Building Board of Appeals Meeting Minutes

December 10, 2021

Call to order

Mr. Denham called to order the regular meeting of the Building Board of Appeals at 9:03 am on December 10, 2021.

Roll call

Mr. Denham conducted a roll call. The following persons were present: Kyle Denham, Lance Windsor, Gary Wilson, Garret Wagner, Assistant City Attorney Jordan Paul, City Building Inspector Jeff Oliver.

Approval of Minutes

Mr. Denham asked for a motion to approve the minutes as presented for the October Board of Appeals meeting. Mr. Windsor made a motion to approve the October Building Board of Appeals minutes and Mr. Wagner seconded the motion. (5 Aye, 0 Nay)

Continued Items

Item 2913, 3615 S. Range Line Rd.

Aaron Gumpenberger was not present at the meeting. Patrick Wood was present at the meeting. Mr. Wood informed the Board, the recent fire was most likely retaliation for keeping the homeless out of the property, the contractors are boarding up the property right now, and everything will be secure by the end of the weekend. Mr. Denham asked if they were any closer to getting a permit. Mr. Wood advised the Board they should have a letter in front of them from the General Contractor of the JV Partner, and they should submit plans by the first week of January. Mr. Denham asked if this company is responsible for the construction documents and Mr. Wood replied yes, they are taking the plans they had approved for Marriott and fine tuning them to their specifications. Mr. Wood stated construction should be starting mid-February. Mr. Denham asked if Marriott was still the franchise and Mr. Wood replied yes. Mr. Oliver asked about Mr. Wood having the brush around the property taken out. Mr. Wood

advised the estimate to have the brush around the waterway thinned out up to the property line or further if they can get approval was $45,000, so they would like to include this in the budget. Mr. Denham asked for a motion. Mr. Windsor made a motion to continue Item 2913, 3615 S Range Line Rd to the January 28th Building Board of Appeals meeting for a progress report and demolition hearing, seconded by Mr. Wagner (5 Aye, 0 Nay)

Item 2921, 1124 Murphy Ave.

Ms. Wilson was present as the owner of the property. Contractor Freddie Rickey was present at the meeting. Mr. Rickey informed the board there is insulation in the walls, but they are still waiting on Arc Electric to come in. Mr. Rickey stated they have new framing, new sewer, and new appliances going into the structure. Mr. Oliver asked if they thought they electrician would be there in the next couple weeks and Mr. Rickey replied he should be there at the beginning of next week and then comes sheetrock. Mr. Denham asked for a motion. Mr. Windsor made a motion to continue Item 2921, 1124 Murphy Ave. to the January 28th Building Board of Appeals meeting for a progress report and demolition hearing, seconded by Mr. Wagner. (5 Aye, 0 Nay)

Item 2924, 115 N. Landreth Ave.

Todd Patterson was present as the owner of the property. Mr. Patterson informed the Board the project should be completed by January 15th. Mr. Patterson stated the drywall is up, kitchen cabinetry and flooring will be done by Christmas. Mr. Patterson advised they are using the original doors and a similar design for the closet doors, they have stonework done around the windows and on the exterior of the back porch, and they are exposing some of the brick on the dining room and living room walls. Mr. Oliver advised he had this down for a release as it is no longer a dangerous property. Mr. Patterson stated they have two or three people interested in buying the property already. Mr. Denham asked for a motion. Mr. Wagner made a motion to release Item 2924, 115 N. Landreth Ave. from the agenda, seconded by Mr. Wilson. (5 Aye, 0 Nay)

Item 2942, 4323 W 27th Pl.

Owner was not present at the meeting. Mr. Oliver informed the Board the owner did send him an email that is being passed around. Mr. Oliver advised there is a permit in place, there is progress being made, so he asks the Board to continue this item. Mr. Oliver stated the owner does live in Kansas City and could not make the trip, but he did send the email. Mr. Denham said he has no problem going 60 days on this property. Mr. Denham asked for a motion. Mr. Wagner made a motion to continue Item 2942, 4323 W 27th Pl. to the February 25th Building Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (5 Aye, 0 Nay)

Item 2947, 2408 Willard Ave.

