

TENTATIVE AGENDA
OTTUMWA BOARD OF HEALTH

MEETING NO. 4
Council Chambers, City Hall

June 21, 2022
5:30 O'clock P.M.

ROLL CALL: Council Member Hull, Pope, Roe, Galloway, McAntire and Mayor Johnson.

Approval of Minutes 1. Approve the minutes from Meeting No. 3 on June 7, 2022 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 located at 157 South Iowa Ave. in the City of Ottumwa, Wapello County, Iowa.

157 S. Iowa

A. Open hearing for comments.

B. Close the public hearing.

C. Condemn the structures located at 157 South Iowa Ave., 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 157 South Iowa Ave.

Adjourn 3. Adjournment.



[CITY OF]

OTTUMWA

FAX COVER SHEET

City of Ottumwa

DATE: 6/17/2022 TIME: 7:30 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 #4 to be held on 6/21/2022 at 5:30 P.M.

*** FAX MULTI TX REPORT ***

JOB NO. 1257
DEPT. ID 4717
PGS. 2
TX INCOMPLETE -----
TRANSACTION OK 96847834
916606271885
96823269
ERROR 96828482

Ottumwa Courier
KTVO
Ottumwa Waterworks
Tom FM



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*** TX REPORT ***

JOB NO.	1257	
DEPT. ID	4717	
ST. TIME	06/17 07:23	
SHEETS	2	
FILE NAME		
TX INCOMPLETE	-----	
TRANSACTION OK	96847834	Ottumwa Courier
	916606271885	KTVO
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FAX NO: 641-683-0613 PHONE NO: 641-683-0620

MEMO: Tentative Agenda for the Board of Health Meeting #4 to be held on 6/21/2022 at 5:30 P.M.

OTTUMWA BOARD OF HEALTH MINUTES

MEETING NO. 3
Council Chambers, City Hall

June 7, 2022
5:30 O'clock P.M.

The meeting convened at 5:30 P.M.

Present were Council Member McAntire, Hull, Pope, Roe, Galloway and Mayor Johnson.

Approval of Minutes 1. Roe moved, seconded by McAntire to approve the mins. from Mtg. No. 2 on April 19, 2022 as presented. All ayes.

306 W. Sixth 2. This was the time, place and date set to consider condemnation of the structures located at 306 W. Sixth in the City of Ottumwa, Wapello County, IA. Comm. Dev. Dir. Simonson reported property has been placarded since Feb. 2019. There was a repair plan issued to the Health Dept. but little to no effort has been put into restoring the structure. The property remains unsecured and open to the elements with several code violations. Hull moved, seconded by Pope to close the public hearing. All ayes.

Roe moved, seconded by Hull to condemn the structures located at 306 W. Sixth, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including admin. costs, to be assessed against the property and/or collected from the owner or owners thereof. All ayes.

201 N. Holt 3. This was the time, place and date set to consider condemnation of the structures located at 201 N. Holt in the City of Ottumwa, Wapello County, IA. Simonson reported property has been placarded since Dec. 2018. The dwelling has been without utilities for the duration of the file. We have rec'd many complaints of squatters and occupants without permission staying on the property. The paper file for this property was misplaced in 2019 so the file was restarted Oct. 2021. The placard was removed by the owners in 2018 and by April 2019, no progress was made. Inspection completed May 10, 2022 was the first time we had been able to enter the premises; we updated the deficiency list and requested follow up inspection. June 7, 2022 inspection did show some interior progress being made; still significant electrical work to complete. From my understanding there are also outstanding utility bills which have played a factor in this. The owner was arrested Aug. 25, 2020 for keeping animals in placarded dwelling. Property owner, Kevin Skinner, discussed the improvements made; he works from 1:30 P.M. – 9:30 P.M. daily and only able to work on the property in the mornings. He currently resides at 15781 150th Street. Two items from the original deficiency list were completed (hand railing & overhang) but we are now almost four yrs. later and utilities still haven't been hooked up. Mr. Skinner plans to borrow against his 401K to get utility bill paid so he can put them back in his name. Skinner also stated he would have all deficiencies completed in six months. Roe moved,

seconded by Hull to close the public hearing. All ayes.

