any notices, that is not correct. I did not ignore any notices, Sir.

Mr Wilson — If you were going to rehab that building you should have been, uh, at least by July after you received the notices…

Mr Williams — I did not receive the notices, Sir.

Mr Wilson — If I may please, that at least by, from my perspective I'd say, okay, I need to get myself in gear and get doin' somethin'. But, it's just been one thing after another, one excuse from what I've heard, I can't go along with it.

Mr Williams — I did not receive the notices, sir. I did not receive the notices, sir, I've said that again and again. Hook me up to a lie detector or put me on, uh…

Mrs Harrington — I think they're about to.

Mr Hartwell — You're getting hooked to a lie detector, I'm, um…

Mr Williams — Absolutely.

Mr Hartwell — Here's the deal, you didn't sign for the majority of the letters, however on May seventh there was a letter written to you that the building at 2213 Adele had been inspected by the Building Department and that had been declared a nuisance and you were asked to come to the finding of a fact hearing on May twenty-fifth here in this room and it appears that you signed for this. At you address 4601 Hickory Ln. However, the subsequent letters that were sent have no signed receipt.

Mr Williams — So, my mis-stake I thought everything was okay. Honest to Pete, I thought well, they are going to give me time, there going to be nice to me, because I'm a good Citizen and I'm working hard to make all properties right. I, I, don't know, I don't, I don't understand exactly, I understand that your position, but, I'm trying my best here. In all honesty, good faith, I'm telling you the truth as I see it. I'm not spinning some yarn of lies. This is all facts that happened. I'm trying my very best, my contractor is sick, I wanna' fix the house up. I've done this before, I got prior history of fixing up houses, I just wanna' do the right thing, please give me a chance, please.

Mr Wicklund — I just, I wanna' address the notification, uh, issue just real quick. Sending Certified Mail is about the best, that's the best way that we have of communicating with property owners and knowing they are receiving the communication. Legally, we are required to do one of three things, as the City of Joplin and our practice with these hearings we just do all three. We post the property so that when the property owner happens to go by they can see the posting, it's got the Building Departments number on it, those postings sometimes get taken down, sometimes they get, uh, rained on and fall, but that's one attempt. We send Certified Mail, it appears that you received the first one, so we know the address was correct but, that doesn't mean that you actually read all of the rest of 'um. I, I, understand that, but then the third thing that we do is publish it in the paper. So, your property was published in the paper that it was going to a Demolition Hearing, we understand that not all residence read that section of the paper looking for their properties. But, I don't know what the City can do further in attempting to communicate with the owners and it's not an unusual thing that the owners come before the Board, had a late, a late in the process and say they didn't know, but it's not because we haven't done way above and beyond what I think is actually reasonable for us to try and communicate with people. So, I, I, want you to understand that.

Mr Williams — I do, I do. And, I'm not in any way shape or form sayin' the City didn't do exactly like they were supposed to do. Or, give the notices they were supposed to give. I'm the knucklehead in this situation, I messed up, I, I, agree with that. Now, I agree with that Bryan said that they did exactly what they were supposed to do. I, you know, sometimes things fall through the cracks and I apologize, I've got a lot of properties that I'm trying to do the right thing for Joplin, for renters and everybody, I've messed up, I don't deny that, I'm just asking ta' give me a little time ta' get this thing done. That's all I'm askin', I'm not bad faith here.

Mrs Harrington — I'm sorry, Mr Oliver you had a question or comment?

Mr Oliver — I was just goin' to add that, uh, prior to bringing it to this Board, um, I had posted the property sometime ago. We'd had a conversation at one point, he had asked me, I could hold off basically till the spring time. I agreed to do that, I sat on it, 'cause I got plenty of cases. Spring rolls around, and, um, um, and I think we had another conversation, I got some hand scratch in here. Um, but if you didn't have a permit in place, then I was going to have to put it on the agenda. So, it wasn't like you weren't aware…

Mr Williams — Right.

Mr Oliver — This was even before it was even brought to this Board…

Mr Williams — Right.

Mr Oliver — Spring rolls around, there was still no permit, so I added it to the agenda. So, I tried to work with ya' prior to even puttin' it on this Building Board of Appeals Agenda.

Mr Williams — Yeah, I don't…

Mr Oliver — Here we are today, you've had…

Mr Williams — I don't deny that…

Mr Oliver — Four to Five weeks to get a permit.

Mr Williams — I don't deny that.

Mr Oliver — And, you still don't have one.

Mr Williams — I don't deny that I haven't worked fast enough. On the permit, I thought we were okay on this, I thought I had four months from the last meeting was the indication I think that's what my contractor thought. We had four months to finish this project and that's kinds of what my brains working

on, I got four months to get this done. I'm just begging to give me a shot here, give me thirty more days here, I'm not trying to hurt nobody, I wanna' do the right thing, just give me a shot.

Mrs Harrington — Mr Ledford, did you have a question or comment?

Mr Ledford — So, four months last meeting puts you at two and a half months now. I don't even see how the house is salvageable. Especially in two and a half months.

Mr Williams — My contractors assured me…

Mr Ledford — Regardless of the other letters it was brought to your attention in May. Did he appear at the June Board meeting?

Mr Wilson — Yes.

Mr Hartwell — Yes.

Mr Ledford — Knowing these guys you were told to get somewhere in June with the house, and it's not happened.

Mr Williams — Well, I didn't hear…

Mr Ledford — You do realize, you have to acknowledge this, that you have done less than the bear minimum, since it was brought to the Board in May.

Mr Williams — Well, I, I, thought I was okay, from the Board, as I stated before, I didn't see these further notices, I didn't receive um', I'm not claiming you didn't send them out at all. I didn't see anything on the building, I drove by it, I didn't see any posted notices on the building, so, someone did remove the notices from the building. Why, I don't know, and I thought everything was okay, I thought the City was giving me time, because I'm a good guy, and I'm working hard to do the right thing. So, I just thought everything was okay, I really did.

Mr Ledford — You know, June is continued to July's meeting.

Mr Williams — I didn't, after the May time, I didn't get any more notices…

Mr Ledford — But, regardless of that, you were here in June and you know that it was continued to the July meeting.

Mrs Harrington — Actually it was ordered…

Mr Callihan — It was, it was…

Mr Williams	Demolished on June second.
Mr Callihan	In the June, it was, yeah.
Mrs Harrington	When he was here it was ordered demolished.
Mr Williams	I'm a knucklehead, I'm sorry.
Mr Ledford	So, you walked out of here knowin' that it was goin' down.
Mr Williams	No, I did not walk out of here knowin' it was it was down. I thought everything was okay. I hadn't heard anything…
Mrs Harrington	Kay'.
Mr Williams	Yeah, I didn't see the notices, I thought they were given me time. I thought the City was given me time, I thought the City was givin' me time. I thought everything was okay, they're okay with me, and they are giving me time to get this done. That's all.
Mrs Harrington	Let me, uh, check with the Board here. Does anybody else, anybody have any other questions or comments for…
Mr Williams	Could I ask for just a moment.
Mrs Harrington	Pardon me?
Mr Williams	I'm askin' if I can have a moment, 'cause it doesn't look like everything is goin' to go down very good for me.
Mrs Harrington	Yeah, please, please do.
Mr Wicklund	Let's move on to another, to any of um'…
Mrs Harrington	Tabled.
Mr Wicklund	Yes.
Mrs Harrington	Were goin' to go ahead and table that case, uh, until Mr Williams comes back. Before we can make a determination. Uh, Mr Oliver, do you have, uh, anything for us?

ITEM # 2836 **1308 S. SERGEANT AVE**
OWNER: Ethan Turner
ADDRESS: 1308 S. Sergeant Ave. Joplin Mo. 64801
Ordered demolished at the May 25, 2018 meeting. Continued from the October 26, 2018 meeting.

Mr Oliver — Item 2836, uh, 1308 S Sergeant, um, spoke with Ethan on the phone this past week, um, he informed me that he was going to be out of town. He did send me an email, uh, with a little bit of a timeline here, I can pass it around for you guys to look at. He's stating in here that the electrical, uh, rough in will actually be done today, um, he's mentioning who his HVAC people are en' about wanting to schedule a couple inspections, so you can take a quick look at that.

Mr Callihan — If, uh, did he make any statement as far as a completion day for the interior? Where, to confirm the exterior is finished, were only talking about the interior?

Mr Oliver — Um, not in our conversation.

Mr Callihan — Mmkay'.

Mr Oliver — I don't know.

Mr Ledford — Wasn't there some stuff on a small sloped roof on the back side?

Mr Oliver — I think there was some facia left to be put up, but nothing, nothing major at all.

Mrs Harrington — I'm pleased that this one seemed to have turned around as a result of our, um, uh, move in May to reverse that demolition.

Mr Oliver — Right.

Mr Ledford — He got the knock, outside knocked down.

Mr Oliver — Yep.

Mr Ledford — It's the inside that's kinda' movin' a little slow.

Mr Oliver — Slow, but, you know, if he, if h, gets those inspections done, he'll be hangin' sheetrock shortly, hopefully.

Mr Williams — The thing I appreciate on this is that he is staying in communication with us.

Mr Oliver — Correct.

Mrs Harrington — Yeah.

Mr Wilson — That makes a big difference in my mind.

Mrs Harrington — Mmkay', do I have any, um, a motion on item number 2836?

Mr Wilson — Madam Chair, I make a motion that item 2836, 1308 S. Sergeant Ave be continued till our January twenty-fifth meeting for Progress Report and Demolition Hearing.

Mr Callihan — Second.

Mrs Harrington — **I have a motion by Mr Wilson, second by Mr Callihan, that item number 2836 at 1308 S. Sergeant Ave. be continued until January twenty fifth for a Demolition Hearing or Progress Report. All those in favor say "aye" (Mr Callihan, Mr Hartwell, Mr Wilson, Mr Ledford, Mr Denham, Mr Tylle and Mrs Harrington) Those opposed (none) Motion carries.**

ITEM # 2845 — **1711 PORTER AVE.**
OWNER: David and Cynthia Amayo
ADDRESS: 420 N. Sergeant Ave. Joplin MO. 64801
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the October 26, 2018 meeting for a "Demolition Hearing" and Progress Report (FIFTH TIME BEFORE THE BOARD)

Mr Oliver — Movin' to the second page, item 2845, 1711 Porter Ave. That has been demolished and can be released.

Mr Callihan — Madam Chairman, I make a motion that item 2845, 1711 Porter Ave. be released from our agenda.

Mr Hartwell — Second.

Mrs Harrington — **Um, I have a motion by Mr Callihan, second by Mr Ledford that item number 2845 at 1711 Porter Ave. be released from our agenda. All in favor say "aye" (Mr Callihan, Mr Hartwell, Mr Wilson, Mr Ledford, Mr Denham, Mr Tylle and Mrs Harrington) Those opposed (none) Motion carries.**

ITEM # 2850	**101 N. McCOY** **OWNER: Gilford Wright** **ADDRESS: 801 Kentucky Ave. Joplin MO. 64801** **"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the October 26, 2018 meeting for a "Demolition Hearing" and Progress Report (THIRD TIME BEFORE THE BOARD)**
Mr Oliver	Item 2850, 101 N McCoy Ave, that one has also been demolished and can be released.
Mr Wilson	Mr, Madam Chair, I make a motion that item 2850, 101 N McCoy Ave be released from our agenda do, do, to bein' completed.
Mr Callihan	Second.
Mrs Harrington	**I have a motion by Mr Wilson, second by Mr Callihan, that item 2850 at 101 N. McCoy Ave. be released from our agenda. All in favor say "aye" (Mr Callihan, Mr Hartwell, Mr Wilson, Mr Ledford, Mr Denham, Mr Tylle and Mrs Harrington) Those opposed (none) The motion carries.**
Mr Oliver	Um, items 2851 and 2852, uh, we may be havin' a demo hearin' on those.
Mr Callihan	Yeah, wanna hold…
Mrs Harrington	Kay' we'll hold on those.
ITEM # 2853	**132 S. ST LOUIS.** **OWNER: Mega Holdings** **ADDRESS: 222 Rivers Edge Rd. Ozark MO. 65721** **"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the October 26, 2018 meeting for a "Demolition Hearing" and Progress Report (SECOND TIME BEFORE THE BOARD)**
Mr Oliver	Item 2853, 132 S. St Louis, that has also been demolished and can be released.
Mrs Harrington	Man…
Mr Callihan	Madam Chairman, I make a motion that item 2853, 132 S. St Louis be released from our agenda.
Mr Ledford	Second.

