

TENTATIVE AGENDA  
OTTUMWA BOARD OF HEALTH

MEETING NO. 9  
Council Chambers, City Hall

November 15, 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. 8 on October 18, 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 301 N. Graves in the City of Ottumwa, Wapello County, Iowa.

301 N. Graves

A. Open hearing for comments.

B. Close the public hearing.

C. Condemn the structures located at 301 N. Graves, 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 301 N. Graves.

Adjourn 3. Adjournment.



[ CITY OF ]  
O T T U M W A

**FAX COVER SHEET**

City of Ottumwa

DATE: 11/10/22 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 #9 to be held on 11/15/2022 at 5:30 P.M.

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\*\*\* FAX MULTI TX REPORT \*\*\*  
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JOB NO. 2370  
DEPT. ID 4717  
PGS. 2  
TX INCOMPLETE -----  
TRANSACTION OK 916606271885  
916416823269  
ERROR 916416847326  
916416828482

KTVO  
Ottumwa Waterworks  
Ottumwa Courier  
Tom FM



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\*\*\* TX REPORT \*\*\*  
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JOB NO.	2370	
DEPT. ID	4717	
ST. TIME	11/10 08:50	
SHEETS	2	
FILE NAME		
TX INCOMPLETE	-----	
TRANSACTION OK	916606271885	KTVO
	916416823269	Ottumwa Waterworks
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## OTTUMWA BOARD OF HEALTH

MEETING NO. 8  
Council Chambers, City Hall

October 18, 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 mins. from Mtg. No. 7 on September 20, 2022 as presented. All ayes.

517 Grant 2. This was the time, place and date set to consider condemnation of the structures located at 517 Grant in the City of Ottumwa, Wapello County, IA. Zoning & Housing Coordinator Rusch reported the structure was placarded Feb. 6, 2021 due to poor living conditions and structural issues. The City has had limited contact from the owners and there have been several missed inspections. Very little to no progress has been made and it continues to deteriorate. No current repair plan on file. Roe moved, seconded by Galloway to close the public hearing. All ayes.

Hull moved, seconded by McAntire to condemn the structures located at 517 Grant, 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.

1016 S. Weller 3. This was the time, place and date set to consider condemnation of the structures located at 1016 S. Weller in the City of Ottumwa, Wapello County, IA. Comm. Development Dir. Simonson reported 1016 S. Weller has had a housing file since Oct. 2020. There have been multiple nuisance, junk motor vehicles, and grass notices as well. 1016 S. Weller was placarded Oct. 26, 2021 due to poor living conditions, structural issues, and lack of utilities. The house has had outdoor nuisance issued during the duration of the file. Very little to no progress has been made and it continues to deteriorate and harbor nuisances around the property. There is no current repair plan on file. Brad Henry requested to speak on behalf of his cousin (property owner) on this item. Colt has some mitigating circumstances that affect his ability to take care of his property; he suffers from mental health issues, PTSD, agoraphobia and is currently being treated for said issues. He has no legal representation at the current time. Mr. Henry only found out about this condemnation two weeks ago and will do whatever is needed to get his place cleaned up and fixed so he does not lose his property. Simonson also clarified if council grants an extension, the property would still be placarded and uninhabitable. You can see from the photos that the outside has numerous nuisances that need addressed and what you can't see are significant structural issues that also need taken care of. Galloway moved, seconded by McAntire to close the public hearing. All ayes.

McAntire moved, seconded by Hull to condemn the structures located at 1016 S. Weller, 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 4-1. Pope: Nay.

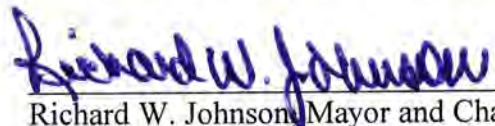
- 734 Center
4. This was the time, place and date set to consider condemnation of the structures located at 734 Center in the City of Ottumwa, Wapello County, IA. Rusch reported 734 Center was placarded March 2, 2022 due to a house fire. The City has had zero contact from the owners and there have been several missed inspections. No progress has been made and the house continues to deteriorate. No repair plan on file. Roe moved, seconded by Galloway to close the public hearing. All ayes.

Roe moved, seconded by McAntire to condemn the structures located at 734 Center, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including admin. costs, to be assessed against the property and/or collected from the owner or owners thereof. All ayes.

