JOPLIN | BUILDING BOARD OF APPEALS

BUILDING BOARD OF APPEALS

Meeting Minutes

FRIDAY, DECEMBER 8, 2023

Call to Order

Mr. Denham called to order the regular meeting of the Building Board of Appeals on December 8, 2023.

Roll Call

Mr. Denham conducted a roll call. The following persons were present: Kyle Denham, Lance Windsor, Christopher Tucker, Gary Duncan, Garret Wagner, Michael Wicklund, Assistant City Attorney Jordan Paul, City Building Officials Jeff Oliver, Jeff Hadley, Bryan Wicklund and Administrative Assistants Vicky Copeland and Jo Anne Mergenthaler. The following person was absent: Steve Brown.

Motion to Excuse

Mr. Duncan made a motion to excuse Mr. Steve Brown from the December 8, 2023, Building Board of Appeals Meeting. Mr. Tucker seconded the motion. (6 Aye 0 Nay, 1 Absent)

Approval of Minutes

Mr. Windsor made a motion to approve the Building Board of Appeals minutes from October 27, 2023, and Mr. Wicklund seconded the motion. (6 Aye, 0 Nay, 1 Absent) Motion carried.

Continued Items

Item 2987, 306 1/2 S. Connor Ave. & 2986, 302 S. Connor Ave.

Levi Babb, Blue Shutter Investments, for 306 S. Connor and 302 S. Connor.

Mr. Babb started on 306. He stated that they had a few things that needed to get prepped on the inside, so that the plumber and electricians could get going and now they have that accomplished. He continued that they have both the plumber and electrician rough-in scheduled for next week and then the siding will be going on next week as well. He feels that by our next meeting the going plan is to be able to have all the rough-in done and past off on inspections. Their entire goal is to be done in 3 months on that one and hopefully be off this Board in the next couple of months.

As far as 302 I met with Rick right before this meeting. There was one last piece that he needed on it to be able to finalize off the permits on 302. I got that data here so I'm going to go back to my office right after this and get that piece of information and get that back up here. Then he voiced that his goal is to be able to have those permits issued next week and then from there they can really get going. He has been staying in contact with all the contractors. They have them ready to go so as soon as we have those permits then they can hit the ground running on that building as well.

Mr. Denham: And are you keeping them secure.

Mr. Babb: Yes. We are going by there, constantly.

Mr. Wicklund: I made a note last time that you were supposed to have a meeting with the fire marshal. Did you have that done?

Mr. Babb: Yes

Mr. Wicklund: On 302

Mr. Babb: Yes

Mr. Denham: Any other questions or comments. Do we have a motion to continue items 2986 and 2987.

Mr. Windsor made a motion to continue Item 2986 and 2987, 302 and 306 ½ S. Connor Avenue to the January 26, 2024, Board of Appeals Meeting for progress report and demolition hearing. Seconded by Mr. Wicklund. (6 Aye, 0 Nay, 1 Absent) Motion carried.

Item 3030, 1010 E 20th St.

I am Stephanie Kendall and this is Wyatt Jones. We are here representing Mr. Allyn Burt.

I don't know a whole lot about what's going on with this. I do know that this property is secured and would like to continue until Allyn can be back next month. Wyatt might have more information on the building and the progress of it.

Wyatt stated that they had put new windows in and then they got busted out. All five basement windows got busted out and then one on the main floor got busted out too. He said that he checks it every morning on his way back home from the gym. He has a key, and he walks through it and the basement to make sure that it is empty. He stated that their last meeting with Molandco, which is a construction company, Allyn gave them the go ahead to go with the plans that they have available that were based off 2011, I think, so we are moving forward with those plans so it should speed up the progress on that end. Mr. Denham asked if there were any permits applied for yet. Wyatt said he didn't think so.

Bryan Wicklund stated that there is a permit in place. Molandco purchased a permit 5 months ago. Because of unexpected things coming up Bryan talked with Allyn yesterday about 5 o'clock pm. Bryan said that one thing after another has caused this to be drawn out. Byan asked Wyatt if he was understanding correctly that there's five basement broken windows right now. Wyatt replied correct. Wyatt stated that they ordered windows through Right Out, but that the last time they were ordered it took a long time to come in and the wrong ones came in.

