

**MINUTES
BUILDING BOARD OF APPEALS
REGULAR MEETING
JANUARY 25, 2019
9:00 AM**

Wilson Ervin, Chairman, called the January 25, 2019 Building Board of Appeals meeting to order with the following Board members present: Mark Callihan, Ervin Wilson, Curtis Ledford, William Tylle. City Officials present: Jordan Paul, Assistant City Attorney, Bryan Wicklund, Building Specialist, Jeff Oliver, Building Inspector and Olivia Ball, Notary Public.

Mr Wilson We call the, uh, Building Board of Appeals Meeting for the 25th of January to order. First, role call.

Mr Paul If you want to announce yourselves one by one maybe?

Mr Wilson Kay', first order of business we have the, uh, approval of the Board Meeting that was August 24th and, uh, there needs to be a change on that. On page eleven, where, uh, Mr Callihan and, was, interchanged with Mr Denham, um, it's towards the bottom of the page, yeah. We also need a motion for approval with those changes.

Mr Paul Is there a motion?

Mr Wilson Motion to approve?

Mr Callihan Mr Chairman, this is Mark Callihan, I make a motion that, uh, uh, the minutes for the August 24th meeting be approved with the, uh, stipulations that you have made.

Mr Tylle Second.

Mr Wilson **All those in favor say "aye" (Mr Callihan, Mr Hartwell, Mr Wilson, Mr Ledford, Mr Tylle) Motion Passes.**

Mr Paul Can the Clerk have a copy of that, so she knows exactly what you're talkin' about?

Mr Wilson Yeah.

Mr Paul She has that?

Mr Wilson No.

Mr Paul Okay, okay, well we will go get it to her.

Mrs Willhite I'm sorry, who seconded the motion?

Mr Callihan Mr Ledford?

Mrs Ball Mr Tylle?

Mr Paul Mr Tylle.

Mr Callihan Okay.

Mrs Willhite Thank you.

Mr Wilson Mark Callihan made the motion. Okay, if, uh, you want to come up to the podium and, uh, state your name and address and, uh, what, uh, what your, uh, property you're speaking on please.

Mr Cardoso Um, my name is Dan Cardoso, um, and uh, excuse me, I'm a little bit nervous here, I've never had to speak to anybody like this, uh, about anything really. But, uh, I'm from Muncie, Indiana and I drove all night to get here so, uh, I intended to write down a whole lot more before I got here, I thought I, I, miss judged the time, so I just barely made this. Anyway, I am here on behalf of myself, I'm a single dad, I got two young kids, believe it or not, twelve and seven. And, twelve years ago I bought some property here in Joplin I intended ta' settle here. Things changed obviously I'm in Muncie, Indiana it was, things were out of my hands en', you know, it's been uh' kind of a whirlwind since. But, uh, I have property on 3035 & 3035 1/2 E 12th St. and, um, I actually have not been back here, and I hate to bring it up, but, um, since uh' a little bit after that tornado that y'all had out here. And, uh, that was partly ta' check on that property. Well, I was able to at least drive by before I came here, so I don't blame anybody at all for wantin' ta' demo. But...

Mr Oliver Really quick, sorry to interrupt, this is one that was ordered demolished. It had two properties...

Mr Cardoso Right.

Mr Oliver Um, I had a phone conversation with him, uh, I don't know, a few days ago and, uh, he asked about comin' to speak to you guys. It whadn't actually put on the agenda but we've done this before, I assured him he would have the opportunity to speak to you guys, um....

Mr Cardoso Yeah, I'm, I'm sorry if this is not the right order, um, again I am not familiar with any of this, but I did call to ask about being on the agenda so, um, I guess I thought about that much. My memory is really bad so, talkin about a lot of things that happened way back when, but I had bought a four

plex here also that I was able to sell because I, you know, I didn't intend, if I'm going to have some property, I wanted to live nearby. That changed, I wasn't able to sell the particular property that were talkin' about now at, um, east twelfth street, um, but I will say this on my behalf if this matters, maybe it doesn't, but, uh, I had the properties rehabbed, um, then you guys had the tornado. I had them ready to rent, I opened those up to people who were displaced, I had, uh, a, a, guy that was helpin' me while I was here. I couldn't be here, I had to go back 'cause I have kids but, uh, I left it for him ta' get some displaced people of which there were plenty. So, it was totally in his hands. Everything went downhill after that and I was never able to make, you know, much communication with many people here, my health went down also, uh, and I've held onto the property through the years, always paid the property tax 'cause I felt like somehow or another I'm goin' to come back. I've got a big investment here, uh, all total, because I put a new roof on one, it's probably about sixty-five thousand dollars is in the property and, uh, it's gunna' go to nothin' if it gets demoed. But, and I tried through the years with real estate people, nobody was ever interested. I tried one more time, uh, a couple weeks ago and to my surprise a lot of people were interested, so I don't know if the market just changed here or not, I don't know. But, um, listing agent is Israel Thompson, he is a realtor here, you guys might be familiar with him, I'm not sure an, and, forgive me 'cause I don't know what company he is with, but he is local. And, he has a guy that he works with regularly with this trust properties the guy he comes in a rehabs these types of properties he has investors lined up, he, he, has, uh, uh, relationship with the banks, so, getting money is not a problem and, uh, prior ta' be bein' aware of the demo, I listed this, I had, I didn't know, now, and it's my fault, you guys had tried to reach me and, and, it's my fault I probably even signed for it and forgot so, I'm, I'm not makin' excuses on that at all, um, but I did call. It did get listed the next day, it was sold, or have a buyer let's just say. But, the deal, it would not go through because it's, uh, soon to be demoed, it's not on the list just yet, I guess. But, it's, it looks like that's what needs to happen to it. If nothing else was going to happen, so this guy is, uh, he's, this is what he does, he does for a living, he, he, rehabs these distressed properties, uh, he'll make um' into rentals. I feel like it's a win for the City, you're gonna' get property taxes on two rental properties rather than a vacant lot, it's a great location for rentals. That's why I bought the property in the first place, it's right behind Mc, one of the McDonalds off of Rangeline road, it's just maybe, less than a block away, so that's why I bought it, it was gunna' to be great for rentals. I planned on rehabbin' it, never buy rentals if you're not gunna' be next to 'um, there, it just doesn't work out, so that was my fault. Uh, I've lost a lot of money, I've had to learn a lot of lessons, I'm tellin' you, I'm here now, um, again, on behalf of myself and my kids it would be great to be able to recoup something from everything that I've lost. Uh, I've paid, I've paid, uh, contractors to do work for me, who never did any work. Again, if you can't be close to your properties, you don't know what's