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

Adjournment was at 5:59 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 : Nov 15, 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 301 North Graves.

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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 301 North Graves order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

DISCUSSION: The structure located at 301 North Graves was placarded April 6, 2022. The property was placarded for lack of utilities, severe structure damage, being unsecured, and multiple neighborhood complaints. The City has had to mow the property and preform an extensive clean up on the yard this year. There is no current repair plan and there have been several missed inspections. The structure remains open to the elements and squatters and continues to deteriorate. Condemnation notice was served by certified mail and posting notice on the property and in the Ottumwa Courier.



[ CITY OF ]  
OTTUMWA

## NOTICE TO ABATE

October 6, 2022

**James & Julia Leichty**  
*Deed Holders*  
529 W. Main St. #1  
Ottumwa, IA 52501

**Heirs of Donnie Stockdall, Jr. (Deceased)**  
*Contract Purchaser*  
901 Queen Anne  
Ottumwa, Iowa 52501

**Wapello County Treasurer**  
*Unpaid Property Taxes*  
c/o County Auditor  
101 W. 4th Street  
Ottumwa, IA 52501

**Tonnie Brown**  
Address Unknown

**Bryan Jordan (Administrator of Estate)**  
301 N. Sheridan  
Ottumwa, IA 52501

**MidAmerican Energy Co.**  
*Claim in Probate*  
c/o CT Corporation System  
400 E. Court Ave  
Des Moines, IA 50309

**Natasha Giles**  
332 N Holt  
Ottumwa, Iowa 52501

**Amisha Bartlow**  
Address Unknown

**Community First Credit Union**  
*Mortgage Holder*  
c/o County Auditor  
101 W. 4<sup>th</sup> Street  
Ottumwa, IA 52501

### SENT VIA CERTIFIED MAIL

To Whom it May Concern,

An inspection was made on October 6, 2022 of the placarded property located **301 N. Graves, 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 constitutes a public nuisance.**

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



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

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

Abatement needed:

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

We are hereby requesting your cooperation in abating this nuisance within the time allotted. Failure to do so will result in further legal action to be taken against you and the property. This action will include a condemnation referral to the Board of Health.

**In the event that this order has not been complied with, a public hearing for condemnation will be held by the Ottumwa Board of Health on the 1<sup>st</sup> day of November, 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

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: James & Julia Leichty



hereto attached

City of Ottumwa

was published in said newspaper for 1 consecutive week's to-wit: 10/8/22

Subscribed and sworn to before me, and in my presence, by the said 8th day of October, 2022



Notary Public

In and for Wapello County

Printer's fee \$20.10

## COPY OF ADVERTISEMENT

**CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL TO:** James & Julia Leichty; Wapello County Treasurer; MidAmerican Energy Co.; Community First Credit Union; Heirs of Donnie Stockdall Jr.; Tonnie Brown; Bryan Jordan; Natasha Giles; Amisha Bartlow; You are hereby notified that the structures located at **301 N Graves**, 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: **E.A. LANGFORD'S ADD. LOT 8 (301 N GRAVES)** 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 **November 15th, 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 **October 6, 2022** Jake Rusch Zoning and Housing Coordinator City of Ottumwa, Iowa



301 N. C. Ave S

9/8/22





4/18/22



10/6/22



[ CITY OF ]

OTTUMWA

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

April 11, 2022

**Donnie L Stockdall Jr**  
901 Queen Anne  
Ottumwa, IA 52501

91 7199 9991 7035 6855 4793

**James L & Julia M Leichty**  
5764 Chestnut Ave  
Bunnell, FL 32110

**To Whom It May Concern:**

An inspection was made on **April 11, 2022**, of the property located at **301 N Graves**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

E.A. LANGFORD'S ADD. LOT 8 (301 N GRAVES)

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 **May 9, 2022**, 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 **May 9, 2022**.

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

4/6/22

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 May 9, 2022** may result in the declaration by the undersigned pursuant to Section 364.17 of the Code of Iowa, and Section 20-3 (0), of the Ottumwa Municipal Code that said building(s), is (are) a public nuisance.

You may appeal this order by filing a written appeal with the Inspection Board of Review, Municipal Building, Ottumwa, Iowa, within **(15) days** after you have received this notice and order. If you have any questions pertaining to this matter contact me by coming to Room 203 at City Hall