Bryan asked Jeff Oliver if he had been by the property. Jeff replied that he went by on Thursday but that he didn't check on the basement windows. Mr. Windsor asked if the windows were currently boarded up and Wyatt said yes that they are on the south side of the building. Mr. Windsor said, "I recommend that you guys end up putting a fence around that building until construction gets going and we've got someone there every day. I think that's an expense but it's probably less than an expense then having to pay for windows constantly over and over. So, I would recommend getting a fence up". Wyatt agreed.

Mr. Wicklund asked, "If this building is secure, is there any reason why this is still on our Board. Bryan explained that they have shell buildings all over town and that the issue with this one is that it's been 12 or 13 years where it sat empty, but if it is kept secured and complete on the outside and looks complete, then that satisfies the minimum requirements of the Code.

We've had it where, if the Board is comfortable with it, it certainly could release this - once the permit has been issued and allowed a permitting process. Then if no progress

has been made it might end up right back before the Board. But again, there was a permit issued about 5 months ago before the complete renovation of the interior of this building. It was asked how long the permit was good for and Bryan replied one year. Mr. Tucker said that he would feel more comfortable if there was a fence around it and Mr. Windsor agreed. Ms. Kendall asked if they are talking about the orange fences or a more secured fence. The Board answered a secure fence, chain link and tall. There is concern with the Board that someone might get hurt. Fencing was mentioned before and Allyn didn't agree to it, but he thought it was a good idea. Mr. Duncan made the comment that the Board wants to make sure that something is getting done and not just sitting there. Ms. Kendall agreed. Mr. Duncan said that he would like them to come back with a schedule of how things are going to ramp up.

Mr. Duncan made a motion, and it was seconded by Mr. Wicklund that item 3030 1010 E 20th St. be extended to our January 26th for progress report and demolition meeting. (6 Aye 0 Nay, 1 Absent) Motion carried.

Item 3026 2611 S Pearl; 3027 2617 S Pearl; 3028 2621 S Pearl Ave.

David Papen and Jeremy Brown representing 2611, 2617 and 2621 S. Pearl Ave. They are requesting that they can get removed from the Board so that they can get financing from the bank. Discussions were made on how difficult it is to get financing when on the Building Board of Appeals. It was stated by Mr. Papen that they have had the fire guy out and they are ready to go, they have a permit and want to get started. Asked by the Board if they had a timeline of completion and David stated probably April or May to finish up.

Mr. Denham asked whether Mr. Papen was the rightful owner of the property now. He said no and that he had to have the permit in place to close and they are unable to close with it being on the Board. The Board discussed why the property wasn't fenced, which was agreed at the last meeting and part of a motion. (No fence yet.) There was much discussion on this, quotes were taken by Mr. Papen, but he said that it was very expensive. "I don't think that this fence, in my personal, opinion, that it is necessary," stated Mr. Papen. The Board spoke on how this property has dragged out for quite a while and they are concerned about it getting completed.

Talks on how difficult it has been because it is on this Board. With the building department watching with inspections, it was said that if it can be taken off the Board for a short time then they can close on the property and get renovating right away. Mr. Wicklund confirmed that it is getting harder for financing to go through on properties that are on the Building Board. He also stated that a lot of local banks are not wanting to loan on properties that are scheduled or on our current Building Board. That's confirmed with SB and Arvest.

Some of the issues that were made, about what was hoped for, at the last meeting with a chain link fence around the slab, timeline and permit in place – which they have now, the closing which they are working on and last was an engineer look at the roof and provide a report. He asked if there is a report. Bryan Wicklund stated that the permit was just issued the night before at about 4:30 pm and that this hasn't happened yet. Mr. Paul spoke about how the Board could take it off their list and bring it back on and that it would just be duplicating the administrative costs. Mr. Tucker asked if this would be considered New Business if it was taken off the board and brought back on after. Mr. Paul said that it would be.

Mr. Duncan replied that his concern is that they see some progress. Discussion was made if the property was all one project and Mr. Papen replied that to get the loan it would have to be all together. Mr. Wicklund stated that it shows up as a provision on the title work and its requirements. He also said that the bank is going to require the title company to insure over that, but they won't do that, so he won't have full title insurance with this being on our board.