happening, I've paid care takers to take care of it, same thing, nothin', you know, would get done, the neighbor would call me and tell me, nothing's getting done. So, out of frustration, my health, the distance, and it's way further than I remembered, um, it got into the condition that it's in. It really went downhill after the tornado, I could tell you that much, uh, but it's not an excuse and again I don't blame you guys and lookin' at the condition right now, why you want ta' demo it, I'm just saying, the circumstances and it surprised me like crazy that anybody was interested in listing it or that anybody wanted to buy it, but I'm asking if, if, it's possible 'cause I think you guys are the only ones that could do this for me to, uh, just stall the intent on the demo, so that we can get, you know, this guy rollin' on this, because he won't buy it if he thinks it's gonna' be demoed, why would he invest? But, why would he invest if he wasn't goin' to rehab it. It's the same thing, and he's a local guy, he's here and, uh, I don't know, if you guys have any questions or if there is somethin' that you could tell me that I could do ta' make this more comfortable for you guys to feel like I'm not just blowin' up here, but I really intend to fall through. If you have any questions let me know.

Mr Tylle

Do you know if the property is secured with now?

Mr Cardoso

It's not. It's not, but that would be, um, again, if we know that we can have a little bit of time, that would be the first order that I would say has to happen. But, if he's not gunna' secure the, the, property then there's no sense in goin' forward with it, that's for sure. 'Cause, uh, I know that it's dangerous to have somethin' open like that, and it's open, I drove by, I haven't been back since, it was like seein' after the, the, tornado, I can't even tell ya' how long that was, you guys know. Uh, but, uh, that would be the first thing that would need ta' happen, is to secure the property, and, uh, Mr Thompson, Israel Thompson, the realtor, he can vouge for this guy, he sells him properties, this is what he does, we could probably get some addresses. Unfortunately, I wasn't able to get all of that, I asked both of 'um if they would show with me today, they both said there so busy. Uh, the realtor said he's, there understaffed and the, the, guy that wants to do the work says he's just so busy working, so, and then again they might be like me, a little bit nervous gettin' up here, you know, before, uh, uh, a Board and talkin' to folks when were not familiar with doin' this, so that might be part of what's goin' on with them, uh, uh, I believe that Mr Thompson probably could have handled it, but he just says he's so busy showin' houses and things so, uh, he couldn't be here. But, I'm sure he would be available to answer questions, uh, he's a phone call away that's all he is, he's here, he's local, he can tell you about the guy if that's a concern. The last thing I would say if this helps, I was hopin' not to but, if the sale of the property were to, be allowed to go through then I would, uh, I wouldn't have any problem at all of leavin' any, any money that was goin to come my way, and, uh, he listed it for twenty-seven thousand, which

blew me and supposedly sold it for twenty-four again, socked me, uh, you know, I didn't even give numbers. They handle the numbers, it didn't matter I didn't know what it's worth. But, if the Board would allow it, ta', ta', for this to go forward and the sale happens, I am going to leave the money in escrow until the City's satisfied that work is bein' done and this way that money will stay there, uh, all the way up until if it's not getting done then it gets demoed en' we'll pay for it, through that escrow. I don't have to take anything out, and again, two rental properties is goin' to bring you property taxes that a vacant lot is not.

- Mr Ledford (Unable to translate)
- Mrs Willhite Can we please identify ourselves, please when you speak.
- Mr Ledford This is James Ledford, when did this first come on? Anybody know?
- Mr Callihan Um...
- Mr Oliver October.
- Mr Wicklund Can you, can you, identify the, the, members when you call on um' ta' go ahead and speak, that will help...
- Mr Wilson Okay.
- Mr Wicklund Jeff, can you bring the, um, Board members as well as the owner here and, I, I, appreciate you, um, comin', drivin' this far...
- Mr Cardoso Yeah...
- Mr Wicklund That, that, is a long drive...
- Mr Cardoso Oh, yeah, thank you.
- Mr Wicklund Bring them up to date, bring everybody up to date on where were at today, when it was ordered demolished and where were at in the process today, please.
- Mr Oliver So, October seventh would have been the meeting that this property was ordered demolished, um, as far as where it's at, uh, a week ago today I had a bid opening and my next step would be to get Council Bill numbers and get it to the Council, the next available Council Meeting for approval, for the funds ta'...
- Mr Wicklund Can you, uh, let everybody know what the bids where on the, with the demo?

Mr Oliver Uh, I don't have those in here, I can run down and get um', but I don't have um' in the file. There layin' down there on my desk.

Mr Wicklund A thought that came to my mind, and I don't know what the, uh, markets like er' in Indiana, but we have a problem here in Joplin of landlords, um, there's no shortage of dilapidated properties. It's not hard to find somebody that has some money, like twenty-four thousand dollars to buy up dilapidated properties, they slap a little bit of paint on um' and then rent um' out with no background check, no down payment, no deposit for about five hundred dollars a month. With the two structures here if they are buying um' for twenty-four thousand that equals about two years' worth of rent to these, to the landlords...

Mr Cardoso I understand that...

Mr Wicklund And, then they own um' free and clear without having fixed anything...

Mr Cardoso Slumlords...

