

TENTATIVE AGENDA
OTTUMWA BOARD OF HEALTH

MEETING NO. 1
Council Chambers, City Hall

April 7, 2020
5:30 O'clock P.M.

In order to protect the health and safety of our citizens and staff and mitigate the spread of COVID-19, we are following the Proclamation of a State Public Health Disaster Emergency issued at 12:00 P.M. on Tuesday, March 17, 2020, which has been extended through April 30, 2020. Mass Gatherings or events of more than 10 people in attendance are hereby prohibited at all locations and venues. As a result, meeting attendance will be limited to *Elected Officials and Essential Personnel as it relates to items presented on the Council Agenda in Council Chambers*. Comments and/or questions will be accepted in writing at the door on the Fourth St. entrance. Our City Admin. will continue to evaluate the impact of COVID-19 on our community and will follow the guidelines and requirements of Wapello County EMA, the IDPH, and the CDC. The City will continue to record and broadcast meetings of the City Council on the YouTube channel so they are accessible to the public.

During Public Hearings, individuals can call **641-683-4581** to address the Council. During the meeting, Staff will reserve a minimum of **4** minutes for each Public Hearing Item to allow time for individuals to call in for questions/concerns.

ROLL CALL: Council Member Roe, Stevens, Berg, Dalbey, Meyers and Mayor Lazio.

Approval of Minutes 1. Approve the minutes from Meeting No. 7 on August 20, 2019 as presented.

RECOMMENDATION: Approve the minutes.

Condemnation Hearing 2. This is the time, place and date set to consider condemnation of the structures on the property described as Lot 13 in Dixon and Hutchinson's Addition to the City of Ottumwa, Wapello County, Iowa commonly known as 811 W. Second Street.
811 W. Second

- A. Open hearing for comments.
- B. Close public hearing.
- C. Condemn the structures located at 811 W. Second Street, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

RECOMMENDATION: Approve the condemnation of the structures located at 811 W. Second Street.

Adjourn 3. Adjournment.



[CITY OF]
O T T U M W A

FAX COVER SHEET

City of Ottumwa

DATE: 4/3/2020 TIME: 10:00 AM NO. OF PAGES 2
(Including Cover Sheet)

TO: News Media CO: _____

FAX NO: _____

FROM: Christina Reinhard

FAX NO: 641-683-0613 PHONE NO: 641-683-0620

MEMO: Tentative Agenda for the Board of Health Meeting #1 to be held on 4/7/2020

**Please Note - All media outlets wishing to record, will need to set up in Council Chambers before the meeting starts at 5:30 P.M. Media personnel may then watch the meeting from Room 108 as we will broadcast it on our screen in order to stay within regulations set forth in the State Public Health Disaster Emergency.

*** FAX MULTI TX REPORT ***

JOB NO. 1568
DEPT. ID 4717
PGS. 2
TX INCOMPLETE -----
TRANSACTION OK 96847834
916606271885
ERROR 916416828482

Ottumwa Courier
KTVO
Tom FM



[CITY OF]
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JOB NO. 1568
DEPT. ID 4717
ST. TIME 04/03 09:57
SHEETS 2
FILE NAME
TX INCOMPLETE -----
TRANSACTION OK 96847834
916606271885
ERROR 916416828482

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OTTUMWA BOARD OF HEALTH MINUTES

MEETING NO. 7
Council Chambers, City Hall

August 20, 2019
5:30 O'clock P.M.

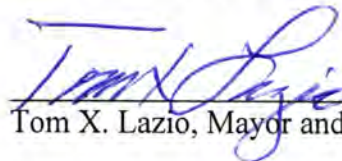
Present were Council Member Berg, Roe, Stevens, Dalbey, Streeby and Mayor Lazio.

- Approval of Minutes
1. Dalbey moved, seconded by Roe to approve the mins. from Mtg. No. 6 on July 2, 2019 as presented. All ayes
 - 902 S. Hancock 2. This was the time, place and date set to consider condemnation of the structures on the property described as Lot 1 in Block 3 in Harding Park Addition to the City of Ottumwa, Wapello County, IA commonly known as 902 S. Hancock. Dir. of Hlth. Insp. & Planning Flanagan stated the property was placarded in October 2018 due to a fire. Inspectors understood from the Insurance Company that the owner intended to demolish the house; however, to date, no demolition has occurred. No objections were received. Streeby moved, seconded by Roe to close the public hearing. All ayes.


Streeby moved, seconded by Stevens to condemn the structures located at 902 S. Hancock, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof. All ayes.

- Adjourn
3. Dalbey moved, seconded by Berg that the meeting adjourn. All ayes. Adjournment was at 5:33 P.M.