Mrs Harrington — **I have a motion by Mr Callihan, Second by Mr Ledford that item 2853 at 132 S. St Louis be released from our agenda. All in favor say "aye" (Mr Callihan, Mr Hartwell, Mr Wilson, Mr Ledford, Mr Denham, Mr Tylle and Mrs Harrington) Those opposed (none) Motion carries.**

Mr Oliver — Good thing about those three that have been released, the owners took care of all three of um'.

Mrs Harrington — That's…

Mr Wilson — That's kind of amazing.

Mrs Harrington — That's the right thing to happen. Yeah.

Mr Oliver — Item 2854, uh, we may be havin' on that one as well…

Mrs Harrington — Today?

Mr Oliver — Yeah.

Mrs Harrington — Kay'.

ITEM # 2855 — **122 S. Park Ave.**
OWNER: Ryan Smith
ADDRESS: 122 S. Park Ave. Joplin MO.64801
"Finding of fact Hearing" Scheduled for this date"

Mr Oliver — A, new, new business, um, item 2855, 122 S. Park, um, I just ask the Board to Continue that to the next meeting.

Mr Wilson — Madam Chair, I make a motion that item 2855, 122 S Park Ave. be continued the January twenty-fifth meeting for a Progress Report and Demolition Hearing.

Mr Callihan — Second.

Mrs Harrington — **I have a motion by Mr Wilson, Second by Mr Callihan that item number 2855 at 122 S. Park Ave. be continued until January twenty-fifth for a Progress Report or Demolition Hearing. All in favor say "aye" (Mr Callihan, Mr Hartwell, Mr Wilson, Mr Ledford, Mr Denham, Mr Tylle and Mrs Harrington) Those opposed (none) The motion carries.**

ITEM # 2856 **1603 MURPHY AVE**
OWNER: Jim Ames
ADDRESS: 8072 Estates Dr. Sarasota FL. 34243
"Finding of fact Hearing" Scheduled for this date"

Mr Oliver — Item 285, 1603 Murphy Ave. I would ask the Board to continue that to January twenty-fifth being a new item, I have already had some conversations with the owner as well as a possible contractor, uh, that contractor has been given a list of what would need to take place and be on the permit, so, we will see what happens.

Mr Callihan — Um, excuse me, Jeff, um, from the exterior, just from the front, it doesn't look all that bad.

Mr Oliver — It's not horrible, um...

Mr Callihan — The…

Mr Oliver — Structurally it's pretty sound, but, there are issues.

Mr Callihan — Okay.

Mr Oliver — And, I can pass this around.

Mr Callihan — I'm sure there are, I just from the exterior, I…

Mrs Harrington — Okay, um, do we have any, uh...

Mr Callihan — Oh, uh, um, item, I make a motion that item 2856, 1603 Murphy Ave. be continued to our January twenty fifth meeting for a Progress Report and Demolition Hearing.

Mr Wilson — Second.

Mrs Harrington — **I have a motion by Mr Callihan, second by Mr Wilson, that item number 2856 at 1603 Murphy Ave be continued to January twenty-fifth for a Demolition Hearing or Progress Report. All in favor say "aye" (Mr Callihan, Mr Hartwell, Mr Wilson, Mr Ledford, Mr Denham, Mr Tylle and Mrs Harrington) Those opposed (none) Motion carries.**

Mrs Harrington — Mr Williams, were ready to revisit your case if you would like to approach.

Mr Mann — I'm not dressed appropriately but, may I approach?
Mrs Harrington — Give us your name and…

Mr Mann — Yes, my name is Thomas Mann. How are you Mrs Harrington?

Mrs Harrington — I'm Fine.

Mr Mann — Um, we've had some problems as you've, as David told you. He was rolling down hill, that's why he called me. I told him not to call me unless he needed me and apparently, he needs me. If there is any possible way to reconsider the situation, uh, his worker that he was relying on had pneumonia and he's got medical records that he can produce to show that he had pneumonia and that slowed his progress, but he has already torn out the floors, he's already torn out two walls. He's ready to start the construction of the floors, uh, he whadn't aware that the guy was runnin' behind as much as he was as I said he's got twenty-five other properties around town and ya know he pays taxes on all those twenty-five properties and he would like to be able to save this if possible because he is trying to make an effort ta' do it and he understood that his, uh, worker had talked to Mr Oliver and that, uh, uh, it was okay because he had been sick and apparently when Mr Williams talked to Mr Oliver that was not true. And, so, where begging you for the, fact, I mean he spent fifteen-hundred dollars to the contractor to pull him off the job, he spent, uh, seven-hundred-fifty to me and a little considerable more could I, regards to the outcome, so, you know he's got some investment in this that, uh, uh, should be considered as, as, I said, he's been pretty dutiful on payin' his taxes on those, you know to the City and to the County on those other twenty-five properties he's kept um' up. And, this was neglected there is no doubt about it, but he focuses his attention on it now. And, he thought he had made some progress that would be significant enough to allow the committee to consider, uh, extendin' the permit and so, were asking for your reconsideration of it at the present time.

Mrs Harrington — Anybody have any comments or questions? Mr Wilson.

Mr Wilson — From what I understand that it's not the issue with taxes paid, uh, on properties owned and rented or whatever. The issue is with this one particular property that is not up to par as it should be. And, as far as I'm concerned it, uh, it was a slow down and everything else, proper permit not property executed, uh, I, I, have a bad feeling about this. It will not get done until we actually go in and demo the property. It's, uh, in that bad of shape and the waiver has been signed, so, I'm in not in favor of continuing this.

Mr Callihan — Twenty not thirty.

Mr Wilson — No, I'm not in favor of continuing the demolition resection order.

Mr Mann — We'd ask for a twenty-day extension…

Mr Wilson — Right now, that's all the comment I have to make.

Mr Mann — Twenty, not thirty. Because, we can make significant progress in the next couple of weeks because he's going to hire additional help to help, to help, with, you know, you know, with this helper that he's already got, that has already done significant work on the job.

Mr Hartwell — Excuse me.

Mr Callihan — Um, madam Chairman…

Mrs Harrington — Mr Callihan.

Mr Callihan — We met here six weeks ago…

Mr Mann — Yes sir.

Mr Callihan — And, you understood Mr Mann that we were in emphatic about quick progress. In six weeks, you've taken out a couple walls and, and, uh, a floor.

Mr Mann — The floor of the whole house, not just…

Mr Callihan — We decided to demolish this building in June.

Mr Mann — I understand.

Mr Callihan — So, you're asking for more time, more time, more time, and appreciate you're a tax payer, doesn't make any difference. Were focused on this particular structure right now in the neighborhood, you've apologized to the Board and everybody else. We have a responsibility to that neighborhood, to the City, and with the efforts in place, that responsibility is not being met. I can not in any good faith continue with more time, more time, more time, there's been plenty of time, there has been plenty notification, um, things just haven't progressed in an expectable manor, period.

Mr Mann — If we could have twenty more days, we will make progress and get the walls up in the house and the floors and then proceed from there if possible.

Mr Callihan — I think the consensus of the Board is, is, uh, that were not in favor of that, that's my suspicion of we need to vocalize what, what, our decision is. But, uh…

Mr Mann — How about ten days? I, I, mean he can, he's goin' to hire a, a, bunch of contractors, get in there and do somethin' on it.

Mr Hartwell — We can, we can bring it to a vote and see. But, alright and make a motion and see if it fails to continue on so we can get a feel of where the Board is.

Mr Harrington — Is everybody, was everybody satisfied that we heard everything that we needed to hear and ask all of our questions? Mmkay' I would entertain a motion.

Mr Hartwell — Madam Chairwoman, I make a motion that item number 2838, 2213 Adele be continued until our January twenty-fifth meeting for a Progress Report and Demolition Hearing.

Mrs Harrington — I hear no second. It appears that the motion would die for lack of second. Do I hear any other motion?

Mr Wilson — Madam Chair, I make a motion that item 2838, 2213 Adele, have the stay lifted for the demolition of said property.

Mr Callihan — Second.

Mrs Harrington — **I have a motion by Mr Wilson, second by Mr Callihan that item number 2838 at 2213 Adele have the stay of demolition lifted and, uh, proceed with the demolition process. All in favor say "aye" (Mr Callihan, Mr Hartwell, Mr Wilson, Mr Ledford, Mr Denham, Mr Tylle and Mrs Harrington) Those opposed (none) Motion carries.**

Mr Mann — So, we have to proceed with legal action. I understand. Thank you for your time.

Mrs Harrington — Thank you gentleman.

Mr Wicklund — Um, I would recommend that the Board would continue the remaining three items to January twenty-fifth since the attorney's office doesn't have a representative here.

Mrs Harrington — We do have a couple of other items that we wanted to address, and this was the meeting we were going to have a short discussion about…

Mr Wicklund — Okay.

Mrs Harrington — Our procedures and a couple of other things. Mr Oliver, would you have something you…

Mr Oliver — I was just goin' to say that while were goin' to have this discussion, possibly Jordan might show up.

Mrs Harrington — Sure, sure. Um, there is one item that I would like to address first and that is, uh, um, I think ill throw it to to Mr Callihan, he has had an interesting encounter, um, attended a, uh, a very interesting, um, discussion and has an opportunity that he thinks would be great for the Board, I, uh, after talking with him I agree with that and I'll let him tell you about it.

Mr Callihan — You all know Carolina Neel, I'm not sure how you cannot know Carolina Neel. Anyway, uh, she spoke in a meeting that we had for our neighborhood group and, uh, she touched on a subject that, uh, just kinda' compliments supplements of the decision-making process. And, what to do with the property, um, she talked about the amount of carbon monoxide, carbon dioxide that's admitted during the demolition of a property and it was really fascinating, I thought it was fascinating but, um, maybe that was just me, but I, she brings to the discussion, uh, uh, something that, you know, would, is well worth consideration, uh, when, when were evaluating properties. She, I asked her if she would be able to speak to our group and she was gracious enough to agree. She's, the, the, the, concept she brings in is something totally different, I'd never even considered it, but, uh, I, I, just felt like it would be worth while for us to give her a few minutes to speak to our group, um, just so we prove to everybody that, uh, uh, that were evaluating, you know, the, the, the, the, status of a property from about every angle that we can. So, um, I would like to make a motion that we allow, uh, Carolina Neel to come and speak to us at our January twenty-fifth meeting.

Mr Hartwell — Second.