Mr Wicklund I am familiar with, uh, Israel Thompson, I've, I've, dealt with quite a bit, um, I don't know which individual he's found that's interested in doin' this, but I would say more than likely the reason they may not be here today is there familiar with the process and have gone through this before, if there used to fixing up properties in town. Um, normally when there this far down the process...

Mr Cardoso Sure...

Mr Wicklund Down the road, um, it's to late to actually save the structures, so, my guess would be that would be one reason why they haven't shown up today, that, that's, the concern, uh, as far as the City staff is just the condition they've been in for as long as they have. Um, and, there is a concern about properties changing hands to individuals who don't have a plan on how to fix um' up, they don't, they don't, show up to the meeting, they won't give us a time frame, um, and more times than not, don't give the attention that is needed as quickly as it's needed.

Mr Cardoso Sure. Can I speak to that?

Mr Wicklund Sure.

Mr Cardoso Yeah, um, it doesn't sound like that's who this person is, but I'll be honest with ya', I don't know either one of these guys, expect that, you know, I've talked to them on the phone, uh, Israel seemed like a straight shooter, you know, and I really appreciate, you know, his, his, character it seems, I, I, don't think that, you know, he'd be leadin' you guys this way because as

you said, he comes before you guys en' I don't think they want to come before you guys with some, uh, lousy work, I guess. But, uh, that bein' said again, if the sale of this was to go through, and maybe you guys don't want to bother with this and I understand, really, I do. Um, the money can lay is escrow, if you guys decide no, that's substandard then I'll accept that, and you guys can go ahead and knock it down or deal with a new owner, but, you know, whatever the cost is you take that from that. I'll leave the money in there until you're satisfied. If were allowed to do this, now, I know it's a bit late, and, and, I'm sorry about that, that, is my fault, uh, you know, it's an excuse I know, but my hands are so full, uh, uh, again, uh, you guys probably all have children, I'm doin this again, uh, I'm all they have. I've got two kids, I'm so busy now that I had, I just, I have no time for anything else, and, and, this thing here became overwhelming, but I could tell ya how ta', I don't know what it was, I guess I didn't want to lose my investment, a little bit of stubbornness about my own condition because I do know how to do this kind of work, I just never could get back here ta' do it. I wanted to really, I wanted to save it because I've got a lot of money invested into it, and, so, it never was my, I'm not what you just said, to buy, uh, uh, property like that, slap a little bit of paint, I've never done that. That's not me, and I don't have anybody to vouge for that, but that's not me, uh, but it would make a world of difference for us, for my family, so, you know, and that's not what where here is make a difference, I guess, but again, I don't see how you lose. If I'm leavin that money in an escrow account and if he actually does do good work, maybe, we, I'll talk to Israel about that, I, maybe I should have asked more specific questions about that sort of thing. Is, is, this guy a slumlord or what does he do, I don't know, I was just glad somebody was wantin' ta' buy it ta' tell ya the truth. Uh, so I can find some of that out, and, and, then pass that onto you guys. I don't think Israel is gunna' lie about it, he's a local guy here, he's not gunna, he don't want to tarnish his reputation here, he's a realtor, he's a really good guy too. So, I can ask him, I'm here today, I can probably get face to face with him today now, somehow. He's hopin' that this goes through, but, ya' know, I understand your apprehension there not here and that might be why, I don't know. I, I, really don't know, so, maybe I do need to talk to him, I'm just hopin' to get the change to get to do some of this stuff. Uh, the bulldozer not there yet and, I, I, I, guess I understand that you do have the bids to knock it down, I don't know, you know, what that comes to but if I'm willing to leave the proceeds from this sale in an escrow account an, and, I will, I'll, if, these, I don't know how to do this legally, but if the City could be on, uh, that account too an, until your satisfied, the money doesn't leave. So, now your guaranteed to get things paid for if you're not satisfied with, with, what this guy does or at least what he can proves he does, 'cause I don't know. I mean, I'd like to get a list of his properties and go look at 'um. That'd be, 'cause I, I'm not hopin' for you guys to get anybody like that. And, and, the marketing in Indiana is like this one, I know exactly what your talkin' about, in Muncie Indiana do a little

research you'll find a lot of these same kind of properties, uh, guys I know they buy 'em on tax sales en' do next to nothin' to um', I know that happens a lot, that's not me, uh, I'm hopin' that's not these guys, I don't believe it is, but honestly I don't know, but, I could, I, I, I, don't know how it is that I couldn't find that out today.

- Mr Wilson Do we any other comments or questions from the Board? Mr Callihan.
- Mr Callihan Um, Mr Cardoso...
- Mr Cardoso Yeah...
- Mr Callihan First of all, thanks for making the effort, we have, we have property owners in Joplin that don't even come in. That's quite an effort that you've made ta' ta' get here, thank you.
- Mr Cardoso Oh boy, you don't know how I feel.
- Mr Callihan Well, that's kinda the, maybe the good side of my story...
- Mr Cardoso That's fine.
- Mr Callihan What we look for is people that have a plan in place...
- Mr Cardoso Right.
- Mr Callihan Um, you've got kind of guide lines of a plan, quite honestly, we've seen that come and go, not in your case, but, um, I just I'm very hesitant to lift any stay because, um, you do reside in Indiana and you've, you've, agreed that, it, it, takes somebody living here, next to the property ta'...
- Mr Cardoso No doubt.
- Mr Callihan Handle it properly...
- Mr Cardoso That's right.
- Mr Callihan Um, that's a, in my opinion a huge disadvantage that, that, you're in...
- Mr Cardoso It is...
- Mr Callihan It's unfortunate you've got the investment that you do, but honestly, I haven't seen anything that gives me encouragement to...
- Mr Cardoso Yes, I...

Mr Callihan Change anything that we have in place.

