

\*\*REVISED AGENDA  
OTTUMWA BOARD OF HEALTH

MEETING NO. 3  
Council Chambers, City Hall

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

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

Approval of Minutes 1. Approve the minutes from Meeting No. 2 on April 19, 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 306 West Sixth in the City of Ottumwa, Wapello County, Iowa.

306 W. Sixth

- A. Open hearing for comments.
- B. Close the public hearing.
- C. Condemn the structures located at 306 West Sixth, 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 306 West Sixth Street.

Condemnation Hearing 3. This is the time, place and date set to consider condemnation of the structures on the property located at 201 North Holt in the City of Ottumwa, Wapello County, Iowa.

201 N. Holt

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

Condemnation Hearing 4. A public hearing was held on the matter of condemnation of the property located at 153 South Fellows on 4/19/2022. City Council agreed to delay the condemnation if the property owner complied with specific conditions. Those conditions have not been met.

153 S. Fellows

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

5. Adjournment.



[ CITY OF ]  
O T T U M W A

**FAX COVER SHEET**

City of Ottumwa

DATE: 6/3/2022 TIME: 2:00 PM NO. OF PAGES 3  
(Including Cover Sheet)

TO: News Media CO: \_\_\_\_\_

FAX NO: \_\_\_\_\_

FROM: Christina Reinhard

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

MEMO: REVISED Agenda for the Board of Health Meeting #3 to be held on 6/7/2022 at 5:30 P.M.

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\*\*\* FAX MULTI TX REPORT \*\*\*  
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JOB NO. 1151  
DEPT. ID 4717  
PGS. 3  
TX INCOMPLETE -----  
TRANSACTION OK 96847834  
916606271885  
96823269  
ERROR 96828482

Ottumwa Courier  
KTVO  
Ottumwa Waterworks  
Tom FM



CITY OF  
OTTUMWA

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MEMO: REVISED Agenda for the Board of Health Meeting #3 to be held on 6/7/2022 at 5:30 P.M.

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\*\*\* TX REPORT \*\*\*  
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JOB NO.	1151	
DEPT. ID	4717	
ST. TIME	06/03 14:10	
SHEETS	3	
FILE NAME		
TX INCOMPLETE	-----	
TRANSACTION OK	96847834	Ottumwa Courier
	916606271885	KTVO
	96823269	Ottumwa Waterworks
ERROR	96828482	Tom FM



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FROM: Christina Reinhard

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

MEMO: REVISED Agenda for the Board of Health Meeting #3 to be held on 6/7/2022 at 5:30 P.M.

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\_\_\_\_\_  
\_\_\_\_\_

TENTATIVE AGENDA  
OTTUMWA BOARD OF HEALTH

MEETING NO. 3  
Council Chambers, City Hall

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

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

Approval of Minutes 1. Approve the minutes from Meeting No. 2 on April 19, 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 306 West Sixth in the City of Ottumwa, Wapello County, Iowa.

306 W. Sixth

- A. Open hearing for comments.
- B. Close the public hearing.
- C. Condemn the structures located at 306 West Sixth, 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 306 West Sixth Street.

Condemnation Hearing 3. This is the time, place and date set to consider condemnation of the structures on the property located at 201 North Holt in the City of Ottumwa, Wapello County, Iowa.

201 N. Holt

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

Condemnation Hearing 4. 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

5. Adjournment.



[ CITY OF ]  
O T T U M W A

**FAX COVER SHEET**

City of Ottumwa

DATE: 6/3/2022 TIME: 11:10 AM NO. OF PAGES 3  
(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 #3 to be held on 6/7/2022 at 5:30 P.M.

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\*\*\* FAX MULTI TX REPORT \*\*\*  
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JOB NO. 1143  
DEPT. ID 4717  
PGS. 3

TX INCOMPLETE -----

TRANSACTION OK 96847834  
916606271885  
96823269  
ERROR 96828482

Ottumwa Courier  
KTVO  
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\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
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JOB NO.	1143	
DEPT. ID	4717	
ST. TIME	06/03 11:08	
SHEETS	3	
FILE NAME		
TX INCOMPLETE	-----	
TRANSACTION OK	96847834	Ottumwa Courier
	916606271885	KTVO
	96823269	Ottumwa Waterworks
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MEMO: Tentative Agenda for the Board of Health Meeting #3 to be held on 6/7/2022 at 5:30 P.M.

