

TENTATIVE AGENDA  
OTTUMWA BOARD OF HEALTH

MEETING NO. 2  
Council Chambers, City Hall

April 19, 2022  
5:30 O'clock P.M.

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

Approval of Minutes 1. Approve the minutes from Meeting No. 1 on March 15, 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 125 South Davis in the City of Ottumwa, Wapello County, Iowa.

125 S. Davis

- A. Open hearing for comments.
- B. Close the public hearing.
- C. Condemn the structures located at 125 South Davis, 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 125 South Davis.

Condemnation Hearing 3. This is the time, place and date set to consider condemnation of the structures on the property located at 153 South Fellows in the City of Ottumwa, Wapello County, Iowa.

153 S. Fellows

- A. Open the hearing for comments.
- B. Close the public hearing.
- C. Condemn the structures located at 153 South Fellows, 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 153 South Fellows.

Adjourn 4. Adjournment.



| CITY OF |  
O T T U M W A

**FAX COVER SHEET**

City of Ottumwa

DATE: 4/15/22 TIME: 9:00 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 #2 to be held on 4/19/2022 at 5:30 P.M.

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\*\*\* FAX MULTI TX REPORT \*\*\*  
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JOB NO. 0779

DEPT. ID 4717

PGS. 2

TX INCOMPLETE -----

TRANSACTION OK 96847834

916606271885

96823269

ERROR 96828482

Ottumwa Courier

KTVO

Ottumwa Waterworks

Tom FM



CITY OF  
OTTUMWA

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\*\*\* TX REPORT \*\*\*  
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JOB NO.	0779	
DEPT. ID	4717	
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MEMO: Tentative Agenda for the Board of Health Meeting #2 to be held on 4/19/2022 at 5:30 P.M.

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OTTUMWA BOARD OF HEALTH MINS

MEETING NO. 1  
Council Chambers, City Hall

March 15, 2022  
5:30 O'clock P.M.

The meeting convened at 5:30 P.M.

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

- Approval of Minutes
1. Roe moved, seconded by Hull to approve the mins. from Mtg. No. 8 on Dec. 21, 2021 as presented. Motion carried 4-0 vote. Council Member Galloway was absent.
- 512 N. Green
2. This was the time, place and date set to consider condemnation of the structures on the property located at 512 N. Green in the City of Ottumwa, Wapello County, IA. Comm. Dev. Dir. Simonson reported property was placarded April 13, 2018; since that time, it has changed ownership several times without substantial progress. The property was set for condemnation May 4, 2021; at which time the owner requested six-month ext. that Council granted. On June 29, 2021, Andrea Muldonado requested permission to be on property claiming to have bought it on contract. To date, no real estate contract has been recorded. Ms. Muldonado submitted a 3-month repair plan on July 2, 2021, agreeing to obtain permits and inspections and to complete repairs before Oct. 2021. Ms. Muldonado failed to appear on Aug. 26, 2021, Nov. 5, 2021 and Jan. 6, 2022 inspections. Council discussed – we did go out on a limb and owners failed that obligation; nothing has been recorded showing Ms. Muldonado as the property owner; we have to make our decision based on what happened in the past; the costs from action will be assessed to the legal property owner's property taxes. Property owners timeline: Yahara/Juvenal Marquez purchased 7/22/20; Keith Morris; Alicia Burns; Randi Kpati and Esaie Kpati purchased 10/8/19 and Jacob Mathis; Shelby Durflinger purchased 6/20/14. The property was owned by Mathis when first placarded. There are processes we have to follow and it is very clear by standard of City Code that we should follow with condemnation. Hull moved, seconded by Roe to close the public hearing. Motion carried 4-0 vote. Council Member Galloway was absent.
- Roe moved, seconded by McAntire to condemn the structures located at 512 N. Green, 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: Roe, McAntire, Hull. Nays: Pope. Absent: Galloway. Motion carried 3-1.
- 250 S. Ward
3. This was the time, place and date set to consider condemnation of the structures on the property located at 250 S. Ward in the City of Ottumwa, Wapello County, IA. Zoning & Housing Coordinator Rusch reported property was placarded

Aug. 27, 2020. No contact with the property owner until an inspection was done on March 30, 2021. Six-month repair plan submitted April 21, 2021. Since that time, the dept. has handled nuisance issues (junk in the yard, tall grass). The owner failed to appear Aug. 10, 2021 inspection. Oct. 28, 2021 inspection noted some interior work and cleaning but no progress according to repair plan. No objections were rec'd. Hull moved, seconded by McAntire to close the public hearing. Motion carried 4-0 vote. Council Member Galloway was absent.

Pope moved, seconded by Roe to condemn the structures located at 250 S. Ward, 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. Motion carried 4-0 vote. Council Member Galloway was absent.