Mr Cardoso Uh, well, uh, um, you know, I can't disagree, that's why I asked them if they could be here. I can't, you know, am I supposed to talk for them? I, I, can't, and, and, I don't know the guys. But, if I can get a little bit of time, maybe I can find that out today, I don't know if there is some way that I could submit that information to you guys? I mean, we can do everything electronically, you guys could check this thing out 'cause everybody's here, I'm not, I know I won't be, I can't be, I have to get back. Um, I mean, I don't know what it would take on your part right now if you were ta' give a stay, uh, I don't know, does that mean that if you give a stay then it's, it's automatically you can't do anything for a month? And, you've got to go through a whole process again? I don't know.

Mr Paul The stay would typically mean there just putting a pause on the demolition order for x number of days, typically they assign work requirements for that, so they, they, wanna', usually they'll ask Jeff or Bryan to give a punch list that has to be done within a certain time period and I, I'm curious as to whether your conversations with this buyer the understanding is that you're going to perform this work before the, the, sale or their going to buy it from you and then their going to do the work. Have you guys had that conversation?

Mr Cardoso No, uh, you know, it, it, could be beca (mis-spoke), he, I think what, what, probably needs ta' happen is I need ta' find out who he really is. I don't know 'em, I've only had one...

Mr Paul It sounds like you just wanna' sell it ta' him and then have him do the work.

Mr Cardoso That's what, oh, no, I'm not here to do, I can't do the work, I can't do the work anymore...

Mr Paul Yeah, right, right.

Mr Cardoso Yeah, besides the separate, but, even if I was here, I can't do it now anymore. Um, but apparently, uh, the real estate agent, uh, I don't think he's liein' ta' me, he sells this guy, uh, homes like this, you know, and he says, he goes, I get groups of 'um and he has investors that, that, the, the, contractors that he works for and, and, does the kind of rehab, I don't know what is work is like but I can find out. I'm here today, uh, I mean I track these guys down, since they don't want to come here, I'll go to find, it's worth it to me to do a little bit of leg work on this right now, again, I've had a huge loss on this and, um, just trying recoup a little bit of somethin', honestly I was shocked that anybody was willing to list it. I don't know what's happened here, I drove around, and it still seems like it's the same,

you know, the, the, small little houses and stuff, so I don't know if the market has changed here or what, I don't know. But, uh, Israel wasn't the only realtor that was interested, he just happened to be the first one so, I went with 'em. Eh, so, somethin' changed before I couldn't even get anybody even sniff the thing they, they, didn't care so, I did try, I did try, 'cause I knew I was not gonna be able to come back, um, but if you give me a little bit of time to see what I can find out, so I can present somethin' that seems reasonable and, and, that you guys feel confident in. Then, if I at least get, um, time to at least do that I'd appreciate it, you know, uh, it means a lot to me, there's no doubt. And, if, if, he's legit, he does good work, we get two decent rentals there that, again, you're getting' property tax on two decent rentals rather than a vacant lot that could sit vacant for, you know, who knows because there is a vacant lot next to it, it's right behind the McDonald's there's a vacant lot next to it that's for sale now I noticed but it's been vacant as long as I've had those houses, twelve years. Still vacant, still sitting there, so, you know, there's, you really get nothin' for that. I mean not that, that's of the incentive, I don't know, I mean, I don't know. This is, this was my only change I guessed, uh, you know, because it was so late, and I honestly wasn't aware, you know. I signed once, it shows that, that, that, I signed, uh, I'm to busy, not well, again, my health is not great, the only time that I really became aware of it was when the mail person came to my house and I signed it then. I'm like, okay what is this and I took the time to look at it and I became aware and that happened. I swear to you, the day after I talked to the realtor and I, I, I, talked to the realtor, I was glad, I got this thing the next day, everything went oh my god, it's gunna be demoed, I couldn't believe it but, that's how it goes sometimes, eh, it's not anybody's fault, but mine. So, I'm just here to make this appeal to you guys.

Mr Paul So, are you, are you, sayin' that you, you, didn't get the October letter?

Mr Cardoso Uh, you know, I'm not gonna' say that I did not, I'm not gunna say that because I am so busy that I forget...

Mr Paul Sure, I'm just tryin' to figure out the first time you got a letter. I, it...

Mr Cardoso I, I, I'll tell ya' the first time that I absolutely became aware of it was very recently. When they came to my house and I signed for it at my door.

Mr Paul And, that was November fourteen...

Mr Cardoso That's been very recent. It's been, uh, month ago maybe.

Mr Paul Well, we, we've got a certified receipt got a certified receipt from you for November fourteen letter that was...

Mr Cardoso Do you have one after that?

Mr Paul Um, you probably got, that was notice of the December meeting, then after the December meeting you would have gotten another letter, that's probably what you're thinking of.

Mr Cardoso That's, that's, what I'm talkin' about, the one before that, I, I, I, probably did sign for but, I don't remember...

Mr Paul In the, I, I, just noticed that the first one went to a 5301 W. County Rd...

Mr Cardoso That's my address...

Mr Paul And, we, we, didn't have a signed receipt for that, but then we sent it to a P.O Box and, oh, no, I'm wrong, we, we, did sent it to that address again and got uh' a signed receipt for it so, I'm just, you know, you're, you're talkin' about not havin' a lot of notice here but...

Mr Cardoso No, I'm, I'm, I'm, tellin' you that I, I, forget, you know what, with out getting' to deep into my condition, I have really bad back...

Mr Paul Sure.

Mr Cardoso I take...

Mr Paul From the Boards perspective, you know, there, there, at least ninety days deep and now you want to come back en', en', February, thirty days from now with the realtor ta' propose a plan and then I think if the Board were willing ta' consider a waiver that's probably what they wanted to hear today. Would be for you to be here with the realtor and the contractor so that Jeff could tell um' exactly what the expectations where.

Mr Cardoso And, I tried. I really did, I tried. So, again, what I'm sayin' is the only other thing I can do is track these guys down myself, find out myself, maybe pictures or something. I don't know what it would take, so that you guys could see.