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## OTTUMWA BOARD OF HEALTH MINS

MEETING NO. 2  
Council Chambers, City Hall

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

The meeting convened at 5:30 P.M.

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

Approval of Minutes 1. Galloway moved, seconded by Roe to approve the mins. from Mtg. No. 1 on March 15, 2022 as presented. All ayes.

125 S. Davis 2. This was the time, place and date set to consider condemnation of the structures on the property located at 125 S. Davis in the City of Ottumwa, Wapello County, IA. Zoning & Housing Coord. Rusch reported property was placarded Sept. 29, 2020; many "no show" inspections; no repair plan submitted and the property remains open to the elements. Roe moved, seconded by Galloway to close the public hearing. All ayes.

McAntire moved, seconded by Pope to condemn the structures located at 125 S. 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. All ayes.

153 S. Fellows 3. This was the time, place and date set to consider condemnation of the structures on the property located at 153 S. Fellows in the City of Ottumwa, Wapello County, IA. Rusch reported property placarded Jan. 6, 2021; many "no show" inspections; property is still without legal utilities and remains open to the elements. Gloria Peralta, 409 E. Douglas, Knoxville, requested to speak; she is the owner of 153 S. Fellows. She stated that the property is not abandoned; she checks on it regularly; claims she did submit a repair plan but never any acknowledgement from the City upon receiving. She also claims false info being passed on here. Also claims it hasn't been a full year since she submitted her repair plan. Simonson reported the photos presented were taken today and show a window is open; unsecured property. The second repair plan received with a list of deficiencies was dated 10/8/2021 that was provided with specific instructions on breaking down the time tables into 30 day increments with specific repairs included in each period. Maximum time allowance of six months for all repairs to be completed. This is a significant issue. Much discussion was had between Ms. Peralta and staff. Roe moved, seconded by McAntire to close the public hearing. All ayes.

Roe moved, seconded by McAntire 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. Vote taken: Ayes:

McAntire, Roe. Nays: Galloway, Hull, Pope. Motion Failed 2-3 vote.

Simonson stated, Council can request to take action other than the staff recommendation.

Galloway moved, seconded by Pope to schedule the inspection tonight before exiting the bldg., allow the City to do an internal inspection and complete a full deficiency list to which a three month repair plan must be submitted within seven days after the inspection; with substantial completion/progress that shall be reported back to the BOH on July 19, 2022; with any failure to comply with inspection dates resulting in immediate condemnation of the property. All ayes.

Adjourn

4. There being no further business, Galloway moved, seconded by Pope 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 7, 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 306 W Sixth 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) at 306 W Sixth 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: This property has been placarded since February of 2019. There was a repair plan issued to the Health Department, but little to no effort has been put into restoring the structure. Building Inspectors have found the property unsecured and open to the elements on several occasions. There is no current repair plan. The property has broken windows and doors, and is currently being used as storage. 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 ]  
OTTUMWA

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

February 13, 2019

Harold Kempf  
317 W Fifth  
Ottumwa, IA 52501

91 7199 9991 7035 6854 6989

To whom it may concern:

An inspection was made on **February 12, 2019**, of the property located at **306 W Sixth**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

**OTTUMWA ORIG PT L26& 27 BLK 1/2-6 BG46' SE NWCOR  
L27/SW57.2/ SE40/NE57.5/ALG S'LY LN OF 6TH ST 40' TO BEG.**

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 **15<sup>th</sup> day of March, 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 March 15, 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 the 15<sup>th</sup> day of March, 2019** 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 13<sup>th</sup> day of February, 2019.

