



**BUILDING BOARD  
OF APPEALS**

***Building Board of Appeals  
Meeting Minutes***

May 27, 2022

**Call to order**

Mr. Denham called to order the regular meeting of the Building Board of Appeals on May 27, 2022.

**Roll call**

Mr. Denham conducted a roll call. The following persons were present: Kyle Denham, Lance Windsor, Garret Wagner, Gary Duncan, Steve Brown, Christopher Tucker, Assistant City Attorney Jordan Paul, City Building Official Bryan Wicklund and Jeff Oliver, Administrative Assistant Lindsay Dunn and Vicky Copeland.

**Approval of Minutes**

Mr. Denham asked for a motion to approve the minutes as presented for the April Board of Appeals meeting. Mr. Wagner made a motion to approve the April Building Board of Appeals minutes and Mr. Windsor seconded the motion. (6 Aye, 0 Nay)

**Motion to Excuse**

Mr. Denham asked for a motion to excuse Mr. Leif Malone. Mr. Duncan made a motion to excuse Mr. Malone and Mr. Tucker seconded the motion. (6 Aye, 0 Nay)

**Continued Items**

**Item 2913, 3615 S. Range Line Rd.**

Aaron Gumpenberger was not present at the meeting. Patrick Wood was not present at the meeting. Mr. Oliver stated he went out to property to take pictures and spoke with Mr. Wood. Mr. Wood was removing items from the property and stated they were waiting to receive bids for demolition. Mr. Windsor inquired about fines being assessed to property owners. Mr. Wicklund stated the proposal of assessing fines is moving forward. Motion to continue Item 2913, 3615 S. Range Line to June 24<sup>th</sup> Board of Appeals meeting made by Mr. Tucker. Seconded by Mr. Windsor. (6 Aye, 0 Nay)

**Item 2921, 1124 Murphy Ave.**

Michael Wilson, owner of the property was present. Mr. Denham asked if Mr. Wilson had an electrician yet. Mr. Wilson stated he has been unable to get original electrician to return calls or return to property. Mr. Wilson stated his next step is to contact an attorney for civil action. Mr. Wicklund stated the original permit was issued January 2020 and has since expired. The original permit was only good for 1 year. Mr. Wilson is requesting an extension. Mr. Denham requested a timeline to be provided by next meeting. Mr. Duncan made a motion to continue Item 2921, 1124 Murphy Ave. to June 24<sup>th</sup> Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (6 Aye, 0 Nay) Photos given to Mr. Oliver.

**Item 2942, 4323 W. 27<sup>th</sup> Place**

Owner of the property was not present. Mr. Oliver stated he spoke with the owner of the property in Kansas City prior to meeting and they have made steady progress. Mr. Oliver stated they are down to minor repairs and close to final inspection. Motion to release Item 2942, 4323 W. 27<sup>th</sup> Place from the agenda made by Mr. Windsor. Seconded by Mr. Wagner. (6 Aye, 0 Nay)

**Item 2947, 2408 Willard Ave.**

Misty Gamble was not present as the owner of the property. Mr. Oliver stated property owner needs final inspection. Mr. Oliver's recommendation is to continue this item on the agenda. He stated he believed there are financial constraints limiting the progress of the property owner. Motion to continue Item 2947, 2408 Willard until June 24<sup>th</sup> Board of Appeals meeting for progress report and demolition hearing was made by Mr. Duncan. Seconded by Mr. Wagner. (6 Aye, 0 Nay)

**Item 2958, 2421 S. Florida Ave.**

Owner of the property was not present. This property has been rehabbed and final inspection was done on May 16<sup>th</sup>. Mr. Oliver asked the Board to release this Item from the agenda. Motion was made to release Item 2958, 2421 S. Florida Ave. from agenda by Mr. Wagner. Seconded by Mr. Windsor. (6 Aye, 0 Nay)

**Item 2963, 418 W. 2<sup>nd</sup> St.**

Owner of the property was present. Mr. Casey stated project is moving forward. Mr. Denham questioned if water issue had been resolved by purchasing the lot for easement. Mr. Casey stated yes the water issue has been resolved. Mr. Oliver asked if sheet rock hangers had been scheduled. Mr. Casey stated they have an approved bid. Mr. Oliver stated they only need permit service and final inspection. Mr. Windsor made a motion to release Item 2963, 418 W. 2<sup>nd</sup> St. from agenda. Seconded by Mr. Wagoner. (6 Aye, 0 Nay)

**Item 2964, 2526 E. 12<sup>th</sup> St.**

Owner of the property was not present at the meeting. Mr. Oliver stated the framing inspection has failed. Inspection was done on May 24, 2022. The electrical inspection still has not passed and the plumbing has passed. Progress is slow. Motion to continue Item 2964, 2526 E. 12<sup>th</sup> St. to the June 24<sup>th</sup> Board of Appeals meeting for a progress report and demolition hearing made by Mr. Tucker. Seconded by Mr. Duncan. (6 Aye, 0 Nay)