Mr Paul There, there, there, there, there, concern is that, you seem like an honorable guy, but, you know, they don't know who your contactor is and you're going to leave and then the Boards working with someone who, they don't know who that person is right now and, it may be someone they've worked with in the past to take six months to do, thirty days' worth of work. Does that kinda' make since?

Mr Cardoso And, no, it absolutely does, and that's what I want to try to find out for you guys what kinda' guy he actually is so, that I can, if there is anything that I

could do to make you comfortable. Mr Thompson I think would be the one to vouge for this guy and, and, he's a legit, he's a real estate agent. He's not going to come in here or call you or whatever or lie to you about this guy, I doubt that seriously that he would do that because, he may have to come before you again some other time, I guess you guys have agents at times, uh, come in here, I don't know if you do or not, but that's all that I can do, and that's all I'm askin' is for a chance to do that, I guess. Uh, uh, again, the condition of um' I don't blame you guys at all, for, for, ya' know, it would be dangerous, I wouldn't want them things standing there like that for, and I did not, I was not aware of the condition, I don't have anybody to communicate with anymore here, those that were have all, you know, so a lot of um' took my money and baled. But, uh, that's just, that's the story, that's what's happened, um, I guess it's a long shot, whatever guys, but, you know, I'm here, I drove here to present this, and this is probably gone way longer than you guys expected, and I, I, apologize for that.

- Mr Paul Uh, it's, it's Boards pleasure, if you, uh, if you don't wanna' take action, you don't need a motion and you, you would need a motion for, uh, a waiver. We can talk about that in depth, if that's the direction you wanna go.
- Mr Wilson Kay', my main concern is that the people that you were supposed to be working with as far as the realtor and the contractor didn't show up with you today....
- Mr Cardoso Yeah, I understand.
- Mr Wilson That, that, is my main concern and so, that leaves me with the feeling that maybe there not as reputable as we would think.
- Mr Cardoso I understand.
- Mr Wilson So, uh, it's for myself that, that's, a big concern, uh, do we have any other comments or questions from the Board? Mr Ledford.
- Mr Ledford I haven't heard anything today that would make me wanna'... (unable to transcribe)
- Mr Cardoso I mean, that's, that's, you prerogative, I mean, you guys are the ones who make these decisions, I'm only here because , uh, I understood this is the only chance I had, so, that's, that's, why I'm here and again, if the sale where to go through, I don't know, maybe it can't happen that way but, uh, I'm more than willing to leave money in the account till you're satisfied. That way things, everything gets, you know, paid for, covered., but I wouldn't want to go forward with that either if I were you. If it's as described he's somebody who just slaps some paint on there and then, ya'

know, rent it out that way, I wouldn't want to do that either, so, uh, maybe if I could have the opportunity ta' find out what kinda' work he does, then I could present it or maybe I could let these guys know, look a lot hinged upon you guys being here and you didn't show, so, if you guys want this to happen, can you please show. I don't know if there us another meeting that we could set for them to come and present or not, I don't know. Whatever you guys decide.

Mr Wilson Do we have a motion for action? Being no motion, uh, order stands as to the demolition.

Mr Cardoso Alright, guys appreciate your time.

Mr Wilson Thank you for coming in anyhow, sir. We appreciate it.

Mr Paul Okay...

Mr Wilson Alright, uh, Jeff, do we have any for demolition hearings?

Mr Oliver Got one.

ITEM # 2855

122 S. Park Ave.

OWNER: Ryan Smith

ADDRESS: 122 S. Park Ave. Joplin MO. 64801

"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item Continued from the December 7, 2018 meeting for a "Demolition Hearing" and Progress Report (SECOND TIME BEFORE THE BOARD)

Mr Paul Two-eight-five-five, which is 122 S Park. Is my mic coming through okay? No?

Mrs Willhite Not very well, if you can put it closer to your...

Mr Paul I feel like if I move it up, it, I kinda' shoot past it.

Mrs Willhite Kay'. Alright, that sounds better, thank you.

Mr Paul I'll, I'll, hunch down.

Mrs Willhite Okay.

Mr Paul We need a motion.

Mr Callihan Oh...

Mr Wilson Do we have a motion, do we have a motion?

Mr Callihan Mr Chairman, this is Mark Callihan, I make a motion that item number 2855, 122 S. Park Ave. be the subject of a Demolition Hearing.

Mr Tylle Second.

Mr Wilson **I have a, uh, motion by Mr Callihan, a second by Mr, uh, Tylle, that item 2855, 122 S. Park Ave. be the subject of your Dangerous building Hearing. All those in favor say "aye" (Mr Callihan, Mr Wilson, Mr Ledford and Mr Tylle) Those opposed (none) Motion passes. City turns it over, eh, Board turns it over to the City.**

Mr Paul Thank you. This is the Joplin Building Board of Appeals meeting, the job municipal Building this 25th day of January 2019 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. Uh, the case for today is item number 2855, on the agenda also known as 122 S. Park, the City calls Jeff Oliver.

Mrs Willhite Jeff, do you solemnly affirm, under the penalty if 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.

Mrs Willhite Thank you.

Mr Paul Please state your name and occupation.

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

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

Mr Oliver A little over ten years.

Mr Paul Have you in the official performance of your duties had occasion to inspect the property known as 122 S Park 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 These are, these are, the photos that, uh, I took the day it was posted, it was posted on October first of 2018.

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

Mr Oliver Yes, they do.

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

Mr Oliver There is also, I believe two or three photos I took yesterday of the property that should have been passed around.

Mr Wilson Board 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 going to show you what has been marked as exhibit two, do you recognize exhibit two?

Mr Oliver Yeah, this is the, uh, title search received from Great American Title.

Mr Paul And, who does it show, go ahead, who does it show as the owner of the property?

Mr Oliver Shows a Ryan D. Smith as the owner.

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

Mr Wilson Board accepts.

Mr Paul What if anything did you do to notify the owner of the property of this action?

Mr Oliver Sent certified letters.

Mr Paul I'm going to show you what has been marked as exhibit three, do you recognize exhibit three? Opps, sorry.