Sincerely,

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

CERTIFIED #91 7199 9991 7035 6854 6989

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



**Date of Investigation: February 13, 2019**

**DEFICIENCY LIST-306 W Sixth**

1. **Legally provide required utilities. IPMC 401.1, 505.4, 602.2, 505.1**
2. **Scrape and repaint all loose and peeling paint on the exterior. IPMC 304.6**
3. **Repair soffit and fascia. IPMC 304.6**
4. **Repair the basement door. IPMC 304.18**
5. **Repair all broken windows and replace all missing or damaged storm windows and screens. IPMC 304.13**
6. **Repair front porch floor. IPMC 304.15**
7. **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**
8. **Keep the property secured until it has been repaired. Board up or otherwise seal open windows and doors. 24-3-6**
9. **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.*







3/23/22



4/20/22



[ CITY OF ]  
O T T U M W A

## NOTICE TO ABATE

April 20, 2022

**Joyce Ann Johnson, In Trust for  
Johnny Mac Kempf**  
*Deed Holder*  
317 W. Fifth  
Ottumwa, Iowa 52501

**Johnny Mac Kempf**  
*Deed Holder*  
317 W. Fifth  
Ottumwa, Iowa 52501

**State of Iowa**  
c/o Iowa Attorney General  
1305 East Walnut  
Des Moines, Iowa 50319

**Wapello County Treasurer**  
101 W. 4<sup>th</sup> Street  
Ottumwa, Iowa 52501

**IAT 41, LLC**  
Tax Sale Certificate No. TSC 2021-  
500  
Mike Klemme (Registered Agent)  
520 4<sup>th</sup> Street SW, Suite A  
Le Mars, Iowa 51031

### SENT VIA CERTIFIED MAIL

To Whom it May Concern,

An inspection was made on March 23, 2022 of the placarded property located at **306 W. Sixth, 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:

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

- 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 7th day of June, 2022 at 5:30 P. M. in the Council Chambers in City Hall, 105 East Third Street, Ottumwa, IA.**

**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: Joyce Ann Johnson In trust of Johnny Mac Kempf, Johnny Mac Kempf, State of Iowa, Wapello County Treasurer, IAT 41 LLC

You are hereby notified that the structures located at **306 W Sixth**, 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:

**OTTUMWA ORIG PT L26& 27 BLK 1/2-6 BG46' SE NWCOR L27/SW57.2/ SE40/NE57.5/ALG S'LY LN OF 6TH ST 40' TO BEG.**

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 7th, 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 April 20, 2022**

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Jake Rusch  
Zoning and Housing Coordinator  
City of Ottumwa, Iowa

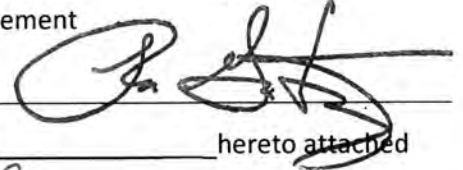
# PROOF OF PUBLICATION

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: Joyce Ann Johnson

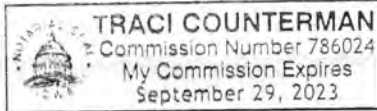
City of Ottumwa



hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 5/19/22

Subscribed and sworn to before me, and in my presence, by the said 19th day of May, 2022



Notary Public

In and for Wapello County

Printer's fee \$20.54

## COPY OF ADVERTISEMENT

**CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL TO:** Joyce Ann Johnson In trust of Johnny Mac Kempf, Johnny Mac Kempf, State of Iowa, Wapello County Treasurer, IAT 41 LLC You are hereby notified that the structures located at **306 W Sixth, 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: **OTTUMWA ORIG PT L26& 27-BLK 1/2-6 BG46' SE NWCOR L 2 7 / S W 5 7 . 2 / SE40/NE57.5/ALG S'LY LN OF 6TH ST 40' TO BEG.** 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 7th, 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 April 20, 2022** Jake Rusch Zoning and Housing Coordinator City of Ottumwa, Iowa

