

TENTATIVE AGENDA
OTTUMWA BOARD OF HEALTH

MEETING NO. 2
Council Chambers, City Hall

March 5, 2019
5:30 O'clock P.M.

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

Approval of Minutes 1. Approve the minutes from Meeting No. 1 on February 5, 2019 as presented.

RECOMMENDATION: Approve the minutes.

Condemnation Hearing 201 Albany 2. This is the time, place and date set to consider condemnation of the structures on the lot located at 201 Albany.

- A. Open hearing for comments.
- B. Close public hearing.
- C. Condemn the structures located at 201 Albany, 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 201 Albany.

Adjourn 3. Adjournment.



CITY OF
O T T U M W A

FAX COVER SHEET

City of Ottumwa

DATE: 2/28/19 TIME: 12:00 PM 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 #02 to be held on 3/05/19.

Broadcast Report

P 1
 02/28/2019 12:13
 Serial No. A5C0011021987
 TC: 363503

Addressee	Start Time	Time	Prints	Result	Note
KISS	02-28 12:03	00:01:07	002/002	OK	
KTVO	02-28 12:05	00:01:23	002/002	OK	
Ottumwa Courier	02-28 12:10	00:00:57	000/002	No Ans	
KBIZ/KTWA	02-28 12:11	00:00:57	000/002	No Ans	
TOM FM	02-28 12:12	00:00:57	000/002	No Ans	

Note TMR:Timer TX, POL:Polling, ORG:Original Size Setting, FME:Frame Erase TX, DPS:Page Separation TX, MIX:Mixed Original TX, CALL:Manual TX, CSAC:CSAC, FWD:Forward, PC:PC-FAX, BND:Double-Sided Binding Direction, SP:Special Original, FCODE:F-code, RTX:RTX, RLY:Relay, MBX:Confidential, BUL:Bulletin, SIP:SIP Fax, IPADR:IP Address Fax, I-FAX:Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF, TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer, Refuse: Receipt Refused, Busy: Busy, M-Full:Memory Full, LOVR:Receiving length over, POUV:Receiving page over, Fil:File Error, DC:Decode Error, MDN:MDN Response Error, DSN:MDN Response Error, PRINT:Compulsory Memory Document Print, DEL:Compulsory Memory Document Delete, SEND:Compulsory Memory Document Send.



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MEMO: Tentative Agenda for the Board of Health Meeting #02 to be held on 3/05/19.

OTTUMWA BOARD OF HEALTH MINUTES


MEETING NO. 1
Council Chambers, City Hall

February 5, 2019
5:30 O'clock P.M.

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

- Approval of Minutes
1. Roe moved, seconded by Berg to approve the minutes from Meeting No. 15 on December 18, 2018 as presented. All ayes.
- 1722 Mable
2. This was the time, place and date set to consider condemnation of the structures on the lot located at 1722 Mable St. No objections were received. Dalbey moved, seconded by Stevens to close the public hearing. All ayes.
- Dir. of Hlth. Insp. & Solid Waste, Flanagan, reported the property was placarded on October 15, 2018 due to extreme dilapidation. The owner was unable to make the needed repairs on the house. Roe moved, seconded by Berg to condemn the structures located at 1722 Mable St., 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.
- 204 South Van Buren
3. This was the time, place and date set to consider condemnation of the structures on the lot located at 204 S. Van Buren. No objections were received. Dalbey moved, seconded by Berg to close the public hearing. All ayes.
- Dir. of Hlth. Insp. & Solid Waste, Flanagan, reported the property was placarded on November 13, 2018 due to extreme dilapidation. The owner was unable to make the needed repairs on the house. Dalbey moved, seconded by Roe to condemn the structures located at 204 S. Van Buren, 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
4. Roe moved, seconded by Berg to adjourn the meeting. All ayes. Motion carried. Adjournment was at 5:34 P.M.

OTTUMWA BOARD OF HEALTH


Tom X. Lazio, Mayor & Chairman

ATTEST:


Christina Reinhard, City Clerk

FILED

2019 FEB 27 AM 9:37

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

Council Meeting of : Mar 5, 2019

Jody Gates

Prepared By

Kevin C Flanagan

Department Head

Health & Inspections

Department

City Administrator Approval

AGENDA TITLE: This is the time, place and date to consider condemnation of the structures on the lot located at 201 Albany



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 structures located at 201 Albany, 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 18, 2018 due to a fire. The owner has not demolished the house, therefore staff recommends condemnation and demolition. The house was in foreclosure but it was insured, therefore some of the cost of demolition will be recouped.

Source of Funds: 151-3-342

Budgeted Item:



Budget Amendment Needed:

Jody

OTTUMWA

CITY OF BRIDGES...RIVER OF OPPORTUNITY

NOTICE TO ABATE

January 15, 2019

VIA CERTIFIED AND REGULAR MAIL
Carrington Mortgage Services, LLC
c/o CT Corporation System
400 E. Court Avenue
Des Moines, IA 50309

Mr. Shane W. Capps
201 Albany
Ottumwa, IA 52501

TO WHOM IT MAY CONCERN:

An inspection has previously been made of the placarded property at 201 Albany, 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.

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

Notice to Abate

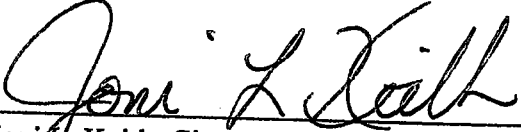
Page 2

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 5th day of March, 2019 at 5:30 p.m. in the Council Chambers in City Hall, 105 East Third Street, Ottumwa, Iowa.