Misty Gamble was present as the owner of the property. Ms. Gamble informed the Board there is new siding on the structure, someone coming to remove the car today, and she will be coming to get a permit for the electric next week. Mr. Oliver reminded Ms. Gamble the electrician must be licensed, bonded, and insured in the City of Joplin. Ms. Gamble replied that she had trouble getting electricians to return her call, so her friend is trying to help her with this process, and she understands the requirements. Mr. Denham requested Ms. Gamble keep working on cleaning up the yard. Ms. Gamble advised they are saving up money to get another dumpster, but she will keep working on the clean-up. Mr. Denham asked for a motion. Mr. Wagner made a motion to continue Item 2947, 2408 Willard Ave. to the January 28th Building Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (5 Aye, 0 Nay)

Item 2956, 1502 Bird Ave.

Deanna Weber was present as the Owner of the property. Ms. Weber informed the Board she purchased the house in October and was not aware that there was a possible demolition in process. Ms. Weber stated the vents have been changed out, the demolition and haul off are done, there is new guttering, and some interior work has been done. She stated the house will need complete electrical and she now has bids, but she has had issues with electrical contractors saying they will be there and then they don't show up. Mr. Denham asked about the completion date of the project and Ms. Weber replied in the springtime. Mr. Denham asked if the windows were installed, and Ms. Weber replied the windows are almost finished and the back window is repaired now. Mr. Denham asked that they bring a schedule to the next meeting. Mr. Denham asks for a motion. Mr. Wagner made a motion to continue Item 2956, 1502 Bird Ave. to the January 28th Building Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (5 Aye, 0 Nay)

Item 2958, 2421 S. Florida Ave.

Adam Murphy was present as the Owner of the property. Mr. Murphy informed the Board he purchased the property without knowledge of it being set to be demolished. Mr. Murphy stated the windows were done last week, the property has been gutted, they removed three dumpsters of debris, and sprayed the walls to kill the odor. Mr. Murphy advised there are still framing and flooring repairs to do, they are going to open the walls and then proceed with the electric and plumbing. Mr. Denham asked when that would take place and Mr. Murphy replied they are hoping to be ready for sheetrock by the first of the year as they have it tentatively sold. Mr. Denham asked if they were going to complete the project prior to the sale and Mr. Murphy replied yes, it will be turnkey ready. Mr. Murphy advised they pulled the permit a few

months ago and are hoping to finish up the project around May. Mr. Denham asked for a motion. Mr. Windsor made a motion to continue Item 2958, 2421 S. Florida Ave. to the February 25th Building Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wilson. (5 Aye, 0 Nay)

Item 2962, 1127 S. Sergeant Ave.

Owner of the property was not present at the meeting. Mr. Oliver informed the Board that demolition has taken place and the structure is gone, there is still some cleanup with the front porch, but he had this down to release. Mr. Denham asked for a motion. Mr. Wagner made a motion to release Item 2962, 1127 S. Sergeant Ave. from the agenda, seconded by Mr. Malone. (5 Aye, 0 Nay)

Item 2963, 418 W. 2nd St.

Matthew Bolin was present on behalf of PX Commercial LLC the owners of the property. Mr. Bolin informed the Board that all plumbing and electrical is done inside the structure, they were scheduled to do the drywall but ran into a delay with putting in a water line for the new meter. Mr. Denham asked if all the rough ins have been inspected by the city. Mr. Murphy replied his contractor is going to move forward with HVAC so the City can do Electric, Plumbing, and Mechanical inspections all at one time. Mr. Oliver asked when Mr. Bolin thought the project would be completed and Mr. Bolin replied the middle or end of February, due to the delay. Mr. Denham asks for a motion. Mr. Windsor made a motion to continue Item 2963, 418 W. 2nd St. to the February 25th Building Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wilson. (5 Aye, 0 Nay)

Item 2964, 2526 E. 12th St.