Mrs Harrington — **Um, I have a motion by Mr Callihan, second by Mr Hartwell that we extend an invitation to Carolina Neel to come and to share information with us about demolition effects to the environment on, uh, January 25th at that meeting All in favor say "aye" (Mr Callihan, Mr Hartwell, Mr Wilson, Mr Ledford, Mr Denham, Mr Tylle and Mrs Harrington) Those opposed (none) That Motion carries. Now, um, in the emails that went back and forth, um, uh, it was indicated that we needed her to request to come but now that we have put that in the record are we covered with that Mr Wicklund?**

Mr Wicklund — Yes.

Mrs Harrington — That was our, our, goal with that, um, since we were asking her to come we didn't want her to have to request that.

Mr Callihan — Um, there is one note, I think she is goin' to bring her projector, but she'll need a screen, she does a, a, is there…

Mrs Harrington — Yeah.

Mr Callihan — Okay.

Mr Wicklund — We can make sure that, that's in place.

Mr Callihan — Okay, thank you. I, I, I, hope you enjoy it, I was really kinda' fascinated with, with, the concept that she brought to the table and I thought, that's something that I felt like our group, uh, needs, you know, to be exposed to and, and, you can decide if I was right afterwards, so…

Mrs Harrington — Could you email contact information and maybe…

Mr Callihan — Certainly.

Mrs Harrington — A brief description ta' Jeff so that he can put it on the agenda?

Mr Callihan — Sure.

Mrs Harrington — Alright and that will come at the end of our meeting, uh, next time. I think he's explained that process too, um, Mrs Neel. Um, secondary or maybe primary here was, uh, our discussion last month about, uh, perusing a discussing amongst the Board, uh, to clarify or establish, however you want to say it, our process for, uh, I guess criteria or, or, perimeters that were looking for when we consider these properties completed. Am I on the same page as everybody?

Mr Callihan — Yes.

Mrs Harrington — Okay, good. Alright, um, that was pretty much it, like, I, I, and to start that conversation I guess, one of the things I've thought about in the last month or so has been, you know, what the ordinance actually says, that our mission is, what are we charged with, um, as far as determining whether or not these items should be on our agenda or whether they should be released and Mr Wicklund could you clarify for us what that ordinance says that our mission is? I mean in the past, that's a very large request and without any previous, I guess what I'm looking for is when, when, we have one of these issues in front of us and you give us some historical background on how the Board was treating them in, in, the last decade or two as far as completion of interiors, uh, what was required by the Board and what's actually required by law, that, that, we are, uh, charged with.

Mr Wicklund

So, the Building Board of Appeals is, um, is created not only by City Ordinance but also the adopted Building Code. Um, in the Building Code, the purpose of the Building Board of Appeals once it's established is part of my responsibility as the Building Official and along with my Building Inspectors is to interpret the Building Code out in the field to do inspections, um, and to make, uh, decisions based upon our understanding of the Building Code. That's always left up to interpretation and contractors, property owners, developers have the ability with the Building in place to take their, um, concerns to someone other than the Building Department and can present their interpretation of the Building Code to you guys as to why they think whatever their doing should be allowed. Whenever the Building Departments interpretation was different. And, practicality that's not what takes up the majority of the time for the Building Board, but, we've had some very important cases like that before the Board and the Board has really been a help in coming up with a solution in those cases. I, I, can think of multiple ones, um, with the school district with there, the building of the new high school, there was a couple things that came up, um, with several of the new warehouses in town there's been out of town developers come in that have asked for certain things that as a Building Official I just do not see that it is allowed in the Building Code, but the Building Board has been able to assist them in that. So, that's the main purpose of the Building Board, but, what it has evolved into in the City of Joplin is, we have an ordinance, um, that we refer to every time we have a Demolition Hearing here before the Board that spells out the definitions of what constitutes a dangerous building. Those definitions are, while they are very specific on one hand they are also veg on the other hand and it's needed to be that way because every property is different. Every property has a story with it as a reason to how it came to the bad condition it's in and the definitions of a dangerous building are anywhere from open to unauthorized entry which, could be a door that's unlocked to structurally in danger of falling down and hurtin' somebody. And, everything in between, if the electric has even been tampered with it doesn't mean there has to be anything wrong structurally, it's considered a Dangerous Building, whether the electric is on or not. Um, so part of my job as a Building Official and my staff is to take those definitions of a Dangerous Building, interpret them try to figure out what the intent was specific to each property goin' along with any complaints that we get and what we determine to be a, a, Dangerous Building. Legally speaking when we post the building as dangerous it doesn't take any action from the Building Board it, we've determined it to be dangerous. We try and work with the owners to fix that, and could actually just order it demolished in, within the Building Board and have it done. In an attempt to really go above and beyond and try and continue workin' with the owners along with that we've brought this responsibility into the Building Board so that the owners have the ability to come and present their case to argue what the Building Department has already decided. We have tried to in the past, um

when, when, I first started with the City I was trained and directed to at least at that time not bring anything ta' the Building Board unless I was comfortable with following it all the way through with the demolition, um, the tornado really changed some of the responsibility's of the Building Board, were trying to get back to that. One of the things that's changed is because I, in the past we just never posted anything that we didn't feel like warranted a Demolition Hearing. When the tornado came the Building, Board started seeing all these cases of driveways, um, front porches that were left on site after the house was gone, um, houses that may have been minorly damaged in the tornado, but nobody was steppin' up and doin' anything with um'. There's just, it really opened up a variety of the types of cases the Building Board was seeing and in doing that I think it has come a little confusing as to when the Board as a whole would feel comfortable releasing a property. I remember in years past where the Building Department would post a structure, we would identify a property, the owner would fail to make any corrections or not, not, enough, it would come before the Building Board, it very rarely went more than five or six times, um, as being continued but during those five or six times we held those property owners and the Board held those property owners to the requirement that the house had to be livable before the Board would even consider releasing it, and I can think of multiple cases where that included, um, having the electric on and working. The hot water and the heat functioning, the exterior one hundred percent complete, kitchen cabinets hung inside, countertops installed, it had to be ready to be moved in. Um, and the Board was consistent in that interpretation, I understand that because of the number of cases and the types of cases that have been brought to the Board since the tornado for sure that, that, hasn't been held to as much just because of the shear number of property's were dealing to where the Board has been more concerned with just making sure the exterior is one hundred percent complete and not in danger of hurtin' anybody and it's kept secured, um, I have my opinion on what I, you know, what I would feel comfortable with the Board doing but, that's a little bit of history, it's been a wide range of what, what, the Board requires before they release one and what they don't there, it can be very difficult. Um, especially with today for whatever reason it seems like it's becoming more and more difficult to get the owners to do anything, and if you are going to hold them to the criteria that you want flooring installed and light fixtures installed and the rooms painted and ready to move into, you're going to see these continued on for longer periods of time, but the ordinance, the ordinance that defines a Dangerous Building has the ability to follow these through all the way until there habitable. Does that answer your question?

Mrs Harrington

Yeah, well, I think for newer members of the Board it does, um, I came onto this Board in the fall of two thousand and eleven and I will tell you that I wasn't always comfortable with some of the cases that we were charged with handling but, I didn't know the difference, I, I, didn't,

because I was new I was hesitant to say anything and I refer to the cases where were charged with calling a left, a driveway that had been left on the property a dangerous building and, and, hearing numerous citizens saying you'll have the explain that one to me because I don't see it and, it was a vehicle for the City to get, get, us to a place that we were inspired to clean up the tornado debris and mess I think was, uh, and then there where also some financial considerations with that. I personally am really glad were past that and that's why I think this conversation is valuable because what my experience has been and there are a couple of you that have been here, um, through that, that, period, uh, we had a few owners, property owners is mainly they were contractors that kind of like to push our buttons a little bit and, uh, you know, hold up their end of I don't have to if I don't want to and, and, it got to be almost a game with them to see how long they could drag it out. I refer to two properties located at twentieth an Indiana, another one out in, uh, um, a contractor that had a home out in, uh, on Kingsdale, you know, these stick out in my mind and that's where, and the case at twentieth and Indiana we, all we wanted was to get that thing finished on the outside and nothing has ever been done to the inside. The case of the residential property on Kingsdale I think I would have stayed here for another fifteen months just to make sure that guy hung every light fixture and installed all of the light plates on it because of the way that he treated the process and the neighborhood. And, so that's where my, my, attitude has changed somewhat since the beginning in that I feel that its vital to get these properties so that when somebody walks through the neighborhood or drives through or the neighbors that live there, um, look at that property that there isn't any difference between that one and the rest of the properties in the neighborhood. That doesn't necessarily mean that they have to be habitable, uh, so, I, I, somewhat prefer to go back to that point of view as long as it fits into the neighborhood and it's not dangerous, um, it doesn't allow vagrants to access the interior, that sort of thing. I'm comfortable with getting them to that point.

Mr Callihan — Um, I have a question. To clarify, Bryan or Jeff, um, the, the, Building Board of Appeals has the, is the authority or the responsibility to make sure that, that, all the interior is complete and, and, I know, I just want to clarify that, uh, turd I'm stuttering again. Um, is it our authority or responsibly to make sure that it's habitable?

Mr Wicklund — It's, it's, you authority, um, …

Mr Callihan — Okay.

Mr Wicklund — Again, I think there's, the ordinances have been really thought out in the way there written so that in the cases where the Building Board or, or, the, the, Building Department think that it's necessary to follow it all the way through, the tools are there to follow it all the way through until its

habitable. My opinion, my interpretation, is that that's not necessarily, um, the reasonability of the Building Board but, the tools are there if you choose to do it.

Mr Callihan — I understand. Um, I guess I'm trying to make a point, you know, clarifies it, do we have the authority or the responsibility. And, we have the authority but then for those that we should, you know, elect to pursue to of the point of, of, being habitable, um, trying to avoid liability in the ones that we don't.

Mr Wicklund — Consistency's important.

Mr Callihan — Exactly, so, yeah....

Mrs Harrington — Well...

Mr Callihan — I've done some research on google, anything, I just researched Building Boards of Appeals there's a Nevada, uh, uh, Sarasota Springs, it's amazing to see, uh, that, uh, all of the different responsibilities that different municipalities put on their Board of Appeals. Some of them are approving contractors or disapproving contractors, there's, there's, all kinds of different things that Boards, Board of Appeals do throughout, you know, the country. Um, I'm happy to share what I found with you but it kind of opened my eyes to do we even call ourselves a Board of Appeals because you, you, start right off with the primary function of most Board of Appeals is to let a builder...

Mrs Harrington — Process...

Mr Callihan — A property owner, whoever appeal the interpretation of building codes, um, which like you said, we, I, I, don't think ever done it since January of seventeen, uh, if I did I missed out on it, um, but, so, there, there, is just a lot of different aspects that can be considered for the Board of Appeals as far as, you know, uh, what we need to do with it or what we have the authority to do. But, that, that, one question of how far do we take the inside, you know, I'm of the opinion that, uh, uh, we kind of stay to the, to the, outside but then hopefully there is mechanism in place, Certificate of Occupancy or something that some other group does within the City that, that, helps protect, you know, the inside but, I'm leaning more towards the, the, outside. It's like the one over there on Sergeant, you know, the man's going to finish the property, um, the exterior is fine and it's like I feel compelled like, you know, move on to other properties. Um, but, it's like you said the, the, the, constancy is key.

Mr Oliver — I was just goin' ta' add in, uh, on new construction you have a final inspection, everything has to be done...

Mr Callihan — Yeah.

Mr Oliver — Before it's signed off on. That is new construction, I don't know, I think I would kinda apply that to these if they are actually goin' to see it through, um, to the end. Um, to where, I mean, you, you, you, can, and a lot of what we've done is we got 'um to a point where, you know, there not necessarily dangerous anymore and then the Building Department could see it through to a final inspection but, sometimes you need you guys to help keep pressure on 'um to get it there.