- 126 N. Davis 4. This was the time, place and date set to consider condemnation of the structures on the property located at 126 N. Davis in the City of Ottumwa, Wapello County, IA. Rusch reported property was placarded July 23, 2021. Both the contract buyer and deed holder have stated they consider the property abandoned. No objections were rec'd. Roe moved, seconded by Hull to close the public hearing. Motion carried 4-0 vote. Council Member Galloway was absent.


Roe moved, seconded by Hull to condemn the structures located at 126 N. Davis, 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. Motion carried 4-0 vote. Council Member Galloway was absent.

Alice Richardson, 1509 Swanson, inquired on owners of each property discussed. Simonson reported, 250 S. Ward deed holder is Roy E. Henry; 126 N. Davis deed holder is Judith Ann Martz with contract buyer listed as Traci Herb-Dowell. We stated the property owners of 512 N. Green earlier.

- Adjourn 5. There being no further business, Hull moved, seconded by Pope that the mtg. adjourn. Motion carried 4-0 vote. Council Member Galloway was absent.

Adjournment was at 6:00 P.M.

ATTEST:

  
Christina Reinhard, CMC City Clerk

OTTUMWA BOARD OF HEALTH

  
Richard W. Johnson, Mayor and Chairman

# CITY OF OTTUMWA Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: April 19, 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 125 S Davis.

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**\*\*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 125 S Davis, 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: This property was placarded September 29, 2020. The Inspector has been to many no show inspections. No repair plan has been submitted and the property remains open to the elements and squatters. 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.





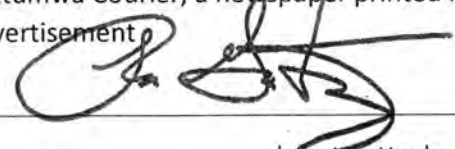
# PROOF OF PUBLICATION

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

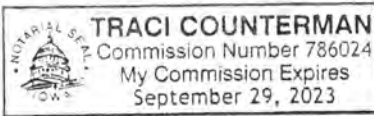
Condemnation Notice (125 S Davis)

City of Ottumwa



hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 3/31/22  
Subscribed and sworn to before me, and in my presence, by the said 31st day of March, 2022



Notary Public

In and for Wapello County

Printer's fee \$18.79

## COPY OF ADVERTISEMENT

**CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL TO:** Richard W. Fountain, Roy E. Sapp, Dorothy J. Buchanan, State Of Iowa, Credit Bureau Services of Iowa, Mega Lien 8 You are hereby notified that the structures located at **125 S Davis**, 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: **R S SMITH'S 4TH ADD S 50' LOT 10 BLK 18 (125 S DAVIS)** 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 19th, 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 March 17, 2022** Jake Rusch Zoning and Housing Coordinator City of Ottumwa, Iowa

*BoH- Condemnation  
125 S. DAVIS*

# CITY OF OTTUMWA Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: April 19, 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 153 S Fellows.

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**\*\*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 153 S Fellows, 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.

**MOTION FAILED – (2) AYES: McAntire, Roe. (3) NAYS: Galloway, Hull, Pope  
REVISED MOTION PASSED ALL AYES**

DISCUSSION: This property was placarded January 6, 2021. The Inspector has been to many no show inspections. The property is still without legal utilities, in violation of the current code, and remains open to the elements and squatters. Condemnation notice was served by certified mail and posting notice on the property and in the Ottumwa Courier.



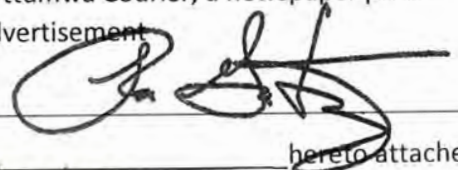
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STATE OF IOWA  
WAPELLO COUNTY

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 (153 S Fellows)

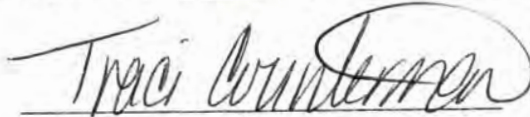
City of Ottumwa



hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 3/31/22

Subscribed and sworn to before me, and in my presence, by the said 31st day of March, 2022



Notary Public

In and for Wapello County

Printer's fee \$17.92

## COPY OF ADVERTISEMENT

**CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL TO:** Gloria White f/k/a Gloria Lewis, Wapello County Treasurer You are hereby notified that the structures located at **153 S Fellows**, 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 9 BLK 3 (153 S FELLOWS)** 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 19th, 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 March 17, 2022** Jake Rusch Zoning and Housing Coordinator City of Ottumwa, Iowa

BOH - Condemnation Hearing  
153 S. Fellows