JOPLIN | BUILDING BOARD OF APPEALS

Building Board of Appeals

Meeting Minutes

December 9, 2022

Call to order

Mr. Denham called to order the regular meeting of the Building Board of Appeals on December 9, 2022.

Roll call

Mr. Denham conducted a roll call. The following persons were present: Kyle Denham, Garret Wagner, Lance Windsor, Christopher Tucker, Steve Brown, Leif Malone, Gary Duncan, City Building Official Jeff Oliver and Administrative Assistant Vicky Copeland.

Approval of Minutes

Mr. Windsor made a motion to approve the amended October Building Board of Appeals minutes and Mr. Tucker seconded the motion. (7 Aye, 0 Nay) Motion carried.

Continued Items

Item 2913, 3615 S. Range Line Rd.

The owner was not present at the meeting. Mr. Oliver stated there had been conversations about the property within the past 30 days. Mr. Tucker asked if a penalty could be imposed on the property owners for failure to take care of the property or show any progress reports or timeline to the Board. Mr. Oliver stated the Board could not impose fines or fees on the owners. Mr. Tucker asked if the City Council needed to create an ordinance. Mr. Tucker stated there are 100's of people who are tired of seeing this, feel like this is a dangerous hazard and do not feel this is a good deal. Mr. Tucker stated a lot of people are blaming the City for this. He stated it is not the City's

fault because obviously we are not the owners of the property. Mr. Tucker stated that when he sees 100's of people upset about this one item it is alarming. Especially, when as a Board they condemn the other houses but because this is a multimillion-dollar project we just set back on it. Mr. Tucker does not feel this is fair at all. Mr. Oliver acknowledged Mr. Tucker's statements. Mr. Denham stated if the Board ordered it demolished then the City must pay the costs for demolition. Mr. Tucker requested insight because that location is a blighted area. Mr. Tucker questioned the use of TIF funds for demolition. Mr. Tucker stated it is still in the TIF district. He stated that may be a finance question, but those funds should be used for demolition. Mr. Wagner stated he spoke with Jordan Paul a few months ago and has heard nothing further. Mr. Wagner would like to revisit the matter. Mr. Tucker stated it was a safety issue for firefighters and he did not want people pointing fingers at the City or the Board. Mr. Duncan stated the Board needed an update from the City Attorney. Mr. Duncan agreed that fines are the way to go.

Motion to continue Item 2913, 3615 S. Range Line to January 27, 2023, Board of Appeals meeting for progress report and demolition hearing made by Mr. Duncan. Seconded by Mr. Tucker. (7 Aye, 0 Nay) Motion carried.

Item 2947, 2408 Willard Ave.

Misty Gamble, owner of the property was not present. Mr. Oliver stated he had no contact with the owner, and he could not provide a progress update. He stated he will attempt to locate owner. She had previously talked about the kitchen. He stated the property needed facia and soffits replaced and repaired. The exterior repairs needed to satisfy neighbors. Mr. Oliver stated the property is no longer a danger. Mr. Denham asked if the property passed electrical. Mr. Oliver stated yes. The property was subject of a fire and the property owner did not have insurance. The money needed to make the repairs is a hardship for property owner. Mr. Duncan asked if Ms. Gamble would reside in the property. Mr. Oliver stated yes. Mr. Denham stated the property was subject of a substantial fire. Mr. Oliver stated he would attempt to make contact and see if this item can be moved along. **Motion to continue Item 2947, 2408 Willard Ave. to January 27, 2023, Board of Appeals meeting for progress report and demolition hearing made by Mr. Tucker. Seconded by Mr. Wagner. (7 Aye, 0 Nay) Motion carried.**

Item 2968, 217 N. Gray Ave.