Oliver Dutton was present on behalf of Dutton Investment Group as the owner of the property. Mr. Dutton informed the Board he thought this was resolved last month, but he got another letter to come to this meeting. Mr. Denham advised they put a stay on the demolition order last month, but it is important for him to show up and provide progress reports on the property. Mr. Dutton advised the selective demolition has been done, the framing is done, they are putting rafters in and the decking should be done. Mr. Dutton advised he will be selling the house after completion and he believes they are three to six months to completion, based on getting sub-contractors in to do the work. Mr. Denham advised there has been quite a bit of progress and asked if there is a permit in place and Mr. Oliver replied yes. Mr. Denham requested a timeline and that Mr. Dutton continue to show up at the meetings. Mr. Denham asks for a motion. Mr. Windsor made a motion to continue Item 2964, 2526 E. 12th St. to the January 28th Building Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (5 Aye, 0 Nay)

Item 2967, 722 S. Indiana Ave.

Heath Lanyon was present as the former owner of the property. Mason Williams was present as the new owner of the property. Mr. Lanyon informed the Board they were given a stay on the demolition at the last meeting. Mr. Lanyon advised Mason Williams who would like to tear down the structure and build new construction. Mr. Williams informed the Board he has two quotes on demolition and asked when they needed to have the structure demolished and Mr. Denham replied as soon as you can as it already had been ordered demolished once. Mr. Williams advised he could have it done by January 15th. Mr. Denham advised they would like to see something happening at the property by the next meeting on January 28th. Mr. Denham asks for a motion. Mr. Wagner made a motion to continue Item 2967, 722 Indiana Ave. to the January 28th Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (5 Aye, 0 Nay)

Item 2968, 217 N. Gray Ave.

Donna Bray was not present at the meeting. Aaron Hailey (fiancé) was present as proxy on behalf of Amy Nelson, who was not able to appear at the meeting. Mr. Hailey advised Ms. Nelson paid the back taxes and would like to know what her rights and responsibilities are regarding the property. Mr. Oliver stated the owner on record Ms. Bray pulled a permit two months ago and has been to the last couple of meetings, but he's not sure if she knows that it sold at a tax sale. Mr. Paul stated Ms. Nelson would be like the mortgage holder of the property, so it is up to her what extent they want to put money into the property understanding that Ms. Bray may pay back the taxes at the last minute. Mr. Oliver stated some demolition has been done on the back side, but if there is not progress at some point, the Board may have a hearing, revoke the permit, and have it demolished. Mr. Hailey asked if Ms. Bray does not rehab the house to the City's satisfaction and it is ordered torn down, would Ms. Nelson be responsible for those costs. Mr. Paul stated a lien would go against the property for the cost of the demolition, so if Ms. Bray does not redeem the certificate of purchase and Ms. Nelson becomes the owner, that money would have to come out of the proceeds. Mr. Paul stated the City does not have a problem with you working on the house, that's just a decision you must work out with Ms. Bray. Mr. Hailey stated they were uncertain if they would be considered trespassing if they try to rehab the house. Mr. Paul stated it would be good if you have an agreement with Ms. Bray or consult a lawyer for your options. Mr. Denham asks for a motion. Mr. Wagner made a motion to continue Item 2968, 217 N. Gray Ave. to the January 28th Building Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (5 Aye, 0 Nay)

Item 2969, 3024 E. 9th St.

Brian Pink was not present at the meeting. Mr. Oliver informed the Board that Mr. Pink has sold this property to Schuber Mitchell, their intent is to tear down the house and build new construction, but he doesn't know when the demolition will take place. Mr. Denham asks for a motion. Mr. Windsor made a motion to continue Item 2969, 3024 E. 9th St. to the January 28th Building Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wilson. (5 Aye, 0 Nay)

Item 2970, 2009 E. 4th St.

Owner of the property was not present at the meeting. Mr. Oliver informed the Board the owner signed the consent form, this has been advertised, and he has received bids for demolition. Mr. Oliver advised this went to Council on December 6th for approval, he had this marked for release as it looks like it's been approved now. They will get it taken down as quick as they can. Mr. Denham asks for a motion. Mr. Wagner made a motion to release Item 2970, 2009 E. 4th St. from the agenda, seconded by Mr. Windsor. (5 Aye, 0 Nay)

Item 2972, 213 E. 14th St.