Mr. Denham asked if there were any neighbors present that would talk on this. There were none.

Mr. Tucker said that it's got to be a package deal, because he is saying clearly, that he needs to close on all properties, for the bank to finance it. I would include to make it very clear, if I am still on this Board by then and I see it again and we're still dealing with this, I'm not going to be as considerate as I am today.

Mr. Brown mentioned that they asked for 30 days to close on the property and that he is preparing an addendum next week to close with Great American. Mr. Paul spoke about how this could be fundamentally released from the Board and brought back on in 30 days and if there is open channel of communication, and somebody is going to be able to tell us whether its closed or not. If it's not, then it sounds like the Boards path would be to repost it.

Jeff Oliver asked if Mr. Papen had contact with subcontractors, electricians, plumbers and Mr. Papen replied yes and stated a few he had lined up. Mr. Windsor made it clear that if they release, they will want to see progress on this property and if not, measures will be voted on to have the property demolished. Mr. Tucker asked Mr. Paul, for the record, if we push it out to 30 days and it's going to be new business, we can't even touch it for 60 days. Mr. Paul replied yes. Mr. Brown said the owner is going to be selling other properties to help pay off some of the debt to keep the bank at bay.

A motion to release for 30 days was made by Mr. Tucker that item 3026, item 3027, item 3028, 2611, 2617 and 2621 S. Pearl Ave., be taken off our list for 30 days until our next meeting in January. Mr. Wagner seconded the motion. (4 Aye 2 Nay, 1 Absent) Motion carried.

Item 2985 130 S. Moffet Ave. Wendy Stevens.

Wendy Stevens spoke on how she did what she said she was going to do, fix it or sell it. I am under contract with Mercury Sky Investments, which she has allowed to come into the house and take photos. A walk through with the inspector was made and a list of what needs and doesn't need to be done was made. Ms. Stevens has a closing date on the sale of January 12th.

Star Morrison, owner of Mercury Sky Investments spoke about how this is going to be a cash sale. She also spoke about her life and what she has accomplished and her interest in the property since 2021 and her plans on what she probably will do with the property after completion. She stated that there was much work to be done, from replacing the foundation, exterior work, heating and plumbing. Some electrical work has been done. She will be hiring the trade contractors to do this work. It was mentioned again that it will be a cash sale and that the buildings are all one property. She presented photos that were taken, and all financials were also presented to the Board.

Mr. Denham stated that he didn't have a problem with extending this another meeting and seeing if they can get it closed and get something moving on it. He said that it's not a terrible eye sore nor is it open, as far as he knows, and it's not a subject of vandalism.

It was discussed how the property is over 100 years old. It was built in 1904 by Albert Newman founder of Newman Brothers Department Store, which was in this building that we are in. Ms. Stevens also said that it is on the National Registry.

Ms. Morrison provided a list of every person, up until the last 50 years, who has owned the property.

Motion by Mr. Wicklund Seconded by Mr. Tucker for item 2985 130 S Moffet be extended to our January 26th meeting for progress report and demolition hearing. (6 Aye 0 Nay, 1 Absent) Motion carried.

Item 3015 117 S. Byers and 3016 121 S Byers Ave.

Dustin Mellies spoke on property at 117 and 121 S. Byers Ave and gave an updated schedule for completion. He has a full set of blueprints from our architect stamped and they are getting reviewed for LOD's. They were presented last week. A statement was made by Mr. Tucker in commending them on their work in cleaning up the property and making it look the prettiest it's been in years.

The board stated that there are permits to do the exterior siding, windows replacement and demolition which allows them to move forward. It has improved the visual appearance considerably. The building board has the plans now to be reviewed and hopefully the owners will get a permit issued quickly on the rest of it. Some discussion was made on extending for 60 days and agreed.

Motion by Mr. Wicklund and seconded by Mr. Duncan that items 3015 117 S Byers and 3016 121 S Byers be extended to our February 23rd meeting for progress report and demolition hearing. (6 Aye 0 Nay, 1 Absent) Motion carried.