Mr Paul — And, the reason why this conversation is important is because, I mean, Bryan was correct earlier that the Ordinance's are written very broadly, I mean, the jurisdiction for the Board to enter and order repair or demolish or whatever is just that it meets one of the definitions of dangerous building and then you have to decide which standard to apply to it. Whether it's repair or demo and you go through those nineteen or twenty definitions, however many there are, you can look through there and see on virtually on all of these houses there being a ground to hang onto it until you've got a C of O or whatever. That being said, I don't think you've got any kind of an obligation to hold onto it that long, uh, uh, I think it's solely within this Boards discretion to look at 'uh contractor, uh, apply his experience, you know, we've seen this guy before. We know he's good, he's goin' to follow up or on the other took we know this is someone we need to keep track of because of past experience and exercise your discretion to either to release it or to hang onto it. So, uh, to get back to your question about authority I, I, think it's, you can do almost whatever you want in terms of how long you hang onto it but, I'd agree with Jeff, you know, it would be great to have constancy inside, I think that this conversation good stuff.

Mrs Harrington — Mr Hartwell.

Mr Hartwell — I agree with most of, the majority of the sentiments today, um, I do, would like to say that I am of the opinion that we should follow these through. First and foremost, I think our, our, main goal here is to habitable properties for people to hopefully maintain a family life or a home in someday, and quite frankly I think that a building a good example would be the 1308 S. Sergeant house. So, he, we ordered it demolished, no one, lets be honest, no one goin' prompt, fifty people are going to build a home there in that neighborhood in the present condition in which it's in. Okay, so, we work with Mr Turner we put a stay on the house and the house is going to be livable within a few weeks it sounds like. That's a good case, I wish they were all like that. However, uh, that's what I would like to see us moving in the direction of, a lot of these homes are in neighborhoods that can't afford to lose anymore structures and qualities, anymore more structures than they already have. We don't want to have a situation where we have are dotting neighborhoods with holes because we don't have an

opportunity, we don't have the people they just don't have the money or there's not the interest to be able to fill all these holes. So, I'm of the opinion that we want to work with these people to be able to that, do just that and I don't want to get to hard nosed to say well, you came to the meeting and you didn't do X,Y,Z, I understand we have to have some, some, enforcement and I want to have strong enforcement tactics. However, we also want to see these properties through and a light at the end of the tunnel for me is to have habitable homes for the people of Joplin to live in. And, quite frankly, um, as we discuss the past and I can think back I was here for the Kingsdale incident, I was not here for the incident at twentieth and Indiana but, I think everybody knew that was a disaster looking in. Not because of the Board but because of the owner and, uh, that's still not a habitable structure and nothings happening there and it's an eye sore quite frankly and it's a disaster ta', it still is a mess. So, I don't think in my opinion, I don't think it should be able to stand like that, I agree with Jeff that people need to be able, you know, same standards or relatively similar standards ta' to people building new homes to doing all the existing structures. So, I wanted to have this conversation just for that reason and, I also want to have, make one more statement, uh, small caviar, I understand we live in a society where law suits are prevalent, um, we have a lot of attorneys hanging around. We've had them here today, um, I just wanna' kinda' mitigate the risks and lesson the losses, uh, if they, if they, if we can, um, avoid legal action against the Board or whatever the case may be. I don't want to be scared, um, scared by attorneys because they get paid to do that. But, quite frankly I would like to see situations where we can work with people and, uh, avoid any, any, um, proceedings with the City if at all possible. But, I understand and recognize that sometimes happens and that's part of life.

Mr Paul

Well, if I could add something to that real quick. And, what's important to remember on those suits is there's really not any if they do it right there's really not any monetary exposure for the City if they actually go out and they get the injunction, you know, to the extent we ever have exposure it's, it's, a question of whether there was a wrongful demolition or not, then usually if we've got good notice on um' that's not an issue, the dynamic that's more common is if, if, we move to quickly on it they through there hands and say well I'm gunna' pay someone a couple hundred bucks to go file for a TRO and just it takes so long to work through that the question becomes would it have been quicker to haul them back in front of the Board for the next couple of months versus, you know, getting them dismissed over there because usually these City's odds of prevailing on that suit are pretty good but now your property'…

Mrs Harrington

Breaking up the process…

Mr Paul

You know, your property's in the same situation it was before …

Mrs Harrington — Right.

Mr Paul — And, so I think that maybe the better analysis when y'all are sittin' here and tryin' to decide if some looks litigious do I, do I, want to hang on to this and try and, you know, drag 'um along or just go ahead to demo.

Mr Hartwell — I think...

Mrs Hartwell — My issue with some of this though, um, uh, having a fair number of years working with contractors is that very often a contractor gets a house to a certain point, if it's a spec house and then doesn't want to take it any further because there are choices and selections that home owners make, that's a glaring difference and one that I'm quite frankly surprised that we didn't run into on Kingsdale. That we did push that contractor to finish that, mainly because we had every month neighbors in the, in the, audience here to vocalize their displeasure about having that construction go on forever in their neighborhood. In that case the exterior of the house moved so slowly, that we, that's where we could focus our, our, efforts but, I was pretty determined at that point to make sure that contractor finished the home because there wasn't a lot of indication that he would. Uh, shortly after the tornado or within a year, year and a half we had people from neighborhoods here complaining that houses had been framed and wrapped and that the wrap had been blowing in the wind for a year, and, uh, nothing had moved forward. So, I think of several instances with new construction that got held up for whatever reason, financial problems, lost of fire, whatever, and they just sat and that is one of the, to my mind we had more neighbors in our audience as a result of those issues than we ever have had about some of these little ol' graham shackle houses that are about to fall over that are sixty, seventy, eighty, years old. We rarely get somebody from the neighborhood in here, I think the staff probably hears from the neighbors, but they don't come here as much as the ones have for the new construction. So, I'm conflicted about the consistency, um, uh, point of view because, um, twentieth and Indiana the owner told us from the get-go I'm never going to do anything with this building. I'm never going to habitat, habitat it, I'm never, I might sell it to somebody that wants to do that, but I don't want to do anything with this, but it's to good to tear down. And, that's why it sits the way it does, and it took us two years to get it to that point, um, insisting on an interior finish on that would have surely led us down a path that none of us wanted to go.

Mr Callihan — Um, I think there is a decision between commercial and residential, uh, and it's not uncommon, you know, uh, uh, uh, uh, municipality will put up a shell building and there commercial district, you know, and with not having a buyer it makes no since to finish the interior when, you know, you understand where I'm goin'...

Mrs Harrington Mhmm.

Mr Callihan Where not faced with that day to day.

Mrs Harrington Well, and the other side of that is that I think then that's going to roll us backwards to where we, we, say to the staff something Mr Callihan has asked in the past. How do these cases get on the agenda? What cases are there? Because, where never gunna' have a shell building come on our agenda and very rarely are we gunna' have new construction that's almost, you know, that's, that's, standing ready to finish is not going to come on our agenda. So, where not going to be faced with those things, unless they become extreme, in the case of Kingsdale. So, maybe that's where getting that criteria from the staff to find out how they get to the agenda and then what they, they, obviously have a complete and throw process they go through with the owner, prior to us. We are the last resort in my opinion.

Mr Oliver Uh, the Kingsdale property for example, if that house, uh, basically if the exterior would have been complete and looked like a finished product, unless we had a lot of pressure from the neighbors and it was kept up, it probably would have never been brought to this Board. Um…

Mrs Harrington I think of one that we had that was brought to the Board, based on the fact that the neighbors were looking in the windows and the contractor had not finished it and what I think we found the, the, gap where we could get it on the agenda because the neighbors where complaining was a hole in the fence that allowed children to get into an area where there was a pool. But, other wise to me that case should have never been on our agenda but, we were pressured by high profile individuals in the neighborhood that wanted it on the agenda.

Mr Oliver Right.

Mrs Harrington Or…

Mr Paul I agree.

Mr Oliver There was one, there is one definition in, in, the definitions that I use that basically states that when construction or demolition has been abandoned, so while it looks like a home from the outside, it's not finished on the inside or it's just stud walls and it sets there for a year…

Mrs Harrington Okay.

Mr Oliver We could use that definition. But…

Mrs Harrington — Yes. Mr Ledford you were first.

Mr Callihan — Oh, I'm sorry.

Mr Ledford — So, my question is for Bryan and Jeff. Is there a process you go through before you bring people here? I know you said you talked to a gentleman about waiting to put it off till spring en', is there a window there before you bring it to us?

Mr Oliver — I've got a lot of cases, I've got a lot of them sittin' in the wings, um, we'll send out a pre-letter on, we've just started doin' that again. Tryin' to get back in the habit and like Bryan said after the tornado, so we try to send out a pre-letter in most cases to make contact first, um, if I don't hear anything back one way or the other or sometimes I do hear things back en', you know I might sit on it for a couple of months to see what they are actually going to do what they had told me in a phone conversation or a conversation at the counter, if that doesn't take place then I usually place it on this Board.

Mr Ledford — So, our main roll is to interpret the codes, and decipher between them, as far as the commercial building you don't really need to bring one to us that's really not violating a code to your interpretation.

Mr Oliver — Correct.

Mr Ledford — Is a commercial building sitting unfinished inside, for us necessarily, if it not violating any code interpretation you put it to the side.

Mr Oliver — Correct. And, we have a lot of complaints on a lot of properties that I don't peruse, um, you know, understandably some residents in the area may be unhappy with the way it looks or that has set vacant for six months but, that doesn't make it dangerous, you know, so…

Mrs Harrington — A case in point would be the old Freeman Hospital building. That has been on our agenda a half a dozen times, not since I've been here but, over the years I'm sure and I'm sure it will be again some time because of the neighbors…

Mr Paul — I think it was, I think it was on.

Mr Oliver — It was on.

Mr Paul — Yeah.

Mr Hartwell — It was on the what a year a year and a half ago?

Mr Paul — Yeah.

Mrs Harrington — Yeah, that's what I'm saying, no it has been on our agenda for a half a dozen times at least. I'm in awe, I'm sure we will see it again because the neighbors, if the owner relaxes a little bit and isn't, you know, pro-active the neighbors will get to the point where they can't handle the traffic there anymore. So, it will come back on our agenda after Jeff has done everything he can to work with the, the, owner. Why don't we get this up ta' snuff, lets get it so the neighbors aren't gunna' have a problem but if you can't get the owner there, then it comes back to us and the owner knows he has to come here and justify it, so…

Mr Ledford — So, my next question to you guys is, I know you said you had an opinion but didn't express it, um, do you use this as a tool to get you to competition…

Mrs Harrington — Yes.

Mr Ledford — Or, do you need it, does, do we have a time frame from the time we give a permit that, that, C of O should come across the table?