# CITY OF OTTUMWA

## Staff Summary

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

Council Meeting of: June 7, 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 201 N Holt 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) at 201 N Holt 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: This property has been placarded since December of 2018. The dwelling has been without Utilities for the duration of the file. There have been many complaints of squatters and occupants without permission staying on the property. During an inspection with the police department, it was evident that 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 OF DWELLING OR BUILDING  
DETERMINED TO BE UNFIT FOR HUMAN HABITATION  
AND AN ORDER TO CORRECT**

December 28, 2018

Kevin Skinner  
201 N Holt  
Ottumwa, IA 52501

To whom it may concern:

An inspection was made on **December 28, 2018**, of the property located at **201 N Holt**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

**SUMMERS ADDITION SE 66' LOT 2 (201 N HOLT)**

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 **29<sup>th</sup> day of January, 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 January 29, 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 the 29<sup>th</sup> day of January, 2019** 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 28<sup>th</sup> day of December, 2018.

Sincerely,

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

CERTIFIED #91 7199 9991 7035 6854 7689

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 Investigation: December 28, 2018**

**DEFICIENCY LIST-201 N Holt**

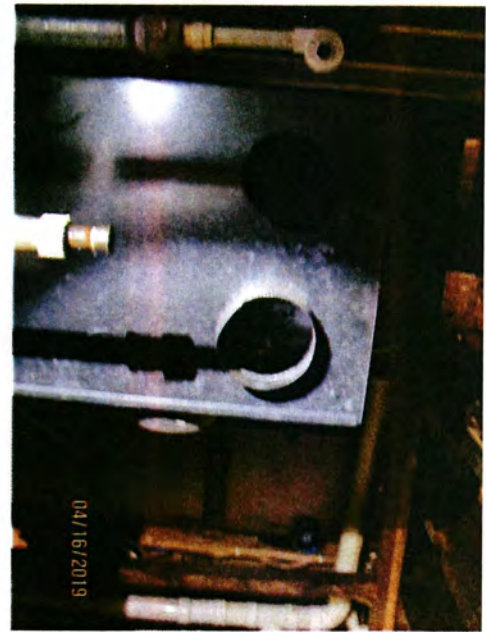
1. Provide required legal utilities. IPMC 401.1, 505.4, 602.2, 505.1
2. Repair soffit and fascia. IPMC 304.2
3. Replace missing or damaged siding. IPMC 304.2
4. Repair deck floor. IPMC 304.10
5. Put a roof legal roof on garage. IPMC 304.7
6. Provide guard around front porch. IPMC 304.12
7. This is a partial inspection only. A complete inspection will be required and the house must meet the minimum standards of the code. Chapter 20
8. Keep the property secured until it has been repaired. 24-3-6
9. 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.*









[ CITY OF ]  
O T T U M W A

## NOTICE TO ABATE

April 20, 2022

**Kevin Newton Skinner**  
**Deed Holder**  
201 N. Holt  
PO Box 414  
Ottumwa, Iowa 52501

**State of Iowa**  
c/o Iowa Attorney General  
1305 East Walnut  
Des Moines, Iowa 50319

**Wapello County Treasurer**  
101 W. 4<sup>th</sup> Street  
Ottumwa, Iowa 52501

### SENT VIA CERTIFIED MAIL

To Whom it May Concern,

An inspection was made on March 3, 2022 of the placarded property located at **201 N. Holt, 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.

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

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 June, 2022 at 5:30 P. M. in the Council Chambers in City Hall, 105 East Third Street, Ottumwa, IA.**

**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

02016614-1\10981-1000

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



**CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL**

TO: Kevin Newton Skinner, State of Iowa, Wapello County Treasurer

You are hereby notified that the structures located at **201 N Holt**, 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:

**SUMMERS ADDITION SE 66' LOT 2 (201 N HOLT)**

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 7th, 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 April 20, 2022**

---


Jake Rusch  
Zoning and Housing Coordinator  
City of Ottumwa, Iowa

# PROOF OF PUBLICATION

STATE OF IOWA  
WAPELLO COUNTY

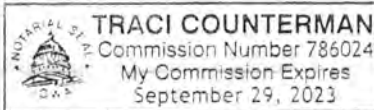
I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