Item 3056 217 S. Pearl Ave.

Elizabeth is here on behalf of Isidro Ruiz on the address of 217 S Pearl Avenue. She stated that the roof is finished, and she got the permit a week after the last meeting, and she has a copy of it, if needed. The land has been cleared of debris and tree limbs and she has pictures of that. The board asked Mr. Oliver if he was aware of any issues with the property. He stated none.

Motion by Mr. Duncan and seconded by Mr. Windsor that item 3056 217 S Pearl be extended to our January 26th meeting for progress report and demolition hearing. (6 Aye 0 Nay, 1 Absent) Motion carried.

Item 3061 1826 S. Pearl Ave.

Mr. Hensen and his wife presented info on the property belonging to his parents and that he has his mother's will with him. He read parts of it to the Board. He said that they got someone to do some work on the property, but when they started looking at the situation and read in the will the underwriters would not OK the sale of it. He said the problem was they didn't have a trust set up for his sister. More discussion was made on the property being vacant currently and that there have been some fires in the neighborhood with homeless people trying to stay warm and homes catching fire. Fortunately, theirs didn't. He also said over the years his wife and himself has paid the taxes and had insurance on it. But it's to a point that they can't afford to fix it and the insurance would not insure it now... (wife stepped in and said it is insured now). The

Board asked if the document was notarized, and some discussion was made. Mr. Paul mentioned that the will needs to be in probate within a year of it and asked if it was. They replied that on the top, it says probate division filed September 27th, 1995. The Board suggested them taking the will to meet with an attorney and they can figure out what they need to do.

The Board said that the way the Board operates is that this is the first time this is on our agenda. We automatically must continue another month to our next month meeting. Suggestion was made to speak with an attorney before the January 26th meeting and hopefully the legalities will be worked out by then.

A motion by Mr. Tucker and seconded by Mr. Windsor that item 3061 1826 S Pearl continue to our January 26 meeting for progress report and demolition hearing. (6 Aye 0 Nay, 1 Absent) Motion carried.

Item 3011 911 W. B Street

Mr. Phillip Bentz representing this property asked if the rough-in inspections were done yesterday and that he thought they had been called in. Mr. Bentz said that the electricians got there two weeks ago and got the new service meter base in. They updated to 200 amp went right up to the roof and that wiring was done. He said that the plumbers will be starting after the electricians and that should be this coming weekend.

Mr. Oliver stated that he knows that their permit will be expiring in January and that they will need to give written notice for an extension and possibly might have to pay for a whole new permit. It was understood by Mr. Bentz.

Mr. Denham asked about what their timeline would look like if the permit was extended in January. Mr. Bentz said that once the rough-in plumbing is done then it is back to him, and they can get the finish work in quickly. He said that it shouldn't be an extension of more than a couple of months.

Motion by Mr. Wicklund seconded by Mr. Tucker that item 3011 W B be extended to our January 26th meeting for progress report and demolition hearing. (6 Aye 0 Nay, 1 Absent) Motion carried.

Item 3054 1624 W 4th Street

Frank Buchanan spoke on this property and wanted to encourage the Board to hasten the demolition of this property. Mr. Buchanan is representing property at 416 S Maiden Lane, which is a church. He spoke on how this property has become a nuisance for them and the neighborhoods. The house is not inhabited but there are campers in the back and perhaps inside occasionally.

The Board asked if this property was ready for demolition. Mr. Paul said that they had to send a notice to a lienholder, but otherwise he anticipates it will be ready for a hearing in January.

Mr. Denham said that there are a lot of legal processes that take place behind the scenes before they can order a house, or a structure demolished, and they do their due diligence to find any lienholders or anyone with a financial interest in the property. He stated that possibly by their January meeting it will be ready for a demolition hearing.

Motion by Mr. Wicklund and seconded by Mr. Duncan that item 3054 1624 W 4th Street be extended to our January 26th meeting for progress report and demolition hearing. (6 Aye 0 Nay, 1 Absent) Motion carried.

Mr. Paul introduced Andrea Knoblock as the new Assistant City Attorney and asked her to come forward to watch Mr. Oliver and him present a demolishing hearing.