**Item 2976, 1417 W. 20<sup>th</sup> St.**

Owner was not present at the meeting. Mr. Oliver has been contacted by the insurance company. Owner asked insurance company to reach out and request a continuance as they work through their claim. Mr. Oliver advised the property is secure. Mr. Wicklund stated the owners had not pulled permits or started on repairs but property is secure. The owners are working with insurance company to determine amount of coverage. Motion to continue Item 2976, 1417 W. 20<sup>th</sup> St to June 24<sup>th</sup> Board of Appeals meeting for a progress report and demolition hearing made by Mr. Wagner. Seconded by Mr. Windsor. (6 Aye, 0 Nay)

**Item 2980, 802 S. Connor Ave.**

Olga Gutierrez, owner of the property was present at the meeting. Mr. Oliver advised the Board that he had driven by the property and the property owner had made significant progress. Mr. Oliver stated the property owner does need an electrical contractor. Mr. Oliver advised residents need to come in and obtain list of licensed electricians. Mr. Wagner made a motion to extend Item 2980, 802 S. Connor Ave. to the June 24<sup>th</sup> Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Duncan. (6 Aye, 0 Nay)

**Item 2983, 1101 S. Sergeant Ave.**

Mr. Oliver stated this item has been demolished and finally been cleaned up. Mr. Oliver asked for the Board to release property. Motion to release Item 2983, 1101 S. Sergeant Ave due to demolition complete made by Mr. Tucker. Seconded by Mr. Wagner. (6 Aye, 0 Nay)

**Item 2985, 130 S. Moffet Ave.**

Mr. Oliver met with the owners of this property and they have pulled a permit to board and secure the property as they try to sell it. Mr. Oliver asked the Board to continue.

Mr. Wicklund stated a vacant and dangerous permit is good for 6 months if they keep it secured like it was when property was inspected. It would be the decision of the Board to continue 6 months or release it with the possibility of getting it put back on if property gets opened up or permit expires. Mr. Oliver suggested a ninety day continuance. Motion made by Mr. Duncan to continue Item 2985, 130 S. Moffet Ave, until the August 26<sup>th</sup> Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (6 Aye, 0 Nay)

## **New Business**

### **Item 2986, 302 S. Connor**

### **Item 2987, 306 ½ S. Connor**

Blue Shutter Investments, owner of the properties was not present. Mr. Oliver stated both properties are on the same partial. These properties have been vacant for a while. Open for unauthorized entry up until 2 weeks ago. Mr. Oliver passed out email from property owner. The owner is working with the insurance company and his intent is to rehab these properties. Mr. Oliver stated the owner was notified of permit process. Mr. Denham encouraged the attendance of the owner to the next Board of Appeals meeting. Mr. Oliver stated he had discussed his attendance with the owner. Mr. Tucker wanted to clarify that both properties were on the same lot. Mr. Wicklund advised the Board would need to hold 2 separate demolition hearings even though they are on the same lot. Motion to continue Item 2986, 302 S. Connor and Item 2987 306 ½ S. Connor to June 24<sup>th</sup> Board of Appeals meeting made by Mr. Tucker. Seconded by Mr. Wagner. (6 Aye, 0 Nay)

### **Item 2989, 827 S. Empire**

Susie Woolever, owner of the property was not present. Mr. Oliver asked for the Board to continue this Item. Motion to continue made by Mr. Duncan for Item 2989, 827 S. Empire to the June 24<sup>th</sup> Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Tucker.  
(6 Aye, 0 Nay)

### **Item 2988, 2201 Empire Ave.**

Darlene Harper, owner of the property was present at the meeting. She stated they are presently waiting on a 2<sup>nd</sup> bid to rebuild the residence. Mr. Wicklund stated presently the residence is uninhabitable. Mr. Tucker questioned status of insurance on home. Ms. Harper stated they do not have insurance on the residence. Mr. Tucker asked if City is accepting liability on home. Mr. Paul stated it is not the policy for the City to handle insurance claims on behalf of individuals. Ms. Harper stated the Joplin Police Department gave her an insurance claim form that stated to bring 2 bids, pictures of

