

TENTATIVE AGENDA
OTTUMWA BOARD OF HEALTH

MEETING NO. 8
Council Chambers, City Hall

December 21, 2021
5:30 O'clock P.M.

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

Approval of Minutes 1. Approve the minutes from Meeting No. 7 on October 5, 2021 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 505 South Sheridan in the City of Ottumwa, Wapello County, Iowa.
505 S. Sheridan

- A. Open hearing for comments.
- B. Close the public hearing.
- C. Condemn the structures located at 505 South Sheridan, 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 505 South Sheridan.

Adjourn 3. Adjournment.



[CITY OF]
O T T U M W A

FAX COVER SHEET

City of Ottumwa

DATE: 12/17/21 TIME: 11:00 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 #8 to be held on 12/21/2021 at 5:30 P.M.

*** FAX MULTI TX REPORT ***

JOB NO.	0123	
DEPT. ID	4717	
PGS.	2	
TX INCOMPLETE	-----	
TRANSACTION OK	96847834	Ottumwa Courier
	916606271885	KTVO
	96823269	Ottumwa Waterworks
ERROR	96828482	Tom FM



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MEMO: Tentative Agenda for the Board of Health Meeting #8 to be held on 12/21/2021 at 5:30 P.M.

*** TX REPORT ***

JOB NO. 0123
DEPT. ID 4717
ST. TIME 12/17 10:59
SHEETS 2
FILE NAME
TX INCOMPLETE -----
TRANSACTION OK 96847834
916606271885
96823269
ERROR 96828482

Ottumwa Courier
KTVO
Ottumwa Waterworks
Tom FM



CITY OF
OTTUMWA

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FROM: Christina Reinhard

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

MEMO: Tentative Agenda for the Board of Health Meeting #8 to be held on 12/21/2021 at 5:30 P.M.

OTTUMWA BOARD OF HEALTH MINUTES

MEETING NO. 7
Council Chambers, City Hall

October 5, 2021
5:30 O'clock P.M.

Present were Council Member Johnson, Meyers, Roe, Berg, Dalbey and Mayor Lazio.

Approval of Minutes 1. Meyers moved, seconded by Roe to approve the mins. from Mtg. No. 6 on August 17, 2021 as presented. All ayes.

209 W. Fifth 2. This was the time, place and date set to consider condemnation of the structures located at 209 W. Fifth in the City of Ottumwa, Wapello County, IA. Comm. Dev. Dir. Simonson reported the property was placarded on May 27, 2020 after a complaint investigation. No repair plan was submitted. The owner failed to appear at scheduled inspections on Sep. 22, 2020 and Nov. 24, 2020. Inspectors gained access to the bldg. on Aug. 2, 2021 and confirmed it condition. The brick façade is falling off of the bldg. and the leaking roof has caused significant damage inside. No objections were rec'd. Roe moved, seconded by Dalbey to close the public hearing. All ayes.

Dalbey moved, seconded by Berg to condemn the structures located at 209 W. Fifth, 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.

236 Phillips 3. This was the time, place and date set to consider condemnation of the structures located at 236 Phillips in the City of Ottumwa, Wapello County, IA. Simonson reported the property was placarded Aug. 5, 2020 due to lack of utilities, broken or boarded up windows and exposure to the elements. At the initial inspection, the door to the bldg. was open to pests, vermin and trespassers. The City has mowed the grass and performed nuisance clean-ups in the yard. No one submitted a repair plan, sought permission to be in the bldg. or made any progress toward curing deficiencies. This property was initially set for condemnation June 15, 2021, but the property transferred ownership on May 28, 2021 between the publication notice and the hearing date. The new owner has not obtained permission to enter the property, submitted the required repair plan or made any contact with the City. No objections were rec'd. Meyers moved, seconded by Johnson to close the public hearing. All ayes.

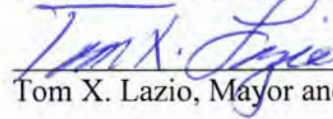
Roe moved, seconded by Meyers to condemn the structures located at 236 Phillips, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including admin. costs, to be assessed against the property and/or collected from the owner or owners thereof. All ayes.

Adjourn

4. There being no further business, Johnson moved, seconded by Berg that the mtg. adjourn. All ayes.

Adjournment was at 5:36 P.M.

OTTUMWA BOARD OF HEALTH



Tom X. Lazio, Mayor and Chairman

ATTEST:



Christina Reinhard, CMC City Clerk



CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

Council Meeting of: Dec. 21, 2021

Zach Simonson

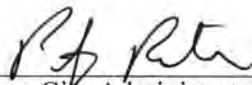
Prepared By

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 505 S Sheridan.