Is there a motion to have 3055 828 S Murphy a subject to a dangerous building hearing.

Motion by Mr. Tucker seconded by Mr. Wicklund item 3055 828 S Murphy be the subject of a dangerous building hearing. (6 Aye 0 Nay, 1 Absent) Motion carried.

The Board turns it over to the city.

Mr. Paul spoke, "This is the Joplin Building Board of Appeals meeting in the Joplin Municipal building this 8th day of December 2023 for the purpose of conducting a dangerous building hearing the city will presents 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 first case for today is item number 3055 on the agenda also known as the 828 S Murphy Avenue. City calls Jeff Oliver."

Admin: **YOU DO SOLEMNLY AFFIRM, UNDER THE PENALTY OF PERJURY, THAT THE TESTIMONY YOU SHALL GIVE IN THE MATTER AT ISSUE SHALL BE THE TRUTH, THE WHOLE TRUTH AND NOTHING BUT THE TRUTH.**

Mr. Oliver: Yes

Mr. Paul: Will you please state your name and occupation.

Mr. Oliver: Jeff Oliver, Building Inspector for the for the city of Joplin.

Mr. Paul: How long have you been employed in the current position with the city.

Mr. Oliver: Approximately 15 years.

Mr. Paul: Have you in the physical performance of your duties and dedication, inspected the property, commonly known as 828 S Murphy Avenue

Mr. Oliver: Yes, I have

Mr. Paul: I'll show two sets of photographs here. The first marked exhibit 1.1 and the second set is marked exhibit 1.2. Do you recognize those photographs.

Mr. Oliver: Yes exhibit 1.1 are photos that were taken of the property the day that it was posted, on August 1, 2023. And exhibit 1.2 are photos that I took yesterday, on the 7th of the property.

Mr. Paul: Are all the photographs appearing in accurate depiction of the property.

Mr. Oliver: Yes.

Mr. Paul: If there is no objection, I'd offer 1.1 and 1.2.

Mr. Denham: The Board accepts.

Mr. Paul: Jeff before I get too far along here, if we look at the first page of exhibit 1.1, there is a placard on the property. Is that correct.

Mr. Oliver: Yes, that's correct.

Mr. Paul: And that's a notice designed to notify any interested party who may be present on the property that subject to this proceeding. Is that correct.

Mr. Oliver: Yes, that's correct.

Mr. Paul: What if anything has been done to ascertain and to find ownership of the property.

Mr. Oliver: We've had a title search done.

Mr. Paul: I'm going to show this marked as exhibit 2. Do you recognize exhibit 2.

Mr. Oliver: This is a title search received from Great American Title and it shows a Jonathan Steven Lopez and Abraham Jeremias Lopez as the owners.

Mr. Paul: Thank you. If there is no objection offer exhibit 2.

Mr. Denham: Board accepts.

Mr. Paul: What if anything did you do to notify any interested party to this action.

Mr. Oliver: Sent out certified letters.

Mr. Paul: Make sure it is marked as exhibit 3. Ask if you recognize exhibit 3.

Mr. Oliver: These are letters that were sent to Jonathan and Abraham to an address in Neosho. I do have a signed receipt for one of those letters and I can also say that one of our inspectors did meet them on site probably about 6 or 8 weeks ago to talk about the property.

Mr. Paul: OK. And just to be clear, there in addition to fact, you have a signed letter here and you did mail to the address on file with the Jasper County Assessor's Office for property tax purposes, correct.

Mr. Oliver: Correct

Mr. Paul: If there is no objection, I'd like to offer exhibit 3.

Mr. Denham: Board accepts.

Mr. Paul: What if anything else did you do to find any interested parties.

Mr. Oliver: It was advertised in The Joplin Globe.

Mr. Paul: I'm going to make sure it's marked as exhibit 4. Do you recognize exhibit 4.

Mr. Oliver: This is the order confirmation showing 828 S Murphy Avenue being published in The Joplin Globe on November 16th, 23rd and 30th and December 7th of this year.

Mr. Paul: Thank you. If there is no objection, I'd like to offer exhibit 4.

Mr. Denham: Board accepts.