Mr Wicklund — Okay, let me answer your first question a little bit first. Jeff, Jeff, answered a little bit, um, it is my opinion and my intent to never bring any structure before the Building Board, um, without the building department making repeated efforts to work with the owner, contact the owner, work with the owner, give um' time to make corrections. Granted, the amount of time we allow them is going vary on how serious the, the, danger is…

Mr Paul — (Unable to transcribe)

Mr Wicklund — But, even on a fire, when the building is about to ready to collapse, Jeff has posted it, we've made sure the owner is working with insurance companies, whether there is any or not, that's all been completed and that the owner has already led us to believe he doesn't have the funds ta', ta', demolish it. So, we need to push um' and sometimes we do that by bringing it to the Board, um, but, in the case where there is a building that is so dangerous that we skip communicating with the owner those don't come before the Board either. I do an emergency order ta' demo, I try to make one phone call to the owner and if we can't find em' we call the contactor and he's there tearing it down that night. That's happened to buildings on Main St. that have collapsed in Main St., um, usually those are bigger buildings but, I wanna' make it very clear that every item that gets before the Board it will very but, we, is a file already going with that property on how many times we've tried to talk to them, how many times we've met with them on site, what we've told them they needed to do and we got out of habit, partly because of the number again from the tornado for doin' that. But, we're

back doin' that and, so, it's something that the Board can always ask during any of those meetings is what's the history with the building department en' this owner on this property cause' there's going to be a history. If were doin' our job right there is goin' to be a history. To answer your second question, my opinion, is that we have no way of calculating the number of houses or buildings in Joplin that are vacant, now that would be hard. But, I would venture to say every single one of um' that's vacant would come very close to meeting one of the criteria's, because again, if the electricity is off, or the gas is shut off, or the water is shut off, you don't have sanitary facilities, you don't have heating facilities, you don't have power goin' to the outlets. It would be a poor argument but, you could argue that it qualifies as a dangerous building. It is not my interpretation that it was the intent of the council at the time to go after those properties. There's really on many of those and, and, like Mr Callihan said were all very familiar with the property at twentieth and Indiana there is no difference with the way it is sitting today and other commercial buildings, some on Rangeline some in the industrial park there just sittin' there waiting for the right tenant to come and finish it. Sometimes they will sit that way for years, houses normally don't sit that long, um, but it's my opinion that the Board has had some cases brought to them in the past that I, like I said I always try to hold to not bringing items to the Board unless I feel comfortable following through all the way to a demolition. There's been some that I've been, um, I feel like pushed to get on the agenda and have the Board address that in no way should have even been considered for a demolition. Shouldn't even be considered, I don't think they were worthy of a phone call from the building department, but they ended up showin' up on the agenda.

Mr Ledford — Is that our ultimate job though?

Mr Paul — It's a possibility.

Mrs Harrington — That's a failure, if we get it to demo, that's a failure.

Mr Ledford — Is there other reasons things come across our Board?

(Unable to transcribe)

Mr Paul — We discussed earlier, I mean, you can get to a certain point where you no longer think it's a, well, I think once it's on your agenda you keep it as long as it's a dangerous building and at the point that you, and you have the discretion I think ta'…

Mrs Harrington — Are we done? Are we out of room…

Mrs Willhite — No, it seems as though all of you are doing so well with being identified to start with, but even though this might be informal we still have to transcribe these minutes and we've gotten away from identifying yourselves…

Mrs Harrington — Okay.

Mrs Willhite — Before you speak, so, if you don't mind...

Mrs Harrington — I'll try ta', ill try to state the name out loud.

Mrs Willhite — It will help us, it will help us out a lot.

Mrs Harrington — Okay.

Mrs Willhite — Thank you.

Mrs Harrington — Sorry, Mr Ledford, where you in the middle, okay, Jordan, I'm sorry.

Mr Paul — I've forgotten the question.

Mr Willhite — Sorry.

Mr Ledford — When things come across the Board, whether its ta' get, you said dangerous building…

Mr Paul — Sure, um, Mr Paul, um, I think that the Board probably does have some kind of I don't know if duty is the right word but should keep the item as long as the Board considers it a dangerous item, but that doesn't necessarily take it all the way to completion or demolition. I, as we were discussing earlier I think consistency is good, but certainly would be within your discretion you get to a certain point on a house where you're comfortable that it's not a dangerous building, even though it's not completed, and you can release it.

Mr Ledford — And, that ultimately goes back to their interpretation.

Mr Paul — Well, it, it's, at the appeal level also the boards kinda' makin' a call there. And, you can certainly rely on Bryan and Jeff…

Mr Ledford — But, in this conversation Jeff tell us that house is enclosed up, doors are locked up, still no cabinets, still no floors but, it's…

Mr Paul — But, it's your determination at that point where you think it's, it's, dangerous.

Mrs Harrington — Let me just say one thing, I'll, I promise I'll be brief, but, my opinion is that that is why this works, that we are individuals with individual, um, uh, opinions and what I might think is important to require is not going to be the same as Mr Ledford but, we work that out en' that's why there is a yay or nay in my opinion. That I look at what the staff has done that, that's always first to me and if I realize or, or, learn that the person standing in front of us has been at the desk in the, on the forth floor screaming in the faces of a building inspector, he's not likely to get much from me in terms of, um, you know, relinquishing, uh, uh, the, the, need to finish it. Uh, that counts for me but, we are all individuals and we have an individual opinion. We can't sit here and try to make a policy about this is how we will approach it because I'm not always gunna' to do that. I, I, think what I think, and I know Mr Hartwell and Mr Wilson both usually have some pretty strong opinions, I know kind of where there going to land. That being said, you know, it's our job to come together to uh', to uh', unanimous, Jeff, I'm sorry, uh, Mr Oliver.

Mr Oliver — You're fine. Um, so, let's say we have the gentleman from 1308 Sergeant here and you guys are having your discussion, if you were to ask me if that structure was dangerous I would tell you, no, at this point.

Mrs Harrington — And, our, because it was once ordered demolished and, because we really didn't trust that he was goin' to finish it that's been our approach, to nope I want I want to see it done.

Mr Oliver — Correct.

Mrs Harrington — I want to know he's gunna' get it done. Right, wrong, or indifferent, that's the way that I approach it, is the former trust factor and the treatment of the staff and treatment of this Board. Attention to what we have done in the past with that particular individual, when somebody stands before that podium and tries to tell me, I promise I forgot, and I'll do better and all of that. If I seem um' on three other cases that it just factors into me it just has to. Mr Hartwell?

Mr Hartwell — Um, I'm of the opinion that we have to, I hate to say this because I'm sure, um, there is going to be some disagreement but, we, they kind of relinquished there right to, I mean, they have rights but, what I'm saying is that they've relinquished their opportunity for us to trust them. So, I agree with you on that so, and that what's why I'm of the opinion that we want to see these through. Not because they are dangerous but, at one time they were dangerous, and we want to see them completed and we want to do a good job for the people. And, at the end of the day I think that is what we are here to do and that why we were appointed to this by the Council because the Council appointed, uh, liked those people and then they put their faith in us to be here because they can't do every job here in the City.

So, I'm of the opinion that folks lost the trust factor they've got to gain it back and the way they gain it back is to provide a complete building for people to inhabit.

Mr Paul — Jordan, and to be clear if I can just jump in before I don't know where the conversation is going, you can obviously treat different cases differently, the line on that is you can't be arbitrary and capricious which means you can't look at so and so and say, you know, I don't like you and so we may treat these ten other cases a certain way but, certainly if the Board has a reason or experience you're completely allowed to take that into consideration and how you deal with any particular case. You just can't single people out, which, I, I, don't think I've experienced on this Board.

Mrs Harrington — Mr Callihan.

Mr Callihan — Um, I'm of the opinion that, um, um, if, if, we don't have a mechanism in place to secure the, the, the, interior to be habitable that we, are group stays on a project until it is. If, if, we don't have a group that has another Board, another commission, uh, nother' agency within the City that has the teeth to make it happen then I feel like, I feel like, were obligated to do that. Um…

Mrs Harrington — Mr Wicklund.

Mr Wicklund — So, going back to Mr Ledford's question, I haven't answered yet, one of the things to keep in mind that some people have a hard time understanding is, when a building permit is pulled, building department does the inspections that the contractor calls in and request. So, if he does a bunch of work and doesn't get it inspected, the building department has tools to put a stop work order and force um' to stop. And, this has been a discussion that I've had with City Council, uh, that doesn't get the job done. So, if your ultimate goal is to see finished product and that's your main goal, putting a stop work order on it doesn't get it done. Likewise, if a contractor, we've, and we've got a lot of um' they are very good about calling in there required inspections up until the point that the electricity gets turned on to the house. That's not the last building inspection, but once the power is turned on, if they've got a good relationship with their mortgage company or their banker we may never hear from the again. They will finish it to what extent they want, and it doesn't have to be a new house, it can be a, it can be ones that are before this Board. They can finish it to once the power's on and then never call us again, move somebody into it and the tool we have is to go in and order it vacated, which City Council, City Staff, the Attorneys office, were not gunna' be quick at ordering people to move out of their house. And, so, when you look at it that way, one tool that the Building Board has that the building department doesn't have is actually requiring them to show up every month and give a report on their progress. Granted, lots of times they don't show up, but at least they are

told they're supposed to. With the building department, if they quit calling in inspections and they move somebody in, when I get phone calls and say did they get all their inspections, I say no. But, I don't go out and make um' move out. So…

Mrs Harrington — So, the C of O doesn't matter in any way?

Mr Wicklund — Well, it, it does matter more now than it used to, but it only matters if the contractor wants to have that in his own records or the banker or the mortgage company or the insurance company require it. And, a lot of um' don't, more and more of um' are but a lot of um' don't.

Mrs Harrington — Mr Ledford.

Mr Ledford — I did roughly thirty homes last year and I'd say lenders might have been a total of five that asked for the actual C of O. I hand them over, a lot of times I've handed them over the final inspection. But, Kim's way behind on C of O's most of the time too, so were way past that stage even, but yeah, it's an easy one to pull if…

Mrs Harrington — Mhmm…

Mr Wicklund — And, and, on remodels there's not even a CO that's even issued, there is final inspections that are supposed to happen, but I, your, I would say the majority of the time, the final inspection don't get called in.

Mrs Harrington — Mr Ledford.

Mr Ledford — So, your opinion is we need to follow these all the way through?

Mrs Harrington — No…

Mr Wicklund — No, my opinion is, I try to be as consistent, I tend to take consistency as one of the most important things. And, knowing that in many of these cases, Mr Hartwell was sayin' were dealing with some pretty poor neighborhoods with the, the, conditions of the properties. Jeff is going to identify, usually, the worst one in the neighborhood and have it before the Board. The houses on either side of it may very well also not be habitable and forcing the owner to make that one completely habitable when the other two on either side aren't, I'm not comfortable with….

Mrs Harrington — Yeah…

Mr Wicklund — If he cleans up the outside to where it's not longer the worst one on the neighborhood we've got so many of um' to get to that point we're never gunna' run out of um', but I understand the other side of it wanting to

follow them all the way through. There is value in that and, so, I think ultimately my opinion is there is going to have to be some, some, leeway on depending on the owners, the contactors, the property itself, some of them are going to have to be followed all the way through and some of um' aren't and the Board is just goin' to have to know that. I, I, feel like we've gotten to this point today because the Boards like, do we need to follow all the, all these all the way through? Or, none of um', just the shell? And, I don't think there is a clear answer to that.

Mrs Harrington — There is no answer. I, I, take more into, uh, into consideration, I, when I'm hearing from the staff that the beginning of the case. To me it's the most valuable part of it for Jeff to give us a brief rundown on, um, even if the person is here. What, what, has transpired between the building department, Jeff in particular, and that individual, um, I can tell a lot from their willingness to work with him. But, I, I, tend to not cut them any slack if I pick up that they have in anyway been reluctant or, um, abusive when it comes to, uh, dealing with the staff or, or, it tells me what their about and, so, the rundown by Jeff, or Bryan at the beginning of the case tells me more about what I'm going to do and that is always different, uh, uh, so, I am personally grateful that these ordinance are written in a way that gives us a lot of room to move about to move in them because the more rules, less is more as far as I'm concerned when it comes to that sort of thing. I would just assume cut a person, uh, some slack. There are a dozens of people that stand at that podium that all I want is for them to just be able to get it to where they need it and move on, but there are some of them that are bad actors and that we become familiar with to quickly and, um, those are the ones that I, I, would like very much to know that there feet are being held to the fire. Um, Mr Ledford.