Condemnation Notice: Kevin Newton Skinner  
City of Ottumwa

  
hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 5/19/22

Subscribed and sworn to before me, and in my presence, by the said 19th 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:** Kevin Newton Skinner, State of Iowa, Wapello County Treasurer You are hereby notified that the structures located at **201 N Holt**, 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: **SUMMERS ADDITION SE 66' LOT 2 (201 N HOLT)** 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 7th, 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 April 20, 2022** Jake Rusch Zoning and Housing Coordinator City of Ottumwa, Iowa

**CITY OF OTTUMWA**  
**Staff Summary**

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

Council Meeting of : June 7, 2022

Zach Simonson

Prepared By

Building and Code Enforcement

Department

Zach Simonson

Department Head

\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: Review condemnation of property located at 153 S Fellows.

\*\*\*\*\*

**\*\*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: 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.

DISCUSSION: At the April 19, 2022 Board of Health meeting, the Board agreed to permit a 3 month extension for the property at 153 S Fellows provided that the owner completed an inspection within one week and returned a repair plan within seven days of the inspection. That inspection occurred on April 29, 2022. No repair plan has been submitted despite attempts to contact the property owner. For breaching the agreement set on April 19, 2022, staff recommends proceeding with the condemnation.



[ CITY OF ]  
O T T U M W A

## NOTICE TO CONTACT

5/3/2022,

Gloria White,  
409 E. Douglas,  
Knoxville IA, 50138

To whom it may concern,

Hello, my name is Jeffrey Hamann. I am with Building and Code Enforcement for the City of Ottumwa. I have questions regarding a property you are shown to either own or reside. **153 S. Fellows**, Ottumwa, IA.

**After meeting with you on 4/29/2022, Jake and Zach were able to build a deficiency list for the interior of 153 S. Fellows. That list would be in addition to any outstanding violations on any prior deficiency lists you were sent by this department.**

**As per the Board of Health's decision progress will be required in order to receive more extensions. Progress inspections will be scheduled at your request or monthly until the next Board of Health meeting. The first progress inspection is scheduled for 6/2/2022 at 2:00 PM. You will also receive a permission sheet from now until that date.**

**Due to the extent of the damage to the structure, a building permit will be required. All electrical, plumbing and HVAC repairs also require permits and to be done by licensed contractors.**

You can stop in at room 203 in City Hall, call me at 641-683-0650 or email me at hamannj@ci.ottumwa.ia.us

Respectfully,

Jeffrey Hamann  
Building Inspector  
hamannj@ottumwa.us

5/3/22



[ CITY OF ]

OTTUMWA

**Date of Placard Inspection: 4/29/2022,  
DEFICIENCY LIST-153 S. Fellows,**

### **Exterior/Yard**

1. Repair or replace roof to properly shed water and prevent further water damage. 304.7
2. Provide rear entry steps to meet code. 304.10
3. Repair or replace all damaged siding. 304.6
4. Scrape and repaint all chipping and peeling paint, or provide exterior protection from the elements, siding, trim, soffit and fascia. 304.6
5. Replace storm doors, unless entry doors are weather resistant material. 20-7-15
6. Replace rear entry door. 304.18
7. Provide deadbolt locks to entry doors. 304.18
8. Repair or replace damaged or missing windows. 304.13
9. Repair or replace damaged or missing storm windows and screen unless windows are weather resistant material. 304.13 20-7-15
10. Repair loose, worn or damaged deck boards on porch. 304.15
11. Trim back all overgrown plant growth in yard. Dispose of any yard waste or tree debris. 302.1
12. Dispose of all construction or building material waste and debris in yard. 302.1