****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 505 S Sheridan, 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 on September 26, 2014. Since that time, the property has changed ownership several times without any substantial progress. The most recent owner submitted a repair plan but did not complete any items on the plan. The property still has several deficiencies. Condemnation notice was served by certified mail and posting notice on the property and in the *Ottumwa Courier*.



CITY OF BRIDGES...RIVER OF OPPORTUNITY

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

September 26, 2014

Joyce Kirkhart
802 Ellis Avenue
Ottumwa, IA 52501

91 7108 2133 3935 1172 9199

To Whom It May Concern,

A complaint inspection was made on September 26, 2014 of the dwelling unit located at **505 South Sheridan Avenue, Ottumwa, IA**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

**A.E.HAMMONDS 2ND ADD LOT 30 (505 S SHERIDAN)
BK502PG106KIRKHART'S**

and which the records of the Assessor of Wapello County Iowa 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 **26TH day of October 2014:**

See the attached repair list

Repair plan required. In the event that the demolition cannot be completed within thirty days, a plan must be submitted for approval **prior to October 26, 2014**. There is a ninety (90) day maximum time limit for demolition.

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

Failure to make the above said corrections before 12:00 o'clock P.M. on the **26TH** day of **October 2014** 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 641-683-0653.

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 Jody Gates at 641-683-0694 for this service.

Signed and dated at Ottumwa City Hall, Ottumwa, Iowa, this **26TH** day of **September 2014**.