Myla Yeager was present as the former owner of the property. Ms. Yeager informed the Board that she sold this property to JL Property Investments out of Neosho through a man named Troy Toliver. Ms. Yeager provided the new owner's name and documentation of the sale to the Board. Ms. Yeager stated her daughter sent the new owner a copy of the letter that she received in the mail to appear today, but he texted her and said since her name is on that letter, she would need to go to the meeting. Mr. Oliver informed the Board he was going to meet the new owner at the property for a consultation, but there was some confusion about the time, and he was a no show. Mr. Denham asks for a motion. Mr. Wagner made a motion to continue Item 2972, 213 E. 14th St. to the January 28th Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (5 Aye, 0 Nay)

Item 2973, 709 W B St.

Keith Enderle was present as the owner of the property. Mr. Enderle informed the Board that when he first did the Contract for Deed, both properties were put in Ms. Perez's brother's name as she was going through a divorce, but he is trying to get them changed to her name now in case the City decides to demolish them. Mr. Enderle advised he is also trying to get the properties put in her name, so when he is sent a letter to appear, she will get one too. Mr. Enderle did advise her of the meeting this morning at 9:00 AM. Mr. Enderle asked his Attorney about taking ownership of the houses back but was informed he could not do this due to City Ordinances. Mr. Enderle's attorney asked him about getting the electrical done himself and Mr.

Enderle stated he doesn't want to sink his money into the home if she is unwilling to work with him. Ms. Perez advised Mr. Enderle that her Attorney sent the City paperwork. Mr. Paul stated her Attorney Bill Weber, sent an email saying he was hired yesterday and asked that this item be continued till he can find out what is going on with the matter at issue. Mr. Paul stated it seems there is a dispute about who is the owner and who has a right to repair the property. Mr. Oliver asked if Ms. Perez has been making payments, and Mr. Enderle replied yes. Mr. Paul advised there is nothing on the City side preventing either one of them from making repairs to the property. Mr. Malone asked the Board, why can't he pull a permit and Mr. Paul replied he can. Mr. Enderle stated he feels like his hands are tied till everything is back in her name. Mr. Oliver advised he had both properties set for a demo hearing today. Mr. Enderle said one of the doors was open and unsecured. Mr. Oliver said the cellar doors have been open this whole time. Mr. Denham asked if they could have a demolition hearing today. Mr. Paul stated they could have one today, but as her attorney was just hired yesterday, he is inclined to encourage the Board to continue this item to next month. Mr. Denham asks for a motion. Mr. Wagner made a motion to continue Item 2973, 709 W B St. to the January 28th Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (5 Aye, 0 Nay)

Item 2974, 302 N Sergeant Ave.

Keith Enderle was present as the owner of the property. Mr. Enderle informed the Board that when he first did the Contract for Deed, both properties were put in Ms. Perez's brother's name as she was going through a divorce, but he is trying to get them changed to her name now in case the City decides to demolish them. Mr. Enderle advised he is also trying to get the properties put in her name, so when he is sent a letter to appear, she will get one too. Mr. Enderle did advise her of the meeting this morning at 9:00 AM. Mr. Enderle asked his Attorney about taking ownership of the houses back but was informed he could not do this due to City Ordinances. Mr. Enderle's attorney asked him about getting the electrical done himself and Mr. Enderle stated he doesn't want to sink his money into the home if she is unwilling to work with him. Ms. Perez advised Mr. Enderle that her Attorney sent the City paperwork. Mr. Paul stated her Attorney Bill Weber, sent an email saying he was hired yesterday and asked that this item be continued till he can find out what is going on with the matter at issue. Mr. Paul stated it seems there is a dispute about who is the owner and who has a right to repair the property. Mr. Oliver asked if Ms. Perez has been making payments, and Mr. Enderle replied yes. Mr. Paul advised there is nothing on the City side preventing either one of them from making repairs to the property. Mr. Malone asked the Board, why can't he pull a permit and Mr. Paul replied he can. Mr. Enderle stated he feels like his hands are tied till everything is back in her name. Mr. Oliver advised he had both properties set for a demo hearing today. Mr. Enderle said one of the doors was open and unsecured. Mr. Oliver said the cellar doors have been open this whole time. Mr. Denham asked if they could have a demolition hearing today. Mr. Paul stated they

could have one today, but as her attorney was just hired yesterday, he is inclined to encourage the Board to continue this item to next month. Mr. Denham asks for a motion. Mr. Wagner made a motion to continue Item 2973, 709 W B St. to the January 28th Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (5 Aye, 0 Nay)

New Business

Item 2975, 1611 Missouri Ave.