If you wish to contest this Notice, 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 Director Kevin Flanagan
Inspector Jody Gates
Building Inspector Zach Simonson

OTTUMWA

CITY OF BRIDGES...RIVER OF OPPORTUNITY

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL

TO: Shane W. Capps, a single person
Carrington Mortgage Services, LLC
State of Iowa
United States of America – Secretary of Housing & Urban Development
Wapello County, Iowa

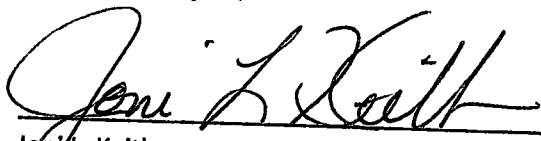
You are hereby notified that the structures located at **201 Albany, Ottumwa, IA** have been determined to be a public nuisance, and that the nuisance must be abated by demolition with thirty (30) days of this notice and the lot cleaned and leveled. You are further notified that the legal description of the above property is as follows:

The East 34 ½ feet of Lot 39 in Kellogg and Wendell's Subdivision of Lots 9 and 10 of Gilmore's Subdivision of the East Half of the Northeast Quarter of Section 24, Township 72 North, Range 14 West of the 5th P.M. in 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 **March 5, 2019 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 January 15, 2019



Joni L. Keith
City Attorney

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



CITY OF BRIDGES

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

October 18, 2018

Shane Capps
201 Albany
Ottumwa, IA 52501

91 7199 9991 7035 6854 6873

To whom it may concern:

An inspection was made on **October 18, 2018**, of the property located at **201 Albany**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

KELLOGG & WENDELL'S SUB.LOT 39 EX.THE W 20' (201 ALBANY)

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 **18th day of November, 2018**, 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 November 18.**

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 the 18th day of November, 2018** 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, this 18th day of October 2018.

Sincerely,

Zach Simonson
Building Inspector
Health & Inspections :: City of Ottumwa, IA
641.683.0649

CERTIFIED #91 7199 9991 7035 6854 6873

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

OTTUMWA

CITY OF BRIDGES

Date of Investigation: October 18, 2018

DEFICIENCY LIST-201 Albany

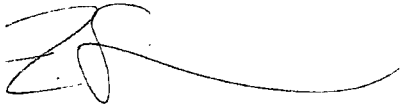
- 1. Repair all smoke, fire and water damage.**
- 2. Provide required legal utilities. IPMC 401.1, 505.4, 602.2, 505.1**
- 3. This is a partial inspection only. A complete inspection will be required and the house must meet the minimum standards of the code. Chapter 20**
- 4. Keep the property secured until it has been repaired. 24-3-6**
- 5. Keep grass and weeds below 10 inches. 24-3-10**

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.

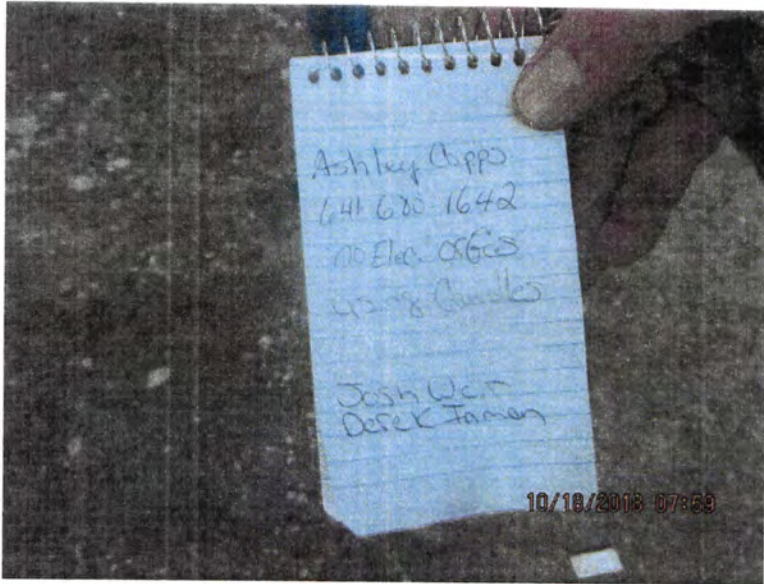
Electrical, Plumbing, Heating and certain Building repairs require permits. Check with the Health Department at 641-683-0650 or by coming to room 203 in City Hall before doing any work that might require a permit.

Sincerely,



Zach Simonson
Building Inspector
Health & Inspections :: City of Ottumwa, IA
641.683.0649

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



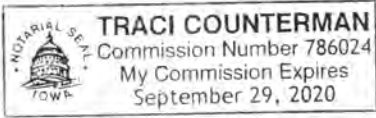


PROOF OF PUBLICATION

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

201 Albany Public Notice
City of Ottumwa hereto attached was
published in said newspaper for 1 consecutive weeks to-wit: 2/19/19 Subscribed and sworn to
before me, and in my presence, by the said 19th day of February, 2019



Traci Counterman

Notary Public

In and for Wapello County

Printer's fee \$19.64

COPY OF ADVERTISEMENT

PUBLIC NOTICE TO: Shane W. Capps, a single person Carrington Mortgage Services, LLC State of Iowa United States of America - Secretary of Housing & Urban Development Wapello County, Iowa. You are hereby notified that the structures located at 201 Albany, 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: The East 34 ? feet of Lot 39 in Kellogg and Wendell's Subdivision of Lots 9 and 10 of Gilmore's Subdivision of the East Half of the Northeast Quarter of Section 24, Township 72 North, Range 14 West of the 5th P.M. in 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 March 5, 2019 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 January 15, 2019 Joni L. Keith City Attorney

*Condemnation Notice
201 Albany*