Mr Ledford — So, the house that we use an example, you said wouldn't be, you wouldn't call it dangerous at this stage? If we release that, is there anything holding them accountable at that stage?

Mr Oliver — Well, not necessarily but at the same time let's say he quit, and it sit there as a shell, I could bring it back to you if I had complaints six months later, a year later.

Mr Ledford — Cause' at that stage for me it, he's got to much invested in it at that point to not complete it or at least get it habitable.

Mr Oliver — Right.

Mr Ledford — But, we do have the option of bringin' that back later?

Mr Oliver — Yep, um, I probably wouldn't, unless it had been sittin' so long somebody had kinda' vandalized it again. Maybe kicked the door in, somethin' like

that, um, but I could bring it back, again, you could go back to the definition of new constructions been abandoned.

Mr Paul — My only caveat to that is, I think bringin' it back would necessitate openin' a new file, new pictures, new service, all those cost associated with openin' it, whereas as long as you keep it open and not release, as soon as I have one good letter in here, I mean, I think, they've got ongoing notice they've got to take care of it until it's released en' after we let it fly away we've, and some people are easier to find than others, but on some of these people it's, it's, hard to get um', it's not really service but serve so to speak. That would be my only caveat to that.

Mr Ledford — So, from your standpoint it's good to see it all the end rather than bring it back?

Mr Paul — Well, I mean, again, if you think it's, it's no longer dangerous and he's goin' to take care of it, there's no real concern. Um, I wouldn't get to gun happy about releasing them all though to the point we've got folks that were bringin' back every so often. I mean, I think that is pretty rare, the way you've been handlin' it.

Mr Oliver — Yep.

Mr Paul — But, I, once you're ready to release it, I would, I would, not rely on we can just have it back next month if, if, we want it.

Mr Oliver — And, to let you know, um, the pre-letter that we are kinda' getting back to, um, I have had consent forms signed by probably about five people in the last six months, which kept it from comin' to you guys. They signed the consent from and were able to move forward with the demo, you know, order it out, so, um…

Mrs Harrington — That's effective, that saves so much money, uh, just in terms of publishing and, and, correspondence en' all of that, it's very effective it sounds like.

Mr Callihan — Um…

Mrs Harrington — Mr Callihan.

Mr Callihan — Just from a management standpoint, it's, it, it, it's, hard to just you know rely on your judgement and go well this ones okay, let's take it off the list, I mean, it, it, it's hard to manage in consistency.

Mr Oliver — Yes.

Mr Callihan — You follow procedure until you change procedure. It, it, just, it's goin' to be hard, I understand what you're sayin Bryan, it's, um, some of these you don't, the one on Sergeant, he's goin' to fix it. You know, everything indicates, others not so sure, so, how do you know, how do you, how do you, document a procedure on inconsistency?

Mrs Harrington — Mr Hartwell.

Mr Hartwell — I'd like to say as we are kind of I think are wrapping, coming to a close in this conversation, my first request of this, it was to just simplify find out what the, the, pleasure was of my fellow Board members today, and I think we kind of, at least I've had some in-site in to what you think and I hope you have some in-site into the way I have, um, approached these properties. So, um, I would like to see kind of a vision, you have a vision of where we want to go, and we have a vision statement of course, but kind of just a general concise of, okay, this is what were thinking, this is what is on everybody's mind, we've, I think completed that today. But, also understanding that we all act individually at the end of the day. So, I'm pleased with the way this had occurred and, um, I think we can just continue to move forward, but I also recognize this isn't a black and white issue as we go forward on these properties.

Mr Paul — I do have some files for you.

Mrs Harrington — Okay, were going to move on to, uh, demolitions it sounds like.

Mr Paul — Uh, where any of these pole?

Mr Oliver — No.

ITEM # 2852 — **523 HIGH AVE**
OWNER: Gerald Jackson
ADDRESS: 4764 Fraser Way Denver CO. 80239
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the October 26, 2018 meeting for a "Demolition Hearing" and Progress Report (SECOND TIME BEFORE THE BOARD)

Mr Paul — Okay, the first one is item 2852, which is 523 High Ave. Need a motion.

Mr Callihan — We need to make a motion, don't we?

Mrs Harrington — Oh, uh, I need a motion to, uh, declare a dangerous building.

Mr Wilson — Madam Chair, I make a motion that item 2852, 523 High, be the subject of a dangerous building hearing.

Mr Hartwell	Second.
Mrs Harrington	**I have a motion by Mr Wilson, second by Mr Hartwell that item number 2825 at 523 High Ave. be the subject of a Dangerous Building hearing.**
Mr Wilson	All in Favor….
Mrs Harrington	**Um, all in favor say "aye" (Mr Callihan, Mr Hartwell, Mr Wilson, Mr Ledford, Mr Denham, Mr Tylle and Mrs Harrington) Those opposed (none).**
Mr Paul	Thank you madam, this is the Joplin Building Board of Appeals meeting, the job municipal Building this 7th day of December 2018 for the purpose of conducting a Dangerous Building hearing the City will present its evidence first after which the public has the right to cross examine witnesses and be heard as well as present witnesses or exhibits. The case for today is item number 2852 also known as 523 High Ave. City calls Jeff Oliver.
Mrs Willhite	Jeff, do you 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	Will 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	Ten years.
Mr Paul	Have you in the official performance of your duties had occasion to inspect the property known 523 High Ave.?
Mr Oliver	Yes, I have.
Mr Paul	I'm going to show what is marked as exhibit one. Do you recognize exhibit one?
Mr Oliver	These are the photos that were taken of the property the day I posted it which was nine, twenty-one of this year.

Mr Paul	And, then I think, do you have, uh, uh, an updated photo on the last page?
Mr Oliver	Yeah, I went by yesterday and, um, took a picture of, uh, basically just the front of the property. Just to kinda' let you know that nobody is attempting to do anything with it, that it's sitting in the same condition it was the day I posted it.
Mr Paul	And, do all of those photos how reasonable lack-ness of the premises in their current condition?
Mr Oliver	Yes.
Mr Paul	And, looking at the first page of exhibit one, can you describe that to the Board, please?
Mr Oliver	This is the placard that I place on each property, um, stating that it's a dangerous structure.
Mr Paul	And, the purpose of that placard among other things is ta' give notice ta' any person that might be interested that there is an issue with that property and they should conduct, contact the City.
Mr Oliver	That's correct.
Mr Paul	If there is no objection I'd offer exhibit one.
Mrs Harrington	Court accepts.
Mr Paul	What if anything did you do ta' as retain ownership of the property?
Mr Oliver	Had a title search done.
Mr Paul	I'm goin' to show you what has been marked exhibit two. Do you recognize exhibit two?
Mr Oliver	This is the title search received from Great American Title. Uh, shows a Gerald L. Jackson as the owner.
Mr Paul	And, does that title work also indicate that this property was purchased at tax sale last year? You can just say yes.
Mr Oliver	Yep, it does. Yes.
Mr Paul	And, um, was that certificate of purchase issued to 18 Cert LLC?
Mr Oliver	Yes.

Mr Paul	Uh, if there's no objection I'd offer exhibit two. What if anything…
Mrs Harrington	Court accepts.
Mr Paul	Did you do to notify the, uh, owners of the property of the action?
Mr Oliver	Sent certified letters out.
Mr Paul	I'm going to show you what has been marked as exhibit three. Do you recognize exhibit three?
Mr Oliver	Exhibit three are certified letters that were sent to, uh, Gerald Jackson.
Mr Paul	And, it looks like there are a couple different addresses there, um, is that first address, uh, it looks like that's 4764 Frazier Lane Denver, Colorado, is that correct?
Mr Oliver	Correct.
Mr Paul	And, is that the address on file with the Jasper County Assessor?
Mr Oliver	Yes.
Mr Paul	And, so, that's where property tax statements go, correct?
Mr Oliver	Yes.
Mr Paul	And, then it looks like there's also a couple of other addresses on there, you remember what that 1107 Central Ave. is? Central St?
Mr Oliver	Probably on the title is where I got it.
Mr Paul	Okay, so, that's an address that was identified in the title work as bein' an address on file, correct?
Mr Oliver	Correct.
Mr Paul	Uh, if there is no objection I'd offer exhibit three.
Mrs Harrington	Court accepts.
Mr Paul	And, then did you also send a certified letter ta' the individual who purchased a tax sale?
Mr Oliver	Uh, yes.

Mr Paul	I'm going to show you what is marked as exhibit four. Do you recognize exhibit four?
Mr Oliver	This is a certified letter sent to 18 Cert LLC letting them know if the December seventh meeting today.
Mr Paul	And, even though there is not a signed receipt for that, is the address on file there the same that's listed as their registered agent with the Secretary of State?
Mr Oliver	Yes.
Mr Paul	If there is no objection I'd offer exhibit four.
Mrs Harrington	Court Accepts.
Mr Paul	What if anything else did you do to notify any interested party of this action?
Mr Oliver	It was published in the Joplin Globe.
Mr Paul	I'm gunna' show what has been marked as exhibit five. Do you recognize exhibit five?
Mr Oliver	It's the, uh, publica (mis-spoke), affidavit of publication, legal notice sent to the, uh, Joplin Globe for publication with the publication dates of November fifteenth, November twenty-second, November twenty-ninth and December sixth of this year.
Mr Paul	Thank you. If there is no objection, I'd offer exhibit five.
Mrs Harrington	Court accepts.
Mr Paul	What school and education have you had in the building industry have you had 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 an inspection of the property at issue here do you have an expert opinion as to whether or not these premises constitute a dangerous building as defined in chapter twenty-six, article ten, section twenty-six – six, one, two of the Code of Ordinances of the City of Joplin, and if so on which of the definitions of dangerous buildings do you base your opinion, if any?

Mr Oliver — Yes, I do. Sub-section line ten, whenever the building or structure, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, trash, filth, inadequate light, air ventilation or sanitation facilities, or otherwise is determined to be unsafe, unsanitary, unfit for habitation, or in such a condition that it is likely to cause sickness or disease. Line twelve, whenever the building or structure, or land it occupies, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure or land provided by this article or other applicable laws or ordinances of this state or City relating to the condition, use, location or maintenance of the building, structure or land. You can see by the photos being passed around this is a vacant structure, um, there's been some throughout the structure, uh, some probably by vandals, some probably, uh, deterioration due to leaks, uh, other things of that nature. Also line thirteen, whenever the building or structure has become an attractive nuisance to children or is open to unauthorized or unlawful entry. Uh, the property is open, uh, for entry. And line eighteen, whenever the building or structure is in such condition as to constitute a public nuisance known to the common law or in equity jurisprudence. Again, as you can see by the photos this property is in a dilapidated condition and certainly does not meet the City of Joplin's Code's or Ordinances as it sits today.

Mr Paul — Thank you, Jeff. Now would be any interested parties' opportunity ta' ask Jeff a question, uh, we don't have anybody in the gallery here today, I don't believe anybody informed us they intended to be here today but could not. Does the Board have any questions for Jeff on this property? I see none, if there is no objection, I would offer chapter twenty-six, articles nine and ten of the Code of Ordinances before the Board, I'd also ask that the record be held open to include a copy of the Joplin Globe on the dates of publication. Uh, City rests, now would be, again, the opportunity for any interested party to present evidence or otherwise address the Board, again nobody in the gallery here today, not aware of anybody who wished to be here but couldn't, uh, therefor matter is returned to the City or Board for a deliberation and a decision.

Mrs Harrington — I'd entertain a motion.