### **Interior**

1. Repair all caving and dilapidated foundational support walls. 304.5
2. Repair all water damaged structure, walls, ceilings and floors. 305.3
3. Provide all required utilities, gas, water and electric. 401.1, 505.4, 602.2 and 505.1
4. Repair and replace damaged and missing drywall, mudding joints, sanding smooth and painting. Providing an uninterrupted, cleanable wall and ceiling covering. 305.3
5. Repaint all chipping and peeling paint on doors, and trim. 305.3
6. Provide an uninterrupted, cleanable floor covering via floor sealant, vinyl, tile, or carpet. 305.3
7. Level uneven, sagging and humped floors. 305.3
8. Repair staircases, providing handrails. 301.10 304.12 307.1
9. Install kitchen facility, cabinets, counter spaces, sink, electrical requirements for range stove and refrigerator. 20-7-14
10. Have licensed electrician bring electrical system to current electrical code, including hardwired smoke alarms. 604.3

5/3/22

11. Have licensed plumber bring plumbing system to current code and make any changes to plumbing system. 504.1
12. Have licensed HVAC technician bring HVAC system to current code and make any changes to the HVAC system. 603.1 607.1
13. Keep the property secure from unauthorized persons. 20-3-L
14. Keep the grass kept below 10" 24-3-10

**Further inspections will be required to release the placard.**

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.*

5/3/22



[ CITY OF ]  
O T T U M W A

## NOTICE TO CONTACT

5/13/2022,

Gloria White,  
409 E. Douglas,  
Knoxville IA, 50138

To whom it may concern,

Hello, my name is Jeffrey Hamann. I am with Building and Code Enforcement for the City of Ottumwa. I have questions regarding a property you are shown to either own or reside. **153 S. Fellows, Ottumwa, IA.**

**On 4/19/2022 at the Board of Health meeting the motion to condemn the property at 153. S Fellows failed to pass, but with the agreement you would schedule an inspection with the Building and Code Enforcement department that night (4/19/2022). Then you would provide a repair plan within seven (7) days of that scheduled inspection, and show substantial progress within three (3) months at the 7/19/2022 Board of Health meeting.**

**You scheduled an inspection on 4/19/2022 for 4/29/2022. Jake and Zach both attended that inspection and a full deficiency list was provided to you on 5/3/2022 along with a temporary permission sheet ending on 6/2/2022 at the first progress inspection. You were required to provide a 3 month repair plan ending on 7/19/2022 within seven (7) days of the inspection on 4/29/2022, the date that the repair plan was required to be turned in was 5/6/2022. As of today 5/13/2022 our office has not received any contact from you.**

**Due to the failure to follow the instructions from the Board of Health, this matter will be reviewed at the next Board of Health meeting on 6/7/2022 at 5:30.**

If you have any questions, please contact the Building and Code Enforcement department at 641-683-0650.

Respectfully,  
Jeffrey Hamann  
Building Inspector  
[hamannj@ottumwa.us](mailto:hamannj@ottumwa.us)

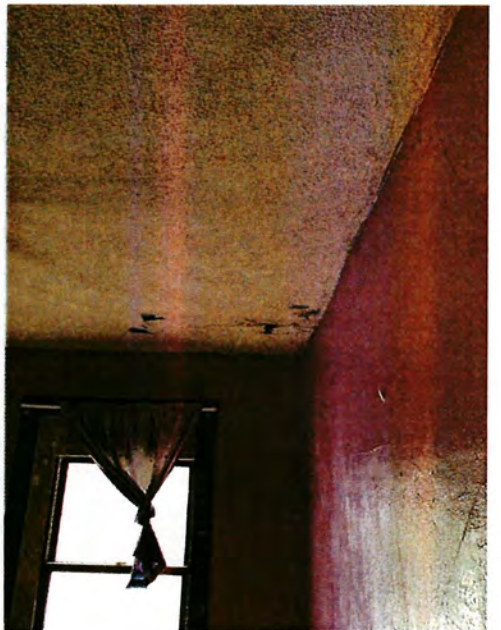
SENT VIA ELECTRONIC MAIL, POST MAIL, CERTIFIED POST MAIL 91 7199 9991 7035 6855 4960.