Mr Oliver Uh, exhibit three are certified letters, um, there's two of them here that were sent to Ryan Smith, uh, at the address of, uh, 122 S. Park, um, hoping maybe that they would get forwarded, there is also a third letter in here that was sent, it's kind of a courtesy letter we send prior to, uh, putting it on this agenda.

Mr Paul And, Jeff, even though you don't have signed receipts for these letters, uh, the address here, first of all, that's the same, that's the actual properties address, correct?

Mr Oliver That's correct.

Mr Paul And, is it also, um, true that, that, address is the address that is on file with the Jasper County Assessors for property tax purposes?

Mr Oliver That's correct.

Mr Paul And, so in other words, can we kinda' deduct that the property tax statements are sent to this, have been, because this property, uh, has not been sold at tax sale, somebody has paid the taxes on the property for, sometime in the past couple of years and those statements were sent to this address.

Mr Oliver Yes.

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

Mr Wilson Board accepts.

Mr Paul And, uh, further on the topic of notice looking back on exhibit one, which are the photos, is it true that exhibit one depicts a placard you had attached to the building?

Mr Oliver Yes, it does.

Mr Paul And, what, what, does that placard generally give notice or information of?

Mr Oliver Right, it's a placard we put on, uh, every property, uh, that has a potential to come to this Board basically letting the public know that it has been posted as a dangerous structure.

Mr Paul And, is another purpose of that placard to give any interested party notice that they should contact the City?

Mr Oliver Yes.

Mr Paul And, what if anything else did you do to notify any interested party of this action.

Mr Oliver We had it, uh, published in the Joplin Globe.

Mr Paul I'm going to show you what has been marked as exhibit four, do you recognize exhibit four?

Mr Oliver This is the, uh, affidavit of publication, um, for the address of 122 S. Park., the publication dates of, uh, Thursday January third, Thursday January tenth, Thursday January seventeenth and Thursday January twenty-fourth. The paper says 2018 but it should be 2019.

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

Mr Wilson Board accepts.

Mr Paul And, Jeff, before we move on, I just want to recap that the notice to the owner that was given this action, so you had the certified letters which were sent not just to the property address but also at that same address which was the property on file the, uh, Jasper County Assessor. You posted a notice physically on the structure and then you ran publication of the Joplin Globe, is that accurate?

Mr Oliver That's correct.

Mr Paul Thank you. Uh, what, uh, school and education have you had in the Building Industry which would qualify you as an expert in the construction of buildings?

Mr Oliver I've been a general contractor, um, in the Joplin area for over a twenty-year period.

Mr Paul And, from an inspection of the property at issue here do you have an expert opinion as 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 building do you base your opinion if any.

Mr Oliver Yes, I do. Subsection line four, 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. Also, line thirteen, whenever the building or structure has become an attractive nuisance to children or is open to unauthorized or unlawful entry. And, then I'll add in, um, line fifteen, whenever the electrical system is totally or partially damaged, destroyed, removed or otherwise made inoperable, unsafe or hazardous. So, you can see by the photos that have been passed around, uh, this is a small structure that is basically severely dilapidated, it's been tore up on the inside, uh, and it's currently open for unauthorized entry en' not secured, so...

Mr Paul Uh, thank you, Jeff, this would now be any interested parties' opportunity to ask Jeff questions, um, just to be clear, I know you all are not here on this, uh, matter, just to be clear there's no one in the gallery here that is out there for this matter, correct? Good, nobody appears, um, the Court was not aware or informed of anybody who intended to be here today but couldn't be for some reason. Does the Board have any questions for the witness? I see none, uh, Jeff, you're excused. City, uh, well before City rest, if there no objection, I'd also offer chapters twenty-six, articles nine and ten, of the of the Joplin Code of Ordinances into evidence before the Board and I'd 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 any interested party to address the Board, present evidence, um, or, or, otherwise just again, make argument, nobody in the gallery here today, Board unaware of anybody who intended to be here but could not be for some reason, therefor matter will be returned to the Board for deliberation and a decision.

Mr Wilson Do we have a motion to demo? Mr Callihan.

Mr Callihan Mr Chairman, I make a, I move that item 2855, 122 S. Park Ave. be declared a dangerous building in accordance with Joplin Code of Ordinance, chapters twenty-six, articles nine and ten section twenty-six dash six twelve, uh, subsections four, thirteen, fifteen, uh, and so ordered demolished to include any out buildings.

Mr Ledford Second.

Mr Wilson **I have a second by Mr Ledford that item 2830 (mis-spoke), 55 (2855) 122 S. Park be declared a dangerous building in accordance with Joplin Code of Ordinance, chapters twenty-six, articles nine and ten section twenty-six dash six twelve, lines four, thirteen, fifteen and so ordered demolished to include any out buildings. All those in favor say "aye" (Mr Callihan, Mr Wilson, Mr Ledford and Mr Tylle) Those opposed (none) Motion passes.**

ITEM # 2835

309 S. Michigan Ave.

OWNER: Anglin & Associates #12

ADDRESS: P.O. Box 794548 Dallas Texas

"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item Continued from the December 7, 2018 meeting for a "Demolition Hearing" and Progress Report (NINTH TIME BEFORE THE BOARD)

Mr Oliver Alright, back to the top. Item number 2835, 309 Michigan, uh, that property has been finaled and can be released.

Mr Callihan Mr Chairman...

Mr Wilson Yes, Sir? Mr Callihan.

Mr Callihan Mr Chairman, I make a motion that item 2835, 309 Michigan Ave. be removed from our agenda.

Mr Ledford Second.

Mr Wilson **Second from Mr Ledford that item 2835, 309 Michigan Ave. be removed from our agenda. All those in favor say "aye" (Mr Callihan, Mr Wilson, Mr Ledford and Mr Tylle) Those opposed (none) Motion passes.**

**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 December 7, 2018 meeting.**

Mr Oliver Item 2836, 1308 S. Sergeant, um, slow progress, he is still makin' progress but it's pretty slow. I guess I would ask the Board to continue it.