OTTUMWA BOARD OF HEALTH


Tom X. Lazio, Mayor and Chairman

ATTEST:


Christina Reinhard, City Clerk

CITY OF OTTUMWA
Staff Summary

2020 MAR 12 AM 10:28
OTTC

**** ACTION ITEM ****

Council Meeting of: Apr 7, 2020

Health & Inspections
Department

Jody Gates
Prepared By
Kevin C Flanagan *(KCF)*
Department Head *3-9-20*

[Signature]

City Administrator Approval

AGENDA TITLE: This is the time, place and date to consider condemnation of the structure (s) on property described as Lot 13 in Dixon & Hutchinson's Addition to the City of Ottumwa, Wapello County, Iowa, commonly known as 811 W. Second Street



****Public hearing required if this box is checked.****



The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Open public hearing
Receive comments
Close public hearing
Condemn the structure (s) located at 811 W. Second Street, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

DISCUSSION: The property was placarded October 22, 2019 due to extreme dilapidation. Building Inspectors attempted to get the owner to make repairs since July 2018 and failing that the house was placarded. The owner tried to sell the property but was unsuccessful. Staff recommends the Board of Health condemn the structure.

Source of Funds: 151-3-342

Budgeted Item: Budget Amendment Needed:



Jody Gates

CITY OF BRIDGES...RIVER OF OPPORTUNITY

NOTICE TO ABATE

February 14, 2020

VIA CERTIFIED AND REGULAR MAIL

Harry Duane Smith Cowger

Unknown Spouse of Harry Cowger, if any

808 W. Third Street

Ottumwa, Iowa 52501

TO WHOM IT MAY CONCERN:

An inspection was made of the placarded property at **811 W. Second Street, Ottumwa, IA** of which you are the registered owner(s) or in which you have a property interest.

It has been determined that by reason of dilapidation and failure to repair this property, this property constitutes a public nuisance.

The following abatement is needed to meet the minimum standards set forth in ordinance 2817-1994, an ordinance establishing the minimum standards governing the condition and maintenance of dwellings, etc.:

Abatement needed:

- 1) This nuisance must be abated by demolition within **thirty (30) days** from this date and the ground leveled to the contour of the surrounding earth.
- 2) The sewer must be terminated and capped within 3' of the property line.
- 3) The water service must be terminated at the connection to the main line.

We are hereby requesting your cooperation in abating this nuisance within the time allotted. Failure to do so will result in further legal action to be taken against you and the property. This action will include a condemnation referral to the Board of Health.

In the event that this order has not been complied with, a public hearing for condemnation will be held by the Ottumwa Board of Health on the 7th day of April, 2020 at 5:30 p.m. in the Council Chambers in City Hall, 105 East Third Street, Ottumwa, Iowa.

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0600 Fax 641-683-0613

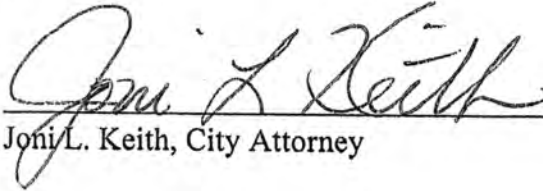
Notice to Abate

Page 2

If you wish to contest this action, you may do so by filing a written statement with the City Clerk to the Board of Health **within five (5) days** of the receipt of this letter.

If you have any questions in regard to this matter, you may contact this office by calling 641-683-0625 or by coming to Room 109 at City Hall.

Sincerely,



Joni L. Keith, City Attorney

Cc: Health Department Jody Gates
Building Inspector Jeffrey Hamann ✓

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL

TO: Harry Duane Smith Cowger
Unknown Spouse of Harry Duane Smith Cowger, if any
Credit Bureau Services of Iowa, Inc.
Wapello County, Iowa
Department of Treasury – Internal Revenue Service

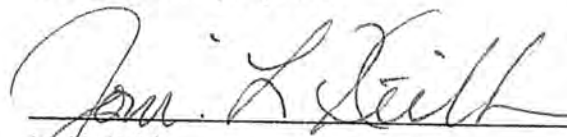
You are hereby notified that the structures located at 811 West Second Street, Ottumwa, IA have been determined to be a public nuisance, and that the nuisance must be abated by demolition with thirty (30) days of this notice and the lot cleaned and leveled. You are further notified that the legal description of the above property is as follows:

Lot Number Thirteen (13) in Dixon & Hutchinson's Addition to the City of Ottumwa, Wapello County, Iowa.