Roe moved, seconded by McAntire to condemn the structures located at 201 N. Holt, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including admin. costs, to be assessed against the property and/or collected from the owner or owners thereof. Vote taken: Ayes: McAntire, Hull, Roe, Galloway. Nays: Pope. Motion carried 4-1.

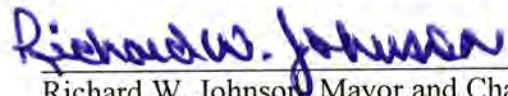
- 153 S. Fellows 4. A public hearing was held on the matter of condemnation of the property located at 153 S. Fellows on April 19, 2022. City Council agreed to delay the condemnation if property owner complied with specific conditions. Those conditions have not been met. The inspection occurred April 29, 2022 but no repair plan was submitted despite attempts to contact property owner. For breaching the agt. set on April 19, 2022, staff recommended proceeding with condemnation.

Roe moved, seconded by Hull to condemn the structures located at 153 S. Fellows, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including admin. costs, to be assessed against the property and/or collected from the owner or owners thereof. All ayes.

- Adjourn 5. There being no further business, McAntire moved, seconded by Hull that the mtg. adjourn. All ayes.

Adjournment was at 6:00 P.M.

OTTUMWA BOARD OF HEALTH



Richard W. Johnson, Mayor and Chairman

ATTEST:



Christina Reinhard, CMC, City Clerk

CITY OF OTTUMWA Staff Summary

**** ACTION ITEM ****

Council Meeting of : June 21, 2022

Jake Rusch 

Prepared By

Building and Code Enforcement

Department

Zach Simonson 

Department Head



City Administrator Approval

AGENDA TITLE: This is the time, place and date to consider condemnation of the structure(s) on the property described as 157 S Iowa.

****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) at 157 S Iowa, 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 structure located at 157 S Iowa was placarded August 5, 2021. The property was placarded for living conditions and lack of utilities. The owner of the property has moved out of town and has had very little contact with the inspectors. The City has had to mow the property and is in the process of doing a cleanup on the yard. It remains open to the elements and squatters. On April of 2022 a fire was started and caused severe damage to the Structure. Several code violations persist on the property. Condemnation notice was served by certified mail and posting notice on the property and in the Ottumwa Courier.



[CITY OF]
O T T U M W A

NOTICE TO ABATE

May 11, 2022

Kimberly Ross
Deed Holder
157 S Iowa Avenue
Ottumwa, Iowa 52501

Wapello County Treasurer
101 W. 4th Street
Ottumwa, Iowa 52501

SENT VIA CERTIFIED MAIL

To Whom it May Concern,

An inspection was made on May 10, 2022 of the placarded property located at **157 S Iowa Avenue, Ottumwa, IA** of which you are the registered owner(s) or in which you have a property interest.

Abandoning a property without being connected to all or one of the following utility services: electrical, gas or water, failure to maintain the property and failure to keep the property secure from unauthorized persons constitutes a public nuisance.

The following abatement is needed to meet the minimum standards set forth in ordinance 3127-2017, an ordinance establishing the minimum standards governing the condition and maintenance of dwellings, etc.:

Abatement needed:

- 1) Repair Structure to the standard of the Housing Code as Identified in the Deficiency list or,
- 2) Demolish the Structure(s) and level to the contours of the surrounding earth.

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 21st day of June at 5:30 P. M. in the Council Chambers in City Hall, 105 East Third Street, Ottumwa, IA.

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0618 Fax 641-683-0609

At such hearing the Board of Health may condemn the structure and order prompt demolition, removal, and leveling of such property and direct that all costs attendant to such action, including administrative costs, be assessed against the property or collected from the owner or owners thereof.

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 641-683-0650 or by coming to room 203 at City Hall.