Mr Wilson Do we have a motion?

Mr Callihan Um, a question. Mark Callihan here, um, the last I recall were still doin' the interior work?

Mr Oliver That's correct.

Mr Callihan Yeah. And, do you know anything about the status about that, Jeff?

Mr Oliver Uh, he hasn't called for a Rough In on electrical or anything...

Mr Callihan He hasn't?

Mr Oliver Yet...

Mr Callihan He has not, okay. I certainly thought he would have been far ahead of where he is...

Mr Oliver Yep.

Mr Callihan Ya know, ta', ta', do all the work on the exterior that's been done...

Mr Tylle Mr Chairman, I make a motion that item 2836, 1308 S. Sergeant be continued to our February 22nd meeting.

Mr Callihan Second.

Mr Wilson **I have motion by Mr Tylle, second by Mr Ledford that item 28...**

Mr Callihan No, I seconded.

Mr Wilson **Oh, correction, uh, Mr Callihan is the second on this motion, uh, item 2836, 1308 S. Sergeant be continued to our February 22nd meeting for a Progress Report and Demolition Hearing. All those in favor "aye" (Mr Callihan, Mr Wilson, Mr Ledford and Mr Tylle) Those opposed (none) Motion passes.**

ITEM # 2846

1419 W. 9th ST.

OWNER: Donald & Connie Hunsaker

ADDRESS: 420 N. Sergeant Ave. Joplin MO. 64801

"Demolition Hearing" has been posted in the Joplin Globe Legal Section. Item continued from the December 7, 2018 meeting for a "Demolition Hearing" And Progress Report (FIFTH TIME BEFORE THE BOARD)

Mr Oliver Kay', item 2846, 1419 W. 9th St., um there continuing with there demolition, little recap is the front part if you've been by it, there basically wanting to take all that off, um, and rehab a part that they had started on some time ago, um, it's again, it's another one that's kinda' movin slow, but they have made a little progress.

Mr Wilson Do we have a motion?

Mr Tylle Mr Chairman, I make a motion that item number 2846, 1419 W. 9th be continued to our February 22nd meeting for Demolition Hearing.

Mr Wilson Do I have a second?

Mr Ledford Second.

Mr Wilson **I have a motion by Mr Tylle, second by Mr Ledford that item 2846, 1419 W. 9th St. be continued to our February 22nd meeting for Progress Report and Demolition Hearing. All those in favor "aye" (Mr Callihan, Mr Wilson, Mr Ledford and Mr Tylle) Those opposed (none) Motion passes.**

ITEM # 2856

1603 Murphy Ave.

OWNER: Jim L. Ames

ADDRESS: 8072 Estates Dr. Sarasota FL. 34243

“Demolition Hearing” has been posted in the Joplin Globe Legal Section. Item continued from the December 7, 2018 meeting for a “Demolition Hearing” And Progress Report (SECOND TIME BEFORE THE BOARD)

- Mr Oliver Item 2856, 1603 Murphy Ave., uh, it's another Jim Ames property, um, he has pulled a permit, so, I'd ask the Board to continue it though and let's keep an eye on it.
- Mr Wilson Do we have a motion?
- Mr Callihan Uh, Mr Chairman, I have a question.
- Mr Wilson Mr Callihan.
- Mr Callihan Uh, yeah, I drove by saw there was a permit, nobody workin' on, do we have any idea what kind of a time frame, what, what, was the permit for?
- Mr Oliver Well, again, the permits good for six months, um, I've had a conversation with Jim, um, a local contractor, um, it's kinda, it's they've already got a roof on it, which it needed. Um, it needs some electrical updating and a little work to the inside, um, Jim in the past has kinda' past um' en', you know, let people move into um', when, when, there in my opinion not really quite what they should be, um, so in my conversation with Jim he's got quite a few properties, uh, that I have posted, I've got three or four other ones out there that are currently posted, but not on the agenda. And, he's been told that he's goin' to have to get them up to a living condition like where, you know, you pull your permit and where goin' to need to basically kinda' like have a final on um', so we know they are okay to move into. Um, so anyway the permit is pulled, um, I've tried to talk to him about getting a reputable contractor, um, to work with on all these so maybe we could get a good relationship goin' with somebody on each of these properties, 'cause there is going to be more in front of you. Um, anyway, that's where it's at.
- Mr Callihan Thank you. Uh, again, Mark Callihan, I just feel like grabbing a building permit kinda' last, last, minute is an effort to forgo en' I'm all about tryin' ta' save properties obviously, uh, but, um, I think we otta' keep en' eye on this one.
- Mr Oliver Right, he, he, actually originally just pulled a couple roofing permits on that one and another one, and I informed him that a roof on a property is not going to save it from coming to see you guys.

Mr Callihan Thank you.

Mr Oliver Yep.

Mr Wilson Do we have a motion?

Mr Tylle Mr Chairman, I make a motion that item 2856, 1603 Murphy Ave. be continued to our February 22nd meeting for Demolition Hearing.

Mr Callihan Second.

Mr Wilson **I have a motion by Mr Tylle, seconded by Mr Callihan, that item 2856, 1603 Murphy Ave. be continued to our February 22nd meeting for Progress Report and Demolition Hearing. All those in favor "aye" (Mr Callihan, Mr Wilson, Mr Ledford and Mr Tylle) Those opposed (none) Motion passes.**

ITEM # 2857

819 Murphy Ave.

OWNER: David Eshom

ADDRESS: 819 Murphy Ave. Joplin MO. 64850

"Finding of fact Hearing" scheduled for this date"

Mr Oliver Okay, new business, item 2857, 819 Murphy Ave., um, I ask the Board to continue that to February.

Mr Wilson Do we have a motion?