Mr. Paul: So, before I get into your testimony, just to recap your notice in this case, you posted on the structure, you sent certified letters, you published in The Globe, and then you had some actual contact with the owners. Is that correct.

Mr. Oliver: Correct. I did not meet with the person on site. It was one of our other inspectors, but I do know that that did take place.

Mr. Paul: OK. What schooling and education have you had in the building industry that qualifies 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 20-year period.

Mr. Paul: From an inspection of the property this year, do you have an expert opinion on the premises what constitutes a dangerous building as to find in chapter 26 article

10 section 26-612 the code of ordinances of the city of Joplin and if so on which of the definitions in the dangerous buildings do you base your opinion if anything.

Mr. Oliver: Yes, I do. Subsection line 6 whenever any portion thereof has been damaged by fire, earthquake, tornado, wind, flood, vandals or any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such a catastrophe or damage or is less than the minimum requirements of this Code for similar new construction. Then also line 18. 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 that this property was a subject of a fire. In my opinion should be demolished.

Mr. Paul: Thank you, Jeff. That would be any interested party's opportunity to ask the witness questions. I'm not aware of anybody who's here today or anyone who wanted to be here today and couldn't. Does the board have any questions. Thank you, Jeff. I'd also, offer chapter 26 article 9 and 10 of the Code for the board and ask that they be held open to include a copy of the Globe on date of publications, the city rests. That would be any interested party's opportunity to present evidence be heard or otherwise address the board again. There's nobody here today and not aware of anybody who wanted to be here today but couldn't be. Therefore, evidentiary portion of this hearing is closed, and matter turned to the board for deliberations and equestrian.

Motion by Mr. Duncan Seconded by Mr. Tucker that item 3055 828 S Murphy be declared a dangerous building in accordance with Joplin's code or ordinance chapter 26 articles 9 and 10 section 26-612 subsection 6 and 18 and so ordered demolished and the demolition to include any out buildings. (6 Aye 0 Nay, 1 Absent) Motion carried.

Item 3002 301 S Winfield

Mr. Oliver said that there is still an active permit in place. I'd ask the Board to continue that to January. Mr. Denham had asked if Mr. Oliver had any conversations with them and he replied about three weeks or so. He also said that about three weeks ago they turned in some papers and some drawings and he believed they are still going to come through.

Motion by Mr. Wicklund seconded by Mr. Tucker that item 3002 302 S Winfield be extended to our January 26th meeting for progress report and demolition hearing. (6 Aye 0 Nay, 1 Absent) Motion carried.

Item 3010 1116 S Jackson Avenue.

Mr. Oliver said that he was hoping to release this one today, but they still have not finished the exterior of the property.

Motion by Mr. Duncan seconded by Mr. Windsor that item 3010 1116 S Jackson be extended to our January 26th meeting for progress report and demolition hearing. (6 Aye 0 Nay, 1 Absent) Motion carried.

Item 3033 1010 W 3rd St.

Mr. Oliver asked the Board to continue this one, because he knows that they do want to rehab it. There's still not a permit in place, but they are keeping it secured.

Motion by Mr. Tucker second by Mr. Duncan that item 3033 located at 1010 W 3rd St be extended to our January 26 meeting for progress report and demolition hearing. (6 Aye 0 Nay, 1 Absent) Motion carried.

Item 3039 810 W 17th St.

Mr. Oliver stated that there is a permit in place, and they are making progress. He asked the board to continue this to January.

Motion by Mr. Wicklund seconded by Mr. Windsor that item 3039 810 W 17th St be extended to our January 26th meeting for progress report and demolition hearing. (6 Aye 0 Nay, 1 Absent) Motion carried.

Item 3051 2131 Nashville Avenue.

Mr. Oliver spoke and said that there is a permit in place for windows. He did have a conversation with the owner that this one will also need a permit for electrical, plumbing and HVAC. He did make owner aware of that. This has been kind of a problem with the city for several years, so we will see how this one plays out.

A motion by Mr. Wagner, second by Mr. Wicklund that item 3051 2131 Nashville be extended to our January 26th meeting for progress report and demolition hearing. (6 Aye 0 Nay, 1 Absent) Motion carried.