Owner was not present at the meeting. Mr. Oliver asked the Board to continue this item to January 28th. Mr. Denham asked if Mr. Oliver has had any correspondence with the owner and Mr. Oliver replied no. Mr. Denham asks for a motion. Mr. Wagner made a motion to continue Item 2975, 1611 Missouri Ave. to the January 28th Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Windsor. (5 Aye, 0 Nay)

Item 2976, 1417 W. 20th St.

Owner was not present at the meeting. Mr. Oliver informed the Board a car drove into this house. Mr. Oliver had a conversation with one of the owners, the structure is vacant, and he is in Springfield. Mr. Oliver did encourage him to get the property secured. Mr. Oliver hopes this item will be ready for a hearing next month. Mr. Denham asks for a motion. Mr. Windsor made a motion to continue Item 2976, 1417 W. 20th St. to the January 28th Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wilson. (5 Aye, 0 Nay)

Other Business

Item 2940, 217 S. Michigan Ave.

Nancy Medina, Fiancee of the owner Gabino Aldaco Atayde was present at the meeting. Mr. Oliver advised this property was ordered demolished at the last meeting on October 22, 2021 and she is seeking a stay on the demolition order. Ms. Medina advised they live in California and did not realize what was going on with the property, they only received the letter regarding the demolition order in the middle of November. Ms. Medina advised she is staying in Joplin now and is taking care of the property from the exterior. Ms. Medina stated the Electrical and AC have already passed inspection, but they would like to find out what it would take to continue work on the property. Ms. Medina brought a poster board with pictures of work that has taken place on the structure so the Board can review the progress and she provided a plan of action. Mr. Denham expressed concern over Mr. Oliver not being able to reach the owner for several months. Mr. Oliver advised there was no progress on the property for five months, he could not reach Mr. Atayde, and only received an occasional signed receipt for the certified letters from Ms. Medina in California. Ms. Medina stated Mr. Atayde hired Mr. Renteria who is

local in Joplin to oversee the property and he did not do the best job of maintaining the property or attending the meetings. Mr. Denham asked if there was a window open during most of this time and Mr. Oliver replied yes. Ms. Medina advised the window has been fixed. Mr. Windsor asked about a timeline for the project and Mr. Denham stated they are saying mid-April. Ms. Medina advised if they finish it sooner, they will let the Board know. Ms. Medina advised they will not be using a contractor; the whole family will be working on the property. Mr. Malone asked when the pictures were taken, and Ms. Medina replied a couple weeks ago. Ms. Medina advised she cleaned up trash, trimmed trees, and added solar lights so the property doesn't look abandoned. Ms. Medina stated they have an attorney who petitioned to stop the demolition. Mr. Denham advised if they do not see progress, they can lift the stay at any time and Ms. Medina replied she understands. Mr. Denham asks for a motion. Mr. Windsor made a motion to put a stay on the demolition order and continue Item 2940, 217 S. Michigan Ave. to the January 28th Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (5 Aye, 0 Nay) Mr. Paul advised Ms. Medina there is a document that needs to be signed anytime the Board places a stay and he will send that to her Attorney.

Item 2972, 213 E. 14th St.

Jose Lam, the new owner of the property arrived at the end of the meeting and wished to address the Board. Mr. Lam informed the Board that he bought the property two weeks ago but did not understand it was to be demolished. Mr. Lam wanted to ask the Board if there is a way to extend the demolition as his purpose is to remodel the structure. Mr. Oliver advised the woman that sold the property to him was there earlier, so the Board continued this item to the next meeting January 28th. Mr. Oliver advised he will send a letter to him about the next meeting. Mr. Lam advised he is looking for Contractors now to see how much it will cost to do the renovation of the property. Mr. Oliver advised they will meet before the next meeting, but he encourages him to get licensed contractors lined up to do the work, and he needs to bring a timeline of completion to the next meeting.

Mr. Denham asked for a motion to adjourn the meeting. Motion made by Mr. Wagner, second by Mr. Windsor to adjourn the meeting at 10:47 am.

Approved _____

Kyle Denham, Chairman

Approved _____

Rachel Freund, Notary Public



My commission Expires: July 25, 2025