Donna Bray, owner of the property was present. Mr. Denham asked for an update on the property. Ms. Bray stated the floors are in and they are supposed to be repairing the roof this weekend. Should be ready for inspection on Monday or Tuesday of next week. Mr. Denham asked once the property is approved what is the next step. Ms. Bray stated the walls. Mr. Denham asked about the exterior. Mr. Oliver stated the sheeting and framing inspection. Mr. Denham asked then the next step. Ms. Bray stated the windows and then the property will be totally enclosed. Mr. Denham asked the owner if she had the material necessary for repairs. Ms. Bray stated she did not have decking but did have the shingles. Mr. Tucker asked if the property was enclosed. Mr. Oliver stated he would need to revisit the property he believed property still needed a lot of work. Mr. Oliver asked Ms. Bray to share who she has contacted and spoken with regarding financial assistance. Ms. Bray stated Habitat for Humanity, Catholic Charities, and HUD. There is a $10,000 grant available next year and $10,000 loan with no interest, but the property would need to be removed from the Building Board Agenda. Mr. Oliver stated if you were able to get funding what would you use it for? Mr. Oliver stated in his opinion the property needs $10,000.00 in electrical repairs. The owner stated she would use it for decking repairs. Mr. Oliver asked Ms. Bray to provide contact information. Mr. Oliver stated it may be possible to remove from the agenda temporarily so she can get help. Mr. Oliver stated he would need to speak with Legal. The property does qualify for dangerous structure. Mr. Oliver stated he would need to explore options. Mr. Tucker stated that Bill While or Kelley may have more insight. Mr. Denham stated to get certificate of occupancy the electrical and plumbing must be working. **Mr. Tucker made a motion to continue Item 2968, 217 N. Gray Ave. to the January 27, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (7 Aye, 0 Nay) Motion carried.**

Item 3004, 630 S. Porter Ave.

Pham Thanh Cong & Cuc Thi, owner of the property was present at the meeting. The owner stated the siding and the windows have been ordered. Mr. Oliver stated there was a permit in place and the owner was making progress. Mr. Denham requested a timeline. The owner stated it could be framed in one day, but the weather was a factor. Mr. Denham asked the owner if by the January 2023 meeting if the property could be closed in and the trash picked up. **Mr. Tucker made a motion to continue Item 3004, 630 S. Porter Ave. to the January 27, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Brown. (7 Aye, 0 Nay) Motion carried.**

Item 2976, 1417 W. 20th St.

Tim Bender, owner of the property was not present at the meeting. Mr. Oliver stated the owner requested an on-site visit. Mr. Oliver left message on November 18, 2022. Mr. Oliver stated he has not had any contact with the owner and no further update. Mr. Tucker stated there had been a long battle with the insurance company on this property. Mr. Denham stated he had asked the owner for a plan B and there was none. Mr. Denham stated then the owner needed to make repairs and stated there was other damage there before the crash. Mr. Oliver stated the owner had purchased the property after the accident. Mr. Tucker stated the property was secure. **Mr. Wagner made a motion to continue Item 2976, 1417 W. 20th St. to the January 27, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (7 Aye, 0 Nay) Motion carried.**

Item 2985, 130 S. Moffet Ave.

Howard and Tracy Nutting, owners were not present at the meeting. Mr. Oliver stated the property had sold. There are new owners, and they were unaware the property was on this Board's agenda. They had an on-site visit, no permits have been pulled but the new owners do have construction background. **Mr. Malone made a motion to continue Item 2985, 130 S. Moffet Ave. to the January 27, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (6 Aye, 0 Nay, 1 Absent) Motion carried.**

Item 2986, 302 S. Connor Ave.

Item 2987, 306 ½ S. Connor Ave.

Levi Babb, Blue Shutter Investments, owner of the properties was present. Mr. Babb stated he had spoken with Mr. Oliver. Permit had been pulled. He was working on the foundation on the property located at 306 ½ S. Connor and the roofs on both properties. The doors, window and siding are all in and the goal was to have all properties in the dry before winter. Mr. Oliver stated he would need separate permits for each property. Mr. Tucker asked about the work completed on the properties. Mr. Babb stated he had picked up trash and was working with the neighbors. Mr. Wagner stated the property was unsecured. There were multiple doors and windows open. Mr. Denham asked if Mr. Babb if he had conversations with the neighbors. Mr. Babb stated yes, and it was going well. Mr. Tucker asked Mr. Babb if he had looked into renting to veterans and the options available. Mr. Babb stated he would.