5/13/22

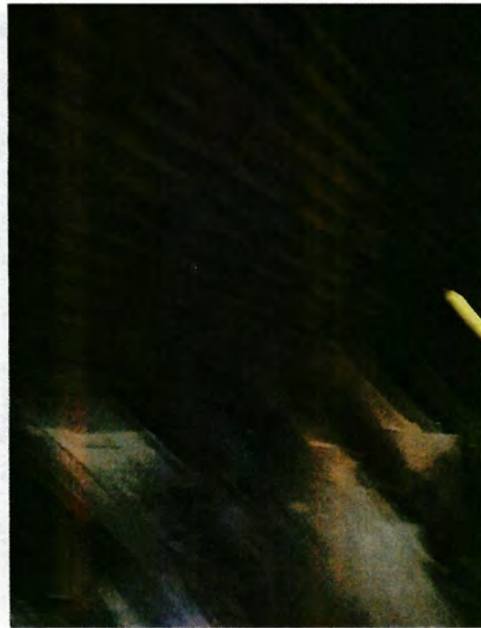


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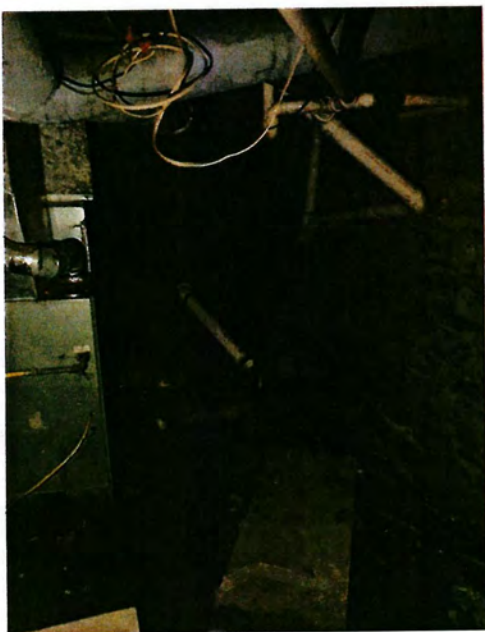
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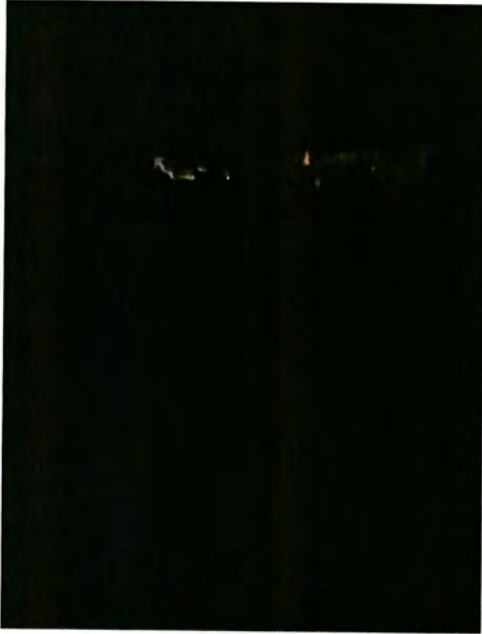


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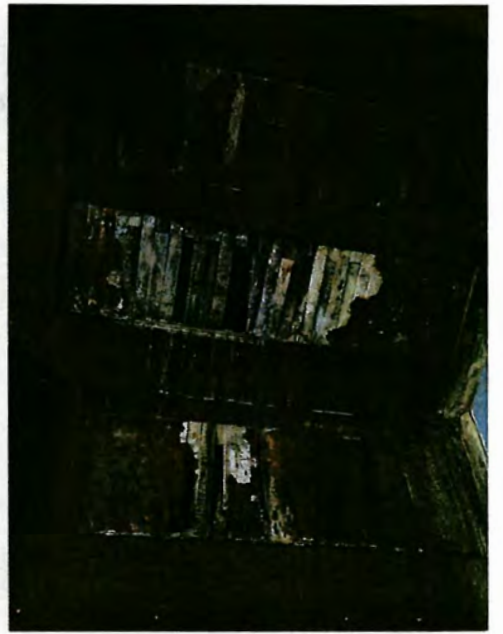


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