Mr Wilson — Madam Chair, I move that item 2852, 523 High St. (should be Ave.) be declared a dangerous building in accordance with Joplin Code of Ordinances, chapter twenty-six, articles nine, ten, section twenty-six, six twelve, lines ten, twelve, thirteen and eighteen and so ordered demolished to include any out buildings.

Mr Hartwell — Second.

Mrs Harrington — **I have a motion by Mr Wilson, second by Mr Hartwell that item number 2852 at 523 High Ave. be declared a dangerous building and ordered demolished in accordance with the City of Joplin Code of Ordinances under chapter twenty-six, articles nine and ten, sections twenty-six, six twelve, subsections ten, twelve, thirteen and eighteen. All those in favor of demolition say "aye" (Mr Callihan, Mr Hartwell, Mr Wilson, Mr Ledford, Mr Denham, Mr Tylle and Mrs Harrington) Those opposed (none) The motion carries.**

ITEM # 2851 — **1307 CENTRAL AVE**
OWNER: Austin Hayes
ADDRESS: 904 W. 3rd St. Joplin MO. 64870
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the October 26, 2018 meeting for a "Demolition Hearing" and Progress Report (SECOND TIME BEFORE THE BOARD)

Mr Paul — Uh, another one is item 2851, which is 1307 Central Ave.

Mrs Harrington — I need a motion to declare.

Mr Hartwell — Madam Chairwoman, I make a motion that item number 2851, 1307 Central Ave. be the subject of a dangerous building hearing.

Mr Wilson — Second.

Mrs Harrington — **Um, I have a motion that item 2851, 1307 Central Ave. be the subject of a dangerous building hearing. All in favor of demolition say "aye" (Mr Callihan, Mr Hartwell, Mr Wilson, Mr Ledford, Mr Denham, Mr Tylle and Mrs Harrington) Those opposed (none) The motion carries.**

Mr Paul — Thank you, this is the Joplin Building Board of Appeals meeting, the job municipal Building this 7th day of December 2018 for the purpose of conducting a Dangerous Building hearing, the present, the City will present its evidence first after which the public has the right to cross examine witnesses and be heard as well as present witnesses or exhibits. Uh, the case for today is item number 2851 also known as 1307 Central Ave., uh, City calls Jeff Oliver and reminds that you're under oath. Uh, how long have you been employed in your current position with the City of Joplin?

Mr Oliver — Ten years.

Mr Paul — And, have you in the official performance of your duties had occasion to inspect the property known as 1307 Central Ave.?

Mr Oliver — Yes, I have.

Mr Paul	I'm going to show you what has been marked as exhibit one. Do you recognize exhibit one?
Mr Oliver	Yeah, these are photos that I've taken of the property the day that it was posted, which was eight, twenty-four of this year. Um, on the back, or the last photo is a, uh, picture I took yesterday doin', my drive-bys, uh, basically just to show you that nothing has been done with the property.
Mr Paul	And, so, do all of the photographs show reasonable lackness of the premises in there current condition?
Mr Oliver	Yes, they do.
Mr Paul	And, uh, returning to page one, could you describe what that depicts to the Board, please?
Mr Oliver	This is a placard that I place on each of the properties that are declared uh' dangerous structure, uh, to inform the public that it's, that it's, been flagged.
Mr Paul	And, the purpose of that would also be to give any interested party who might come by the property notice that it's the subject of a proceeding before the Board, correct?
Mr Oliver	Correct.
Mr Paul	If there is no objection, I'd offer exhibit one.
Mrs Harrington	Court accepts.
Mr Paul	What if anything did you do to as retain ownership of the property?
Mr Oliver	Had a title search done.
Mr Paul	I'm goin' to show what is marked as exhibit two, do you recognize exhibit two?
Mr Oliver	This is the title search I received from Great American Title. Shows an Austin G. Hayes as the owner.
Mr Paul	If there is no objection, I'd offer exhibit two.
Mrs Harrington	Court accepts.
Mr Paul	Uh, what if anything did you do to notify the owner of the property of the action?

Mr Oliver	Sent certified letters.
Mr Paul	I'm going to show what has been marked as exhibit three. Do you recognize exhibit three?
Mr Oliver	These are certified letters sent to Austin Hayes, um, there are three here, um, first one is dated August twenty-eighth of this year, um, it's the courtesy letter that was sent, um, second is Finding-a-fact letter dated October fifth they know the October twenty sixth meeting. And, I have one, uh, dated November fourteenth, letting the, letting him know of today's meeting, December 7th. I would also like to add, while there are no signed receipts for these letters, I have had a couple of phone conversations with Mr Hayes, he's been very aware that it has been posted.
Mr Paul	Thank you, Jeff, and it looks like the addresses that these were sent to, uh, a couple were sent to, um, I guess all of them were sent to address that's on, uh, file, correct? Well, excuse me, the, at least the first one was sent to the address on file with the Jasper County Assessor, Correct?
Mr Oliver	Yes.
Mr Paul	Now, if there is no objection I'd offer, do you need to say this? If there is no objection, I'd offer exhibit three.
Mrs Harrington	Court accepts.
Mr Paul	What if anything else did you do to notify any interested party of this action?
Mr Oliver	It was published in the Joplin Globe.
Mr Paul	Let me show what has been marked as exhibit four, do you recognize exhibit four?
Mr Oliver	The legal notice that was sent over for advertisement, uh, of this property with the, uh, dates of publication November fifteenth, November twenty-second, November twenty-ninth and December sixth of this year.
Mr Paul	If there is no objection I'd offer exhibit four.
Mrs Harrington	Court accepts.
Mr Paul	Uh, what school and or education have 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 an inspection of the property at issue here, do you have an expert opinion as to whether or not these premises constitute a dangerous building as defined in chapter twenty-six, article ten, section twenty-six – six, one, two of the Code of Ordinances of the City of Joplin, and if so on which of the definitions do dangerous building do you base your opinion if any?

Mr Oliver — Yes, I do. Subsection line one, whenever the exterior walls or other vertical structure members list, lean or buckle to such an extent that a plumb line passing through the center of gravity, is, does not fall inside the middle one-third of the base. Uh, while I did not use the extreme line on this property, you can see in the photos that this house does have a slight tilt to it. Uh, line four, uh, whenever the building or structure, exclusive of the foundation, shows substantial damage or deterioration of the supporting or nonsupporting members, or enclosing or outside walls, or wall coverings. Um, again you can see by the photos, um, there's a lot of deterioration to the property, um, there are, is, an area of roof, soffit and facia that's in pretty bad condition, which would allow the elements to penetrate the, the, structure. Line ten, whenever the building or structure, because of inadequate maintenance, dilapiday (mis-spoke) dilapidation, decay, damage, faulty construction or arrangement, trash, filth, inadequate light, air ventilation or sanitation facilities, or otherwise is determined to be unsafe, unsanitary, unfit for habitation, or in such a condition that it is likely to cause sickness or disease. And, then line twelve, whenever the building or structure, or land it occupies, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure or land provided by this article or other applicable laws or ordinances of this state or City relating to the condition, use, location or maintenance of the building, structure or land. Again, as you can see by the photos that are being passed around, uh, this is a vacant property that is in a dilapidated condition, um, and certainly does not meet the City of Joplin's Codes or Ordinances.

Mr Paul — Uh, thank you, Jeff. Now would be any interested parties' opportunity to ask Jeff questions, we don't have anybody in the gallery here today and were not informed of anybody who intended to be here but could not, does the Board have any questions for Jeff on this property?

Mr Callihan — Nope.

Mrs Harrington — Nope.

Mr Paul — I see none. If there is no objection, I'd offer exhibit chapter twenty-six articles nine and ten of the Code of Ordinances into evidence before the Board. I'd also ask that the record held open to include a copy of the Globe on the, uh, dates of publication. Uh, City rests, now would be any interested parties' opportunity to present evidence or otherwise address the Board, again, nobody in the audience here today, not aware of anybody who intended to be here today but couldn't. Uh, therefor matter returned to the Board for deliberation and a decision.

Mrs Harrington — I'd entertain a motion.

Mr Wilson — Madam Chair, I move that item 2851, 1307 Central Ave. be declared a dangerous building in accordance with Joplin Code of Ordinances Chapter twenty-six, articles nine and ten, section twenty-six, six- twelve, subsections one, four, ten and twelve and so ordered demolished to include any outbuildings.

Mr Callihan — Second.

Mrs Harrington — **I have a motion by Mr Wilson, second by Mr Callihan that item number 2851 at 1307 Central Ave be declared a dangerous building and ordered demolished in accordance to the City of Joplin Code of Ordinances under Chapter twenty-six articles nine and ten sections twenty-six, six-twelve subsection one, four, ten and twelve All those in favor of demolition say "aye" (Mr Callihan, Mr Hartwell, Mr Wilson, Mr Ledford, Mr Denham, Mr Tylle and Mrs Harrington) Those opposed (none) The motion carries.**

Mr Paul — So, there's two buildings here?

Mr Oliver — Yes.

Mr Paul — How are they situated? So, it's kinda like a back building? But, they've got the same legal description, don't they? Then, I think were fine.

ITEM # 2854 — **3035 & 3035 ½ E. 12th ST.**
OWNER: Danny Cardoso
ADDRESS: 5301 W. County Rd. 350N Muncie IN. 47304
"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the October 26, 2018 meeting for a "Demolition Hearing" and Progress Report (SECOND TIME BEFORE THE BOARD)

Mr Paul — Uh, we've got one more for you all to consider, it's, uh, item 2854, 3035 & 3035 ½ E. 12th St.

Mr Callihan — Madam Chairman, I make a motion that item 2854, 3035 & 3035 ½ E. 12th St. be the, uh, the topic of dangerous, be declared a dangerous Building.

Mrs Ledford — Second.

Mrs Harrington — **I have a motion my Mr Callihan, second by Mr Ledford that item number 2854 at 3035 & 3035 ½ E. 12th St. be declared a dangerous building and subject of a Demolition Hearing. All in favor of demolition say "aye" (Mr Callihan, Mr Hartwell, Mr Wilson, Mr Ledford, Mr Denham, Mr Tylle and Mrs Harrington) Those opposed (none) Yeah.**

Mr Paul — Thank you, this is the Joplin Building Board of Appeals meeting, the job municipal Building this 7th day of December 2018 for the purpose of conducting a Dangerous Building hearing, the present, the City will present its evidence first after which the public has the right to cross examine witnesses and be heard as well as present witnesses or exhibits. Uh, the case for today is item number 2854 on the agenda also known as 3035 & 3035 ½ E. 12th St., uh, City calls Jeff Oliver and reminds that you're under oath. Uh, would you please state your name and occupation for this record.

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?

Mr Oliver — Ten years.

Mr Paul — Have you in the official performance of your duties had occasion to inspect the property known as 3035 & 3035 ½ E. 12th St?

Mr Oliver — Yes.

Mr Paul — Um, I'm going to show what has been marked as exhibit one. Do you recognize exhibit one?

Mr Oliver — Yes, these are photos that I took of the properties the day it was posted, which was October eleventh of this year.

Mr Paul — And, do the photographs show reasonable lackness of the premises in their current condition?

Mr Oliver — Yes.

Mr Paul — If there is no objection I'd offer exhibit and let me back track there. Can you describe to the Board what the first page of exhibit one depicts?