Mr Tylle Mr Chairman, I make a motion that item 2857 be continued er', I'm sorry, 2857, 819 Murphy Ave. be continued to our February 22nd meeting for Demolition Hearing.

Mr Wilson Is there a second?

Mr Callihan Second.

Mr Wilson **I have a motion by Mr, uh, Tylle, seconded by Mr Callihan that item 2857, 819 Murphy Ave. be continued to our February 22nd meeting for Progress Report and Demolition Hearing. All those in favor "aye" (Mr Callihan, Mr Wilson, Mr Ledford and Mr Tylle) Those opposed (none) Motion passes.**

ITEM # 2858

1114 E. Hill St.

OWNER: Isidro Ruiz

ADDRESS: P.O. Box 939 Neosho MO. 64850

"Finding of fact Hearing" scheduled for this date"

Mr Oliver Item 2858, 1114 E. Hill St., um, Mr Ruizio (mis-spoke should be Ruiz) owned a property next to this one, um, it was brought to the Board approximately two years ago, uh, and was ordered demolished, um, anyway, it's gotta' be continued for thirty days and, uh, I don't expect he'll probably be doin' anything with it, so...

Mr Callihan Mr Chairman, I make a motion that item 2858, 1114 E. Hill St. be continued for our February 22nd, uh, meeting for Progress Report and Demolition Hearing.

Mr Tylle Second.

Mr Wilson **I have a motion by Mr Callihan, second by Mr Tylle that item 2858, 1114 E. Hill St. be continued to our February 22nd meeting for Progress Report and Demolition Hearing. All those in favor "aye" (Mr Callihan, Mr Wilson, Mr Ledford and Mr Tylle) Those opposed (none) Motion passes.**

**ITEM # 2859 402 N. Joplin Ave.
OWNER: Albert M Tucker Jr.
ADDRESS: P.O. Box 9873 Carl Junction MO. 64834
"Finding of fact Hearing" scheduled for this date"**

Mr Oliver Item 2859, 402 N. Joplin, uh, I'd ask the Board to continue it for thirty-days.

Mr Wilson We have a motion?

Mr Tylle Mr Chairman, I'd like to make a motion that item number 2859, 402, 402, N. Joplin be continued to our February 2nd meeting for Demolition Hearing and Progress Report.

Mr Oliver That'll be 22nd.

Mr Ledford Second.

Mr Wilson **I have a motion by Mr Tylle, second by Mr Ledford that item 2859, 402 N. Joplin Ave be continued to our February 22nd meeting for Progress Report and Demolition Hearing. All in favor "aye" (Mr Callihan, Mr Wilson, Mr Ledford and Mr Tylle) Those opposed (none) Kay?, motion passes.**

Mr Oliver Oka, that's the, uh, end of the items on the agenda, um, we do have a guest speaker today, Mrs Carolina Neel and, uh, she is gunna' come and visit with us.

Mrs Neel Thank you very much for inviting me to this session I'm really happy to be here talking about some stories and issues that are really, I'm really passionate about I'm just waiting for tech, technology to help us here a little bit. Um, very interesting meeting, uh, it's the first time I attend and, uh, I have learned a few things that I want to share with you too. If we can start this, ah, they can see it? Can I see it too? Sorry.

Mr Callihan We have it.

Mr Paul We, we've, got it on our screens, I think.

Mr Callihan Yeah, we have it here Carolina.

Mr Paul Yeah.

Mrs Neel Ah, okay, just this view, okay, it's coming up. Thank you, good. Okay, well, um, this presentation I decide to call building healthier communities to preservation and what I want to show you is, how can we do this. (Mrs Carolina Neel continues on to her presentation. Additional information is on January 25th CDR 1 DISC 2)

Mr Callihan Thank you.

Mr Ledford Thank you.

Mrs Neel You're Welcome.

Mr Oliver Thank you, appreciate it.

Mrs Neel You're welcome.

Mr Wilson We appreciate you comin' up and talkin' to us today, Mrs Neel and, uh, here are the ideas, uh, uh, few items of thought definitely, so we appreciate it so much.

Mrs Neel Yeah, and one last thing that I have, uh, that is a work in progress for me, you know, property owners need to be educated, uh, I wish the gentleman here stayed longer to listen to this, but I think you as a whole can be promoters of that, and you know, a conference for other property owners buying or leasing in your agenda and meeting where we can talk about it. Listen to them, this is what they need, I'm trying to connect their needs and connect their needs to the resources available in the City. May be a good way to give, things moving forward faster, I contemplate taking a job from you guys, but, away, but, I think that's something we can think about in about promoting our City in, uh, Downtown Joplin Alliance and many

other organizations that I'm linked here with, would be happy to help and to help as many as we can.

Mr Ledford

Sorry.

Mr Wilson

Do we have any other business to come before the Board today? The Board Chair will attend a notation to dismiss.

Mr Ledford

Ill make a motion that we dismiss.

Mr Callihan

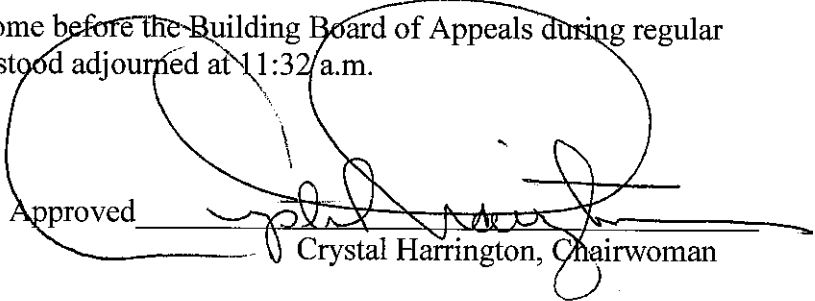
Second.

Mr Wilson

I have a motion by Mr Ledford, second by Mr Callihan that, uh, we go ahead and adjourn it. 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 passes, we are adjourned.

There being no further business to come before the Building Board of Appeals during regular session, the regular session meeting stood adjourned at 11:32 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