Item 3057 1209 S Iowa.

Mr. Oliver was hoping to have this one ready for a hearing, but he needs to get some certified letters out. He asks to please continue this to January.

Motion by Mr. Windsor, second by Mr. Duncan that item 3057 1209 S Iowa be extended to our January 26th meeting for our progress report and demolition hearing. (6 Aye 0 Nay, 1 Absent) Motion carried.

Item 3058 1510 S Connor.

Mr. Oliver said that this property at 1510 S Connor has been demolished and he asks the Board to release it.

Motion by Mr. Wicklund second by Mr. Windsor that item 3058 1510 S Connor be released from our agenda due to the demolition complete. (6 Aye 0 Nay, 1 Absent) Motion carried.

New Business. Item 3059 909 W A St.

Mr. Oliver asked the Board to continue this to January.

Motion by Mr. Wagner second by Mr. Tucker that item 3059 909 W A St be extended to our January 26th meeting for our progress report and demolition hearing. (6 Aye 0 Nay, 1 Absent) Motion carried.

Item 3060 1819 S Virginia Avenue.

Mr. Oliver said that he has had contact with the owner, and they have signed a contract with one of the local demolition contracting companies. Hopefully this will be down by the next meeting.

Motion by Mr. Duncan second by Mr. Wagner that item 3060 1819 S Virginia be extended to our January 26th meeting for our progress report and demolition hearing. (6 Aye 0 Nay, 1 Absent) Motion carried.

Item 3062 509 N Byers Ave.

Mr. Oliver asked that the Board continue this new business.

Motion by Mr. Windsor second by Mr. Wicklund that item 3062 509 N Byers be extended to our January 26th meeting for our progress report and demolition hearing. (6 Aye 0 Nay, 1 Absent) Motion carried.

Item 3063 320 S Winfield Avenue

Mr. Oliver said this is new business and he asked the Board to continue this one.

Motion made by Mr. Tucker, second by Mr. Wicklund that item 3063 320 S Winfield be extend to our January 26th meeting for progress report and demolition hearing. (6 Aye 0 Nay, 1 Absent) Motion carried.

Item 3064 2411 W Highland Avenue

Mr. Hadley spoke on this property. He stated that the fire department had to be called out to remove the person from the house. They had to cut a hole in the wall to get him out. Mr. Oliver said that this was a last minute add just due to the situation.

Motion by Mr. Wicklund, second by Mr. Duncan that item 3064 2411 W Highland be extended to our January 26th meeting for progress report and demolition hearing. (6 Aye 0 Nay, 1 Absent) Motion carried.

Mr. Wicklund: I have a question, when we are dealing with properties that are facing financing issues, by them being on our Board. Is there a way that we can help and get these closed. We obviously owe due diligence to the owner of the property, and we also have due diligence to the city and to our citizens, but if there is someone actively trying to purchase the property shouldn't we do all we can to help. I'm just asking not on any property, just in general.

Mr. Oliver: I don't know if there's a way to ask the owners if they can bring in some kind of verification and that they can get the financing and then feel confident about that and then possibly release it.

Mr. Denham: A lot of times just kicking the can down the road. This happens so many times, we think we are going to demolish it and then a new owner shows up. Then they fool around with it for a few months, and nothing ever happens.

Mr. Wicklund: Reference that 130 S Moffet I had several back up offers on that property for the client and they were going through S&B, and S&B would not loan on the property because it was on the Building Board of Appeals. Now if it was off, no problem. They don't want to see their investment, even with 25% down. They don't want to see their investment on the Building Board.

Mr. Duncan: What it seemed to me what you said earlier made sense that when we were talking on the Pearl properties, that you strike a deal to say if you can close on this, we have a release or something. It seems to me that would be the way to do it. You still hold people's feet to the fire, but you also make it a little easier for them to close on it.

Mr. Wicklund: I think we would have run into the same situation on Moffet if she wasn't paying cash. She would have been faced with the same situation and here we are prohibiting someone from closing their property. And I just don't know how we can do that and not be sued.

Mr. Denham: That sounds like a good project for the new assistant city attorney. Your first order of business.

Brian: I think we can try that once and see if that works or not.