Mr. Wagner made a motion to continue Item 2986, 302 S. Connor and Item 2987, 306 ½ S. Connor to the January 27, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Duncan. (7 Aye, 0 Nay) Motion carried.

Item 2990, 801,803, 805 W. 1st St.

Cleveland Apartments, owner of the properties was present. Mr. Denham asked for a progress report on the property. Mr. Shawn Grindle stated they were scheduled to close on the loan the week of December 19, 2022. They expect to begin demolition the third week of January 2023 and begin roofing the middle of February, 2023. Mr. Denham asked about permit. Mr. Grindle stated he would apply for permit the week of closing. **Mr. Tucker made a motion to continue Item 2990, 801,803, 805 W. 1st St. to the January 27, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Brown. (7 Aye, 0 Nay) Motion carried.**

Item 2996, 602 S. Sergeant Ave.

Amy Earp, owner of the property was present at the meeting. Mr. Denham asked for information on the property. Ms. Earp stated they have been working with Justin at Ed's Electric. She stated the electrical is done and the two back doors have been ordered to secure the property. They have installed security lighting all around the property. She has spoken with the Veterans Association, and they would have tenants available the first of January 2023. Mr. Oliver stated one unit was almost ready and he recommended to keep this property on the Board until the January 27, 2023 meeting and hopefully it could be removed from the agenda. **Mr. Windsor made a motion to continue Item 2996, 602 S. Sergeant Ave. to the January 27, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Duncan. (7 Aye, 0 Nay) Motion carried.**

Item 3001, 2703 West D. St.

William and Elise Couch, owners of the property were not present at the meeting. Mr. Oliver did not have update on property. **Mr. Brown made a motion to continue Item 3001, 2703 West D. Street to the January 27, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (7 Aye, 0 Nay) Motion carried.**

Item 3002, 301 S. Winfield Ave.

Angie Casavecchia, Public Administrator, 116 W. 2nd Street, Carthage, Missouri, appeared on behalf of the owner of the property. Ms. Casavecchia stated she would like time to sell the property in "as is" condition. Mr. Denham asked for a timeline. Ms. Casavecchia stated she would contact the Realtor. Mr. Tucker asked for clarification of funds. Ms. Casavecchia stated the proceeds of the sale would go into an account that would pay for the cost of Mr. Pangburn's care. Mr. Pangburn was presently in a nursing home. Mr. Oliver asked Ms. Casavecchia if she had the staff to monitor the security of the property. Ms. Casavecchia replied yes and presently the property was secure. Mr. Denham stated there was not much left of the roof. Mr. Oliver stated that by the condition of the roof the inside was probably in poor shape. Ms. Casavecchia asked if she would need to reappear and give status update. Mr. Oliver stated yes. Ms. Casavecchia asked if she could return in February 2023. Mr. Denham stated he would prefer her to reappear in January 2023 with a status report. **Mr. Duncan made a motion to continue Item 3002, 301 S. Winfield Ave. to the January 27, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (7 Aye, 0 Nay) Motion carried.**

Item 3003, 129 S. Patterson Ave.

Sherry Garvin, representative of the property was present. Ms. Garvin stated this was a 700 square foot house under contract to buy and set for closing. Mr. Denham asked Ms. Garvin her intentions for the property. Ms. Garvin stated rental or to sell. Mr. Denham asked Ms. Garvin if she was aware of what it would take to get it off the Board's agenda. Mr. Oliver stated the property needed electrical and plumbing repairs. He stated it was just a shell. Mr. Oliver requested a timeline from Ms. Garvin. Ms. Garvin stated the property was affordable and a good rental. Mr. Denham stated the chimney looked like it needed repaired. Ms. Garvin stated the chimney would probably be removed. **Mr. Duncan made a motion to continue Item 3003, 129 S. Patterson Ave. to the January 27, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Tucker. (7 Aye, 0 Nay) Motion carried.**

Item 3005, 2611 S. Pearl Ave.