the damage and provide description of occurrence. Mr. Paul asked Ms. Harper if she was referring to a claim against the City. Ms. Harper said, "yes." Mr. Oliver provided Mr. Paul a copy of the report from the Fire Marshall. Mr. Paul described incident as SWAT action. Ms. Harper stated a man barricaded himself in her attic after shooting a man and subsequently a fire broke out in the attic as police were attempting to remove the subject from the property. The report Ms. Harper received from the fire department assessed the damages at \$80,000.00. Mr. Paul stated the City is self-insured for first \$100,000.00 so this is a question of whether the City will be liable for damages. Mr. Denham stated this item is under new business which automatically needs to be continued for 30 days. Mr. Paul did state if Ms. Harper wanted to file a claim, the estimate needed to be made part of the claim packet and delivered to the 1<sup>st</sup> floor of City Hall. Mr. Denham asked Ms. Harper if the property could be cleared of debris and windows and doors boarded. Mr. Tucker made motion to continue Item #2988, 2201 Empire to June 24<sup>th</sup> Board of Appeals meeting. Seconded by Mr. Wagner. (6 Aye, 0 Nay) Mr. Duncan stated he was unclear of the claim against the City. Does the claim against the City need to be resolved before anything gets done and how does it relate to the 30 day continuance? Mr. Paul stated he anticipates a determination on the claim before next meeting. It would be difficult for the Board to proceed with the claim outstanding. Mr. Paul thinks the claim must be resolved before the Board takes any action beyond continuing this item.

### **Other Business**

#### **Item 2968, 217 N. Gray Ave.**

Donna Bray, owner of the property was present. Ms. Bray approached the Board to request a stay of demolition. She was unable to attend the November meeting due to health reasons and the December board meeting was cancelled because of the holiday schedule. She stated she did not receive a notice for the January meeting. It was during the January meeting that Council ordered the demolition of the property. Mr. Wicklund acknowledged he failed to send out the January notification to Ms. Bray. Ms. Bray stated she was unaware the property was ordered to be demolished. Mr. Paul asked if a change of address had been done by resident. Ms. Bray stated she had a forwarding order on file for her mail to be delivered to 230 N. Moffet Ave., Joplin, Missouri. Mr. Tucker asked the question to Mr. Paul whether the Board had the authority to pull back the Council order. Mr. Paul advised the Board could put a stay on the order to demolish. Mr. Denham advised Ms. Bray that little repair has been made in the time this matter has been brought before the Board. Ms. Bray advised the property has been sold for taxes but she has until August. Mr. Denham asked if the stay was allowed for 30 days what progress could Ms. Bray make in that time frame. Ms. Bray stated property needs mud sill inspected, all walls framed in, roof on, and kitchen part completed. Ms. Bray stated she can not do decking for 30 days due to finances. She and her son are doing all the home repairs. Ms. Bray did commit to finishing the decking and framing and possibly starting on the floor. Mr. Denham asked if she could

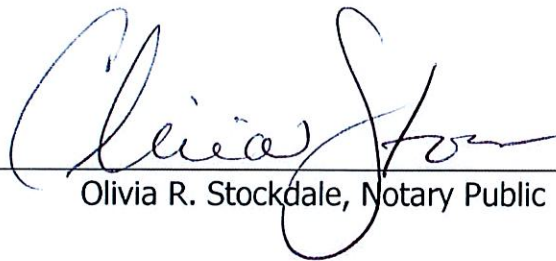
finish decking in 30 days. Mr. Denham asked for timeline from Ms. Bray but Ms. Bray could not provide a time line. Mr. Denham voiced concern about resources and making progress in a timely manner. Mr. Tucker spoke about federal funding. Mr. Tucker made a motion to stay Item 2968, 217 N. Gray Ave. for 30 days until the June 24<sup>th</sup> Board of Appeals meeting for a progress report and demolition hearing. Seconded by Mr. Wagner. (6 Aye, 0 Nay) Mr. Paul advised that after a stay is granted a document will be prepared and Ms. Bray will need to sign. Mr. Oliver is to contact Ms. Bray.

At the end of the meeting the Board members discussed the position of Chairman. Mr. Denham stated he had stepped in upon the absence of the prior Chairman. All Board members agreed that Mr. Denham should remain in the position of Chairman. Motion for Mr. Wagner to assume the position of Vice Chairman was made by Mr. Tucker. Seconded by Mr. Duncan.

Ashley Micklethwaite addressed the Board as a proxy for a neighbor at 2201 S. Empire Ave. She stated the neighbor has been advised that it is not safe for them to come forward. She read a text from the neighbor that she had received at 10:00 a.m., "Are the neighbors still living in the house at 2201 S. Empire?" The answer was, "Yes, and other people too." Mr. Denham stated he appreciated the information provided by Ms. Micklethwaite. Mr. Denham stated he felt the Board needed to be careful as they proceed because he had also received calls and a letter that neighbors were being intimidated in this neighborhood. Mr. Denham stated there is no electrical meter on the house and apparently, they are running an extension cord from a church parking lot. The church has tried to secure that from happening in the future. The Board thanked Ms. Micklethwaite for bringing this to their attention.

Mr. Denham asked for a motion to adjourn the meeting. Motion made to adjourn the meeting by Mr. Windsor. Seconded by Mr. Duncan. Meeting adjourned at 10:30 a.m.

Approved  \_\_\_\_\_  
Mr. Kyle Denham, Chairman

Approved  \_\_\_\_\_  
Olivia R. Stockdale, Notary Public

My commission expires: December 11, 2022