Mr. Wicklund: Pearl was probably not the one to try that on. I think with banking, how it's just getting more stringent with the economy and such that we are going to be faced with a lot more investors who want to buy these things, but they can't do it without us helping a little bit with getting off the agenda.

Mr. Tucker: I have a couple of questions, also. The whole Carnegie Library- where are we at and with the old Freeman Hospital.

Brian: I'll take the old Freeman Hospital first. The city is still in negotiations with the current owner. It looks like that property is going to become owned by the city. We are trying not to do anything that will slow that transaction down right now. I know the fire department checks on it regularly. Everybody involved wishes it would happen faster. Last thing I heard because of the legal requirements transactions there's an appraisal that's required and that hasn't happened yet. But it's on order.

Mr. Tucker: Is it fixable. I would love to see that thing fixed.

Mr. Wicklund: No

Mr. Denham: So, the cities intentions once it gets ownership would be to demolish it.

Brian: The Carnegie Library I don't believe we've gotten any complaints on it. I believe people are somewhat leaving it alone.

Mr. Tucker: I don't think there's any complaints, but I've had a lot of questions. You know that's an historic building. You know that a lot of people are wondering and wanting to see something done with it. When is the guy selling it or is he just sitting on it.

Brian: I believe he is selling it and I think I heard that he reduced his price by quite a bit.

Mr. Denham: It was pretty, high to start out with.

Brian: That is all I know.

Mr. Denham: It does have a For Sale sign on the front of it.

Mr. Wicklund: It's active.

Mr. Denham: What about our friend on N Gray. I went by yesterday and it looked like someone had framed that porch.

Mr. Oliver: Yes

Brian: The city wanted to make sure we were doing everything we could possibly do to help her relocate, because she is living in America. She was not living there when all this process started, but in the middle of it or right at the very end of it, she had to relocate and decided to move into the house. We wanted to make sure that we were doing everything we could to provide her assistance, in helping her to find other places to live. Up to this point, she has not been willing to cooperate. We've even had other citizen committees helping her. She seems to work with them pretty good at first, but then nothing ever comes out of it. I think we're at the point that we need to move forward because she is still living there and I'm not sure how fast that will happen. But I will let my supervisor know that you guys are asking about it. We have got to do something.

Mr. Tucker: I'm concerned that it will hit the news and she will be dragged out by the police or something.

Brian: It's not safe for her to be living there.

Mr. Wicklund: There's no utilities, is there.

Brian: No, she has temporary electric.

Mr. Wicklund: She is also running extension cords from a neighbor.

Brian: Yes, and she's running extension cords and temporary from the neighbor.

Mr. Wicklund: We need to double check to make sure. I believe her son has moved in with her because he was evicted from his property as well, due to foreclosure.

Mr. Denham: Any other questions or comments.

Mr. Tucker: I wish her the best. I mean, I think we all wish her the best. I just want that to be on the record.

Mr. Oliver: Back up to Mr. Wicklund's first question, as far as releasing them on financing. If I have communication when I've posted a property with the owner, a lot of these I don't bring to you guys. If they're telling me, they are working on financing or they're going to sell it – I'll drag my feet a little bit to see if all that plays out before I even bring them to you. So, I try to work that before they get here. Just to let you know.

Mr. Denham: I'd hate to make that a standard, because that will be a stall tactic used.

Mr. Oliver: Sure

Mr. Denham: Do we have a motion to adjourn.

Mr. Tucker: So, moved.

Mr. Denham: A motion by Mr. Wicklund, second by Mr. Tucker. All those in favor of adjournment say I

(6 Aye 0 Nay, 1 Absent) Motion carried.

Mr. Denham: We stand adjourned.

Mr. Denham: We stand adjourned.

Approved: _____

Mr. Kyle Denham, Chairman

Recording Secretary: JoAnne Mergenthaler

Notarized by: Vicky Lynn Copeland

Vicky Lynn Copeland, Notary Public

My commission expires: May 22, 2026

VICKY LYNN COPELAND
Notary Public - Notary Seal
STATE OF MISSOURI
Newton County
Commission Expires 05/22/2026
Commission Number #09804844