You are further notified that if the nuisance is not abated within 30 days of the date of this notice, a public hearing for condemnation of the structure(s) located on the premises described above will be held by the Ottumwa Board of Health on **April 7, 2020 at 5:30 p.m.** in the Council Chambers of City Hall, 105 East Third Street, Ottumwa, Iowa. If you wish to contest this action, you must do so by filing a written statement with the City Clerk, 105 East Third Street, Ottumwa, IA 52501 within five (5) days of the publication of this notice.

TAKE NOTICE AND GOVERN YOURSELF ACCORDINGLY!

DATED February 14, 2020



Joni L. Keith
City Attorney



[CITY OF]

OTTUMWA

**NOTICE OF DWELLING OR BUILDING
DETERMINED TO BE UNFIT FOR HUMAN HABITATION
AND AN ORDER TO CORRECT**

10/22/2019,

**Harry Duane Smith Cowger,
808 W Third St,
Ottumwa, IA 52501**

91 7199 9991 7035 6855 0818

Harry,

An inspection was made on **10/22/2019**, of the property located at **811 W Second**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

DIXON & HUTCHINSON'S ADD. LOT 13 (811 W SECOND

and which the records of the Wapello County Iowa Recorders' Office reveal ownership to be in your name, or that you have a property interest in.

It is in the opinion of the Housing Code Inspector of the City of Ottumwa, Iowa, under authority of Section 364.17 of the Code of Iowa, and Section 20-3 (K), of the Ottumwa Municipal Code, that said building(s) located on said property is (are) in a condition or in effect dangerous and detrimental to life and health and unfit for human habitation.

Therefore, you are hereby given notice of said condition and ordered to correct the situation by doing the following before the **11/22/2019**, to wit:

DEFICIENCY LIST ATTACHED

Repair plan required. In the event that the repairs or demolition cannot be completed within thirty days, a repair plan must be submitted for approval prior to **11/22/2019**.

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0650 Fax 641-683-0609

Provide a timetable for repair that is separated into thirty (30) day periods (30 days, 60 days, 90 days, etc.) outlining what repairs are to be completed during each period. There should be a maximum allowance of six (6) months for all repairs to be completed. There is a ninety (90) day maximum time limit for demolition. **All wiring, plumbing, furnace – AC repair/replacement, etc. require permits, possibly by licensed contractors.** Contact this office, for permit requirements.

No one is to be in this placarded property without the express written permission from the Director. Violation of this standard will result in legal action being taken, including arrest and prosecution.

A copy of this notice and order was this date posted in a conspicuous place in the above said building(s), along with a placard stating said structure(s) is not to be occupied until released by the Inspector.

Failure to make the above said corrections before **12:00 o'clock Noon on 4/22/2020** may result in the declaration by the undersigned pursuant to Section 364.17 of the Code of Iowa, and Section 20-3 (0), of the Ottumwa Municipal Code that said building(s), is (are) a public nuisance.

You may appeal this order by filing a written appeal with the Inspection Board of Review, Municipal Building, Ottumwa, Iowa, within **(15) days** after you have received this notice and order. If you have any questions pertaining to this matter contact me by coming to Room 203 at City Hall or by calling 641-683-0650.

Per City Policy #26, you may remove this property from the mandatory trash service and billing for as long as the property remains placarded. Contact Kevin Flanagan at 641-683-0694 for this service.

Signed and dated at Ottumwa Municipal Building, Ottumwa, Iowa, **10/22/2019**.

Respectfully,

Jeffrey Hamann
Building Inspector
City of Ottumwa
hamannj@ci.ottumwa.ia.us
641-683-0650

CERTIFIED #91 7199 9991 7035 6855 0818

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0650 Fax 641-683-0609



[CITY OF]
O T T U M W A

Date of Placard: 10/22/2019,

DEFICIENCY LIST- 811 W Second,

1. Repair or replace damaged or missing siding. 304.6
2. Repair or replace broken/missing windows. 304.13
3. Repair or replace entry doors. 304.18
4. Repair or replace damaged storm doors. 304.18
5. Repair gutters and downspouts. 304.7
6. Scrape and repaint all peeling paint on primary building and garage. 306.6
7. Repair or replace Stairs to basement and second floor. 304.10
8. Repair or replace damaged wall coverings. 305.3
9. Have a licensed electrician, verify electrical system is safe, including but not limited to, service, receptacles, lighting fixtures and switches. 604.3
10. Replace missing water heater. 505.4
11. Replace missing furnace. 603.1
12. Repair failed foundation. 304.5
13. Repair and ensure proper chimney function. 304.11
14. Provide all require smoke and fire protection. 704.1
15. Provide all required utilities. 401.1, 505.4, 602.2 and 505.1
16. Ensure grass is cut below 10" 24-3
17. Keep property secure from unauthorized persons.