Mr Oliver	It's a warning, uh, placard that is posted on every property, uh, that I post as a dangerous structure.
Mr Paul	And, that's designed to give not only the public, but any interested party, uh, notice that the property is subject before, uh, proceeding in front of this Board, correct?
Mr Oliver	If there is no objection, I'd offer exhibit one.
Mrs Harrington	Court accepts.
Mr Paul	What if anything did you do to as retain ownership of the property?
Mr Oliver	Had a title search performed.
Mr Paul	I'm going to show you what has been marked as exhibit two. Do you recognize exhibit two?
Mr Oliver	This is the title search we received from Great American Title that shows a Danny J. Cardoso as the owner.
Mr Paul	And, and, Jeff, just to be clear here, uh, even though this is labeled as 3035 & 3035 ½ E. 12th St. in Joplin, uh, that is one, uh, real-estate track, it's got one legal description, correct?
Mr Oliver	Correct.
Mr Paul	If there is no objection, I'd offer exhibit two.
Mrs Harrington	Court Accepts.
Mr Paul	What if anything did you do to notify the owner of the property of this action?
Mr Oliver	Sent out certified letters.
Mr Paul	I'm going to show you what has been marked as exhibit three. Do you recognize exhibit three?
Mr Oliver	These are certified letters that were sent out to Danny, um, the first one here is sent to Buffalo Island California, uh, letting him know of today's meeting and I do have a signed receipt for that. Um, there is another one also dated, uh, November fourteenth that was sent to Muncie Indiana, no signed receipt for that. And, um, there's a third one here, it was Finding-of-Fact letter that was sent to the address in Indiana, no signed receipt for that.

Mr Paul — And, to be clear, you do have at least one certified letter here, but the letters for which you don't, those were sent to the address that was on file with the Jasper County Assessors Office, correct?

Mr Oliver — If there is no objection, I'd offer exhibit three.

Mrs Harrington — Court accepts.

Mr Paul — Uh, what if anything else did you do to notify any interested parties of this action?

Mr Oliver — Uh, they were published in the Joplin Globe.

Mr Paul — Uh, I'm showing you what is marked as exhibit four. Do you recognize exhibit four?

Mr Oliver — This is the legal notice sent over to the Joplin Globe for, uh, publication with the publication dates of November fifteenth, November twenty-second, November twenty-ninth, and December sixth of this year.

Mr Paul — If there is no objection, I'd offer exhibit four.

Mrs Harrington — Court accepts.

Mr Paul — What school and or education have 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 an inspection of the property at issue here do you have an expert opinion as to whether or not these premises constitute a dangerous building as defined in chapter twenty-six, article ten section twenty-six – six, one, two of the Code of Ordinances of the City of Joplin and if so, in which of the definitions do you base your opinion, if any?

Mr Oliver — Yes, sub-section line ten, whenever the building or structure, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, trash, filth, inadequate light, air ventilation or sanitation facilities, or otherwise is determined to be unsafe, unsanitary, unfit for habitation, or in a, or in such a condition that it is likely to cause sickness or disease. Line Twelve, whenever the building or structure, or land it occupies, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure or land provided by this article or other applicable laws or ordinances of this state or City relating to

the condition, use, location or maintenance of the building, structure or land. Line thirteen, whenever the building or structure has become an attractive nuisance to children or is open to unauthorized or unlawful entry. And also, line eighteen, whenever the building or structure is in such condition as to constitute a public nuisance known to the common law or in equity jurisprudence. You can see by the photos that have been passed around these are vacant structures, um, there is a lot of, uh, trash and filth, um, they certainly don't meet the City of Joplin's Codes or Ordinances they are definitely not a habitable property, uh, in the condition that they currently sit. Um, and I also know just probably just a block and a half away there's a little day care center, um, close, real close proximity, so it'd be, it'd be, nice to see these gone. So…

Mr Paul — Uh, thank you Jeff, now would be the, uh, owner or any interested parties' opportunity to ask Jeff questions, uh, nobody in the gallery here today, not aware of anybody who intended to be here but couldn't. Uh, does the Board have any questions of Jeff on this property?

Mr Callihan — No.

Mr Paul — Uh, thank you, Jeff, if there I'd offer chapter twenty-six, articles nine and ten of the Code into evidence before the Board and I ask that the record be held open to include a copy of the Globe on the dates of publication. Uh, City rests, now would be the opportunity for, again, a property owner or any interested party to address the Board, present evidence, uh, anything of that nature and again, nobody in the gallery here today and the Board had no notice of anybody who intended to be here but couldn't, uh, therefor the matter is turned back over to the Board for deliberation and a decision.

Mrs Harrington — Thank you. Uh, motion?

Mr Ledford — Mrs Chairman, I make a motion that item 2854, address 3035 & 3035 ½ E. 12th be declared dangerous and ordered demolished under chapter twenty-six, article nine and ten, section twenty-six – six, twelve, subsections, ten, twelve, thirteen and eighteen.

Mr Callihan — Was that ten or eleven?

Mr Harrington — Ten.

Mr Callihan — Okay.

Mrs Harrington — Ten, twelve, thirteen and eighteen is what I have.

Mr Callihan — Second.

Mr Wilson — And, so ordered demolished.

Mr Ledford — And, so ordered demolished.

Mr Wilson — Please, include any outbuildings.

Mr Ledford — Including any outbuildings.

Mrs Harrington — Do you amend your second…

Mr Callihan — Second.

Mrs Harrington — **There you go. Uh, I have a motion by Mr Ledford, second by Mr Callihan that item number 2854 at 3035 & 3035 ½ E. 12th be declared a dangerous, dangerous, building and ordered demolished in accordance of the City of Joplin Code of Ordinances under chapter twenty-six, article nine and ten, section, section, twenty-six – six, twelve…**

Mr Paul — Do you have any idea when we are going to be able to meet or no?

Mrs Harrington — **Subsections, four, sorry, subsections, strike four, subsections ten, twelve, thirteen and eighteen. All those in favor of demolition say "aye" (Mr Callihan, Mr Hartwell, Mr Wilson, Mr Ledford, Mr Denham, Mr Tylle and Mrs Harrington) Those opposed (none) Motion Carries.**

Mrs Harrington — Is that it for the day gentlemen? Mr Hartwell.

Mr Hartwell — I just have a real quick comment, we've been here quite some time but, does anybody have any, I know some of the members of the Board, um, know Mr Palmert. I don't know if there is any update on his condition or if he's, I mean, if we, if he's resigned, what's the story?

Mr Callihan — Um, I talked to Sandy a couple months ago, I mean, he's been, he, last I heard Dave was back in ICU, um, he was in the, that, um, I forget the name of it but…

Mrs Harrington — One of the…

Mr Callihan — Hospital

Mrs Harrington — Yeah, he's, he's back out now...

Mr Callihan — Well…

Mrs Harrington — As of this week, the information I got but by way of his daughter was that progress is two steps forward and one step back. They are hearing his voice

and he is recognizing now and verbalizing both his daughter and his wife, um, uh, doing as well can be expected, um, there handling it.

Mr Callihan — Kay'.

Mrs Harrington — A little bit of progress, I think probably notifying anybody about this is the last thing on their mind.

Mr Hartwell — And, I, I, completely understand that…

Mrs Harrington — Yeah.

Mr Hartwell — I'd like, I would like to see the Board though have uh' a functionable…

Mrs Harrington — Full…

Mr Hartwell — Full…

Mrs Harrington — Members…

Mr Hartwell — So, if we have to take action on that to make it easier on them, I totally understand that, but I would just like to see the Board…

Mrs Harrington — Maybe by the end of January we'll have uh'

Mr Hartwell — Completely. At least it takes long enough to get to Council ta' get somebody to us sometimes. So, it would be nice to get that process started.

Mrs Harrington — Thank you, for asking about that Mr Hartwell. Mr Ledford.

Mr Ledford — Should we accept our August minutes? Did we do that?

Mrs Harrington — Uh, we didn't and that's one of the things that I, uh, questioned you, do we need to, um, review those and make uh'...

Mr Paul — Did you all just get them this morning?

Mr Callihan — Yes.

Mrs Harrington — Yes.

Mr Ledford — I, I, think that…

Mr Paul — It probably wouldn't hurt to take um' home and, you know, to the extent that y'all want to review um'. We, we, can approve next time, I mean there

as far behind as this is at this point, it, another months not goin' to kill anybody.

Mr Callihan — Right. Uh, this is mark. There were some were some errors that, uh, Mr Wilson already pointed out.

Mrs Harrington — Well let's, let's deal with um' when go completely…

Mr Callihan — Right, I understand. That's why I don't wanna.

Mr Harrington — So, my suggestion would be that everybody review them as thoroughly as they can.

Mr Callihan — Right.

Mrs Harrington — Make notes.

Mr Paul — And, and, what might be helpful is if you all have anyway to get those to us ahead of time maybe we can get them, a purposed corrected version.

Mrs Harrington — Absolutely.

Mr Paul — A purposed corrected version in front of ya.

Mrs Harrington — An email or call to Mr Oliver would make that…

Mr Paul — Is that where you want them to go?

Mrs Harrington — Global.

Mr Paul — Okay.

Mr Wilson — The main things that I see is transposition of names who made the proposal or second and it starts on page eleven.

Mrs Harrington — Okay.

Mr Wilson — So, where'd, uh…

Mr Callihan — Callihan…

Mr Wilson — Callihan was the, exchanged names was Mr Callihan for, um, Kyle Denham. So, it was back and forth on that. And, several pages thereafter, so, that should help you out.

Mrs Harrington — Yeah, I think that comes from not identifying ourselves, doesn't it? So, that was a perfect truth and Mr Oliver.

Mr Oliver — I was just goin' to add if any of you guys know anybody that would be a good qualified person for this Board, please have um' come and sign up 'cause there probably appointing somebody shortly after the first of the year. Proven somebody doesn't come back.

Mrs Harrington — Kay'.

Mr Hartwell — Do you have any specific, I mean, we have an idea, but any criteria you would like to see moving forward? Or suggestions at least?

Mr Oliver — Um, I always like, uh, uh, building background of some kind, but I mean, you know, retired fire fighter, anybody that would know…

Mrs Harrington — Yeah.

Mr Oliver — A little somethin' about building.

Mr Callihan — Mhmm…

Mrs Harrington — Keep our ears open for qualified…

Mr Paul — Some kind of industry experience, whether it's real-estate or construction er' anything like that.

Mrs Harrington — Kay'.

Mr Oliver — An I bet there's probably two people on the list waitin' and I don't even know who those might be…

Mrs Harrington — Yeah…

Mr Oliver — It's not like there is a long waiting list or a lot of people wanting on this Board, so…

Mr Paul — Yeah, yeah.

Mrs Oliver — Um, yeah please tell um'…

Mrs Harrington — What? You're tellin' me there not excited about…

Mr Oliver — To come in.

Mr Paul	Well, we don't sit in on other Boards, but I think it, it, goes without sayin' this Board does more work I think than any other Board or Commission.
Mrs Harrington	Yeah, yeah.
Mr Callihan	Madam Chairman, I make a motion that we end this meeting.
Mr Paul	Put you out of your misery?
Mr Wilson	Second.
Mrs Harrington	**I have a motion by Mr Callihan, second by Mr Wilson to adjourn. All in favor of demolition say "aye" (Mr Callihan, Mr Hartwell, Mr Wilson, Mr Ledford, Mr Denham, Mr Tylle and Mrs Harrington) Those opposed (none) Motion Carries.**

There being no further business to come before the Building Board of Appeals during regular session, the regular session meeting stood adjourned at 11:58 a.m.

Approved _____
Crystal Harrington, Chairwoman

Approved _____
Olivia R Ball, Notary Public

OLIVIA RAE BALL
My Commission Expires
December 11, 2022
Jasper County
Commission # 18604967

My commission Expires: December 11, 2022