Sincerely,

Marion A Husted

Marion A Husted
Building Inspector

route/mah

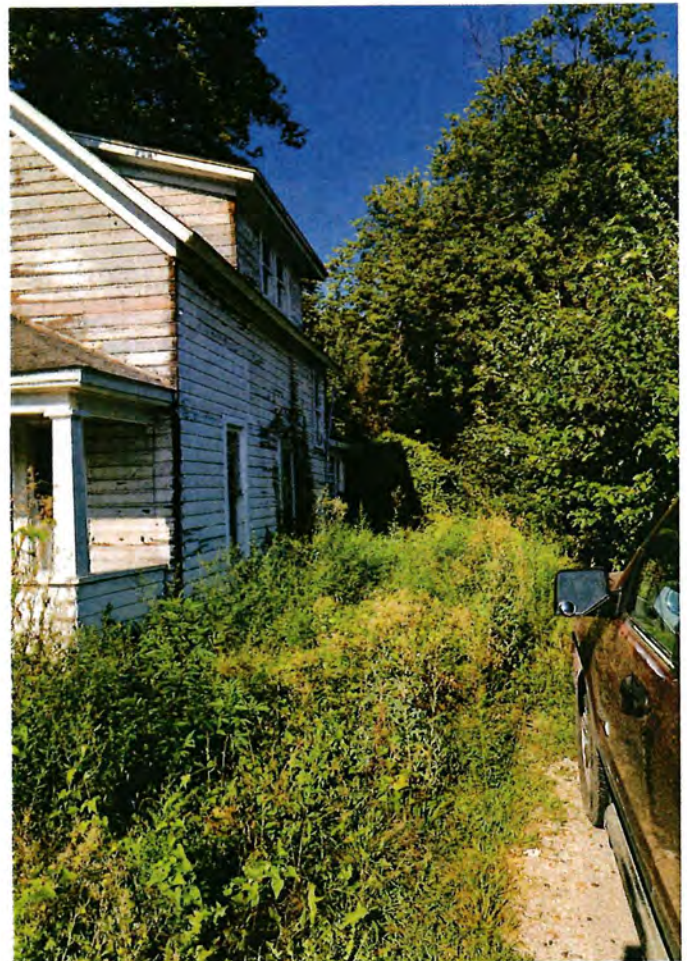
CERTIFIED #91 7108 2133 3935 1172 9199



CITY OF BRIDGES...RIVER OF OPPORTUNITY

**PLACARD REPAIR LIST
505 SOUTH SHERIDAN AVENUE
SEPTEMBER 26, 2014**

- 1) Secure all windows, doors and other openings and keep them secure until such time that the building has been repaired or demolished. 20-3-L
- 2) Keep the grass, weeds and brush cut below 12" in height. 24-10
- 3) Remove the miscellaneous junk, trash, brush pile, etc. from the porch and yard. 24-14
- 4) Repair/provide window screens. 20-7-H
- 5) Provide a chimney cap. 20-7-E
- 6) Repair the rear entry door jamb/threshold. 20-7-A-3
- 7) Provide siding where damaged or missing. 20-7-F
- 8) Repair the soffits/fascia. 20-7-F
- 9) Replace all wood rot on the exterior. 20-7-F
- 10) Scrape and paint all peeling paint on the exterior. 20-7-F
- 11) Repair the exterior and interior basement doors. 20-7-A-3
- 12) Repair the door and provide a platform at the north side entry. 20-7-A-1, 3
- 13) Provide door handles/latches where missing. 20-7-A-3
- 14) Repair the basement steps. 2-7-A-1
- 15) Provide a ¾" pipe on the water heater relief valve to within 6" of the floor. 20-7-A
- 16) Provide a gas line shut-off within 5' and line of sight of the water heater. 20-7-A
- 17) Have the water heater and the furnace serviced by a licensed installer. 20-7-A
- 18) Clean the duct work and repair the duct covers. 20-7-A
- 19) Secure or remove the duct insulation. 20-7-A
- 20) Replace the electric service with a 100 amp minimum. 20-5-M
- 21) Provide an egress window in the small bedroom upstairs. IRC
- 22) Repair and paint ALL walls and ceilings. 20-7-A-5
- 23) Repair the floor and floor covering in the full bathroom. 20-7-A-5
- 24) Repair the ½ bath or remove it. 20-7-J
- 25) All electrical wiring must meet current code. NEC, 20-5-M
- 26) Repair all damaged plumbing. 20-7-J
- 27) Clean the entire house and basement. Clean or replace the floor coverings. 20-7-A-5
- 28) This dwelling unit must meet the minimum requirements of Chapter 20 before it can be released for occupancy.



8/17/21



7/22/20



[CITY OF]
O T T U M W A

NOTICE TO ABATE

November 19, 2021

Crosby & Baum Properties, LLC

Deed Holder

c/o LegalInc Corporate Services Inc.
309 Court Avenue
Des Moines, Iowa 50309

91 7199 9991 7035 6855 3550

**Richard Eugene Watterson Sr. and
Tracy D. Watterson**

Contract Purchasers

505 S. Sheridan
Ottumwa, Iowa 52501

91 7199 9991 7035 6855 3543

State of Iowa

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

91 7199 9991 7035 6855 3574

Wapello County

c/o County Auditor
101 W. 4th Street
Ottumwa, Iowa 52501

91 7199 9991 7035 6855 3581

Palo Holdings, LLC

Tax Certificate Holder

c/o Mike Klemme
520 4th St. SW, Suite A
Le Mars, Iowa 51031

91 7199 9991 7035 6855 3567

SENT VIA CERTIFIED MAIL

To Whom it May Concern,

An inspection was made on November 19, 2020 of the placarded property located at **505 S. Sheridan, 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 residing at a property without being connected to all or one of the following utility services: electrical, gas or water, failure to repair water damage, 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.:

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

Abatement needed:

- 1) Cure all deficiencies on the deficiency list prepared for the property by the City of Ottumwa Building and Code Enforcement Department; or
- 2) Demolish the structure(s) and level the lot 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 December, 2021 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,

Zach Simonson
Director of Community Development
City of Ottumwa, IA
641.683.0694

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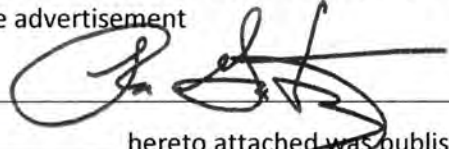
City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0618 Fax 641-683-0609

PROOF OF PUBLICATION

STATE OF IOWA
WAPELLO COUNTY

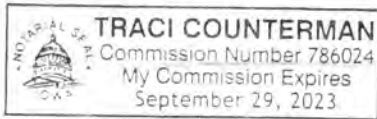
I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

Condemnation Notice
City of Ottumwa



hereto attached was published in
Subscribed and

said newspaper for 1 consecutive week's to-wit: 12/02/21
sworn to before me, and in my presence, by the said 2nd day of December, 2021



Notary Public

In and for Wapello County

Printer's fee \$18.39

COPY OF ADVERTISEMENT

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL TO: Crosby & Baum Properties, LLC, Richard Eugene Watterson, Sr., Tracy D. Watterson, Palo Holdings, Wapello County, State of Iowa
You are hereby notified that the structures located at **505 S Sheridan, 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: **A.E. Hammonds 2nd Addition Lot 30** 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 **December 21, 2021 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 November 19, 2021** Zach Simonson Director of Community Development City of Ottumwa, Iowa

PH-BOTH Condemnation
505 S. Sheridan