Sincerely,

Jake Rusch
Zoning and Housing Coordinator
City of Ottumwa
641.683.0650

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL

TO: Kimberly Ross, Wapello County Treasurer

You are hereby notified that the structures located at **157 S Iowa**, Ottumwa, IA have been determined to be a public nuisance, and that the nuisance must be abated by demolition within 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:

JANNEY ADD LOT 8 BLK 4 (157 S IOWA AVE)

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 **June 21st, 2022 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 May 11, 2022

Jake Rusch
Zoning and Housing Coordinator
City of Ottumwa, Iowa



[CITY OF]

OTTUMWA

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

August 5, 2021

Kimberly Ross
157 S Iowa
Ottumwa, Ia 52501

91 7199 9991 7035 6855 4175

Occupant:

An inspection was made on **Aug 2, 2021**, of the property located at **157 S Iowa**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

JANNEY ADD LOT 8 BLK 4 (157 S IOWA AVE)

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 **7th day of September, 2021**, to wit:

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 September 7th.**

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, by licensed contractors.** Contact this office, for permit requirements.

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

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 the 7th day of September, 2021** 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 Zach Simonson at 641-683-0694 for this service.

Signed and dated at Ottumwa Municipal Building, Ottumwa, Iowa, this **7th day of August 2021.**

Sincerely,

Jacob Rusch
Building Inspector
Health & Inspections :: City of Ottumwa, IA
641.683.0650

CERTIFIED #91 7199 9991 7035 6855 4175

CC: Kim Ross
PO BOX 365
Maxwell, Iowa 50161

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



CITY OF BRIDGES

Date of Investigation: August 5, 2021

DEFICIENCY LIST-157 S Iowa

- 1. Remove all outdoor trash**
- 2. Repair and install roof**
- 3. Replace all broken glass**
- 4. Provide legal utilities**
- 5. An indoor inspection will be required**
- 6. This is a partial inspection only. A complete inspection will be required. 20**
- 7. Keep the property secured until it has been repaired or demolished. 24-3-6**

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.

Sincerely,

Jacob Rusch

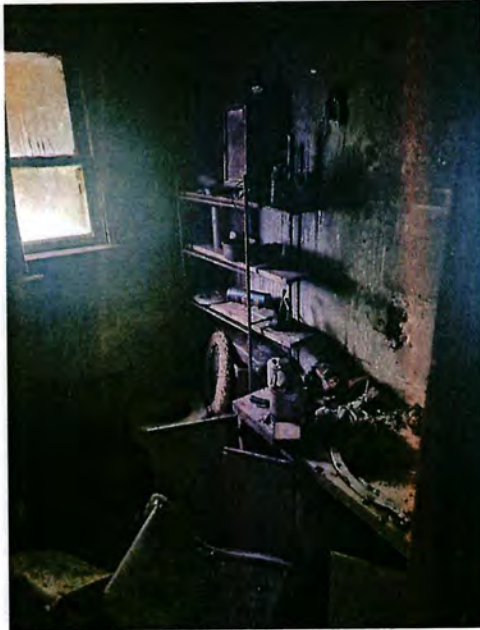
Building Inspector

Health & Inspections :: City of Ottumwa, IA

641.683.0650

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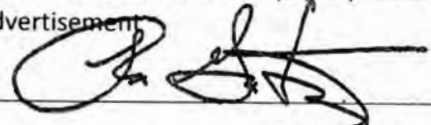
PROOF OF PUBLICATION

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

Condemnation Notice: Kimberly Ross

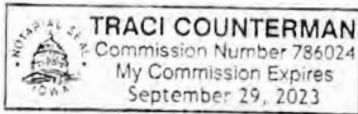
City of Ottumwa



hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 5/14/22

Subscribed and sworn to before me, and in my presence, by the said 14th day of May, 2022



Notary Public

In and for Wapello County

Printer's fee \$17.92

COPY OF ADVERTISEMENT

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL TO: Kimberly Ross, Wapello County Treasurer You are hereby notified that the structures located at 157 S Iowa, Ottumwa, IA have been determined to be a public nuisance, and that the nuisance must be abated by demolition within 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: **JANNEY ADD LOT 8 BLK 4 (157 S IOWA AVE)** 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 **June 21st, 2022 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 May 11, 2022** Jake Rusch Zoning and Housing Coordinator City of Ottumwa, Iowa