Item 3006, 2617 S. Pearl Ave.

Item 3007, 2621 S. Pearl Ave.

J. Pearl Properties, owner of the property was present. Dennis Farrell, representative of J. Pearl Properties stated they were unable to finish the projects. The property is under contract to sell. They anticipate a closing by December 23, 2022. David Papon stated the funding is in place and modifications to plan set. They are working on securing the property and should be secured by middle of next week weather permitting. They have installed a camera system. Mr. Oliver asked Mr. Papon if plans would be resubmitted. Mr. Papon stated new plans would be resubmitted after the holidays. Presently, they need new structural engineer. Mr. Oliver asked if the crews were lined up. Mr. Papon stated yes. Mr. Oliver stated, you know pulling permits does not remove properties from Board's agenda. Mr. Papon stated this is a several million-dollar investment. Mr. Oliver stated the Board must see progress. The purpose of the Board is to make sure the property is moving forward. Mr. Papon stated he did not see an issue. Mr. Denham asked the conditions of the building presently. Mr. Papon stated the homes will be inspected before placed on site. Mr. Malone asked if the site was fenced. Mr. Papon stated they will place construction fence around the foundation. Mr. Oliver stated they must provide a written timeline at next Board meeting. Mr. Papon stated there were 43 units on both properties. Mr. Denham asked if there had been a pre-development meeting. Mr. Papon stated no.

Mr. Malone made a motion to continue Item 3005, 3006, and 3007 located at 2611 S. Pearl Ave, 2617 S. Pearl Ave. and 2621 S. Pearl Ave. to the January 27, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Duncan. (7 Aye, 0 Nay) Motion carried.

New Business

Item 3009, 218 N. Wall Ave.

Entrust Group Inc., owner of the property was not present. Mr. Oliver stated he did receive email from owner. Mr. Oliver requested plans. **Mr. Malone made a motion to continue Item 3009 located at 218 N. Wall Ave. to the January 27, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Brown. (7 Aye, 0 Nay) Motion carried.**

Item 3010, 1116 S. Jackson Ave.

Amy Earp, owner of the property was present. She stated they have boarded up the one window, changed the locks, installed security and repaired the door frame. They have also contacted Ed's Electric and they are waiting on a quote. Mr. Oliver asked if a timeline could be provided by the January 27, 2023, Board meeting. Ms. Earp stated yes. **Mr. Windsor made a motion to continue Item 3010 located at 1116 S. Jackson to the January 27, 2023, Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner (7 Aye, 0 Nay) Motion carried.**

Other Business

Katey Figueroa, 309 S. Conner Ave. requested to speak to the Board regarding the property located at 302 S. Connor Ave. and 306 ½ S. Connor Ave. She stated there had not been any communication with the owner since the last meeting and she requested an update on the status of the properties.

Mr. Denham stated, you have not had any communication with Mr. Babb.

Ms. Figueroa stated no.

Mr. Oliver stated Mr. Babb had indicated the lines of communication with the neighbors were open and constant.

Ms. Figueroa stated no. The property remained unsecured and open.

Mr. Oliver stated he was in the Board meeting earlier and he had picked up papers for permits. Prior to the meeting this morning several people in the Building Department spoke with Mr. Babb. Mr. Babb stated that he would attempt to have roofs on the structures by the end of the year and some windows. The Board had continued the matter and they will provide him the opportunity. Permits should be in place by the January 27, 2023, meeting. There will be several apartments in the two larger buildings. He should be pulling permits.

Mr. Tucker asked if Ms. Figueroa had seen people going in and out of there.

Ms. Figueroa stated no. She has not seen the foot traffic like before.

Mr. Denham stated even if he gets a permit these properties will stay on our agenda so the progress can be monitored. The two options are repair or demolition.

Mr. Denham asked for a motion to adjourn the meeting. Motion made to adjourn the meeting by Mr. Windsor. Seconded by Mr. Wagner. Meeting adjourned at 10:30 a.m. (7 Aye, 0 Nay) Motion carried.

Approved _____

Mr. Kyle Denham, Chairman

Approved _____

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