No one is to be in this placarded property without the express written permission from the Director. Violation of this standard will result in legal action being taken, including arrest and prosecution.

This unit must be inspected and meet minimum housing code standard before it can be released and occupied. Application for a building permit on a placarded house must be accompanied by an updated deficiency list. No structure will be released from the tag list without the necessary permits being taken out before construction starts. Repair or replace all rot, decay or dilapidation that may occur until the structure is released.

Electrical, Plumbing, Heating and certain Building repairs require permits. Check with the Health Department at 641-683-0650 or by coming to room 203 in City Hall before doing any work that might require a permit.

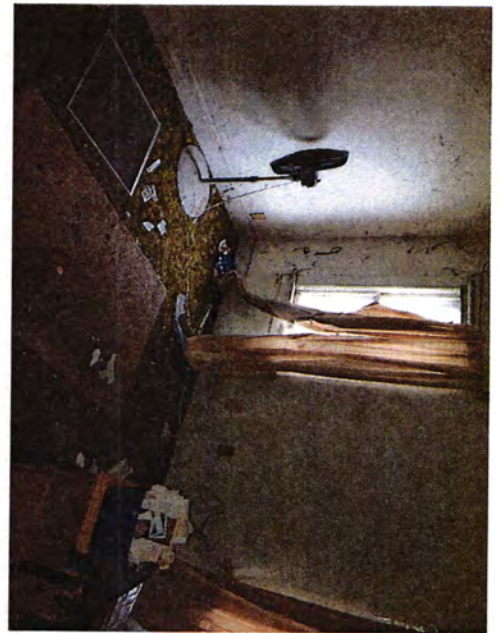
Respectfully,

Jeffrey Hamann
Building Inspector
City of Ottumwa

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0650 Fax 641-683-0609



811 W Second
8/26/19



8/28/19 811 w Secant

SUPPLEMENTAL PROOF OF SERVICE
811 West Second Street, Ottumwa, Iowa

STATE OF IOWA, COUNTY OF WAPELLO, SS.:

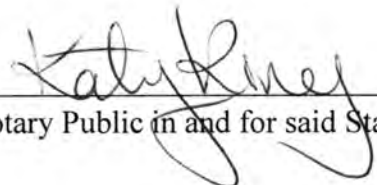
Being first duly, sworn, the undersigned attorney, states, to-wit:

1. That on March 24, 2020, the Notice of Public Hearing on the condemnation of the structure at 811 W. Second Street, Ottumwa, Iowa, was published in the Ottumwa Courier.
2. Attached hereto is a copy of the Proof of Publication from the Ottumwa Courier.

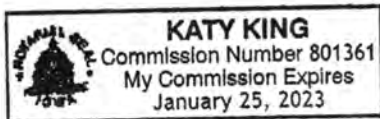


Joni L. Keith
City Attorney

Subscribed and sworn to before me by the said Joni L. Keith on this 30th day of March, 2020.



Notary Public in and for said State



PROOF OF PUBLICATION

STATE OF IOWA
WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

811 W 2ND

CITY OF OTTUMWA

newspaper for 1 consecutive week's to 3/24/20 Subscribed and sworn to before me, and in my presence, by the said 24TH day of MARCH, 2020

here to attached was published in said



Traci Counterman

Notary Public

In and for Wapello County

Printer's fee \$18.81

COPY OF ADVERTISEMENT

PUBLIC NOTICE TO: Harry Duane Smith Cowger Unknown Spouse of Harry Duane Smith Cowger, if any Credit Bureau Services of Iowa, Inc. Wapello County, Iowa Department of Treasury - Internal Revenue Service You are hereby notified that the structures located at 811 W. Second Street, Ottumwa, IA have been determined to be a public nuisance, and that the nuisance must be abated by demolition within 30 days of this notice and the lot cleaned and leveled. You are further notified that the legal description of the above property is as follows: Lot 13 in Dixon & Hutchinson's Addition to the City of Ottumwa, Wapello County, Iowa. You are further notified that if the nuisance is not abated within 30 days of the date of this notice, a public hearing for condemnation of the structure(s) located on the premises described above will be held by the Ottumwa Board of Health on April 7, 2020 at 5:30 p.m. in the Council Chambers of City Hall, 105 East Third Street, Ottumwa, Iowa. If you wish to contest this action, you must do so by filing a written statement with the City Clerk, 105 East Third Street, Ottumwa, IA 52501 within five (5) days of the publication of this notice. TAKE NOTICE AND GOVERN YOURSELF ACCORDINGLY February 14, 2020 Joni L. Keith City Attorney

PN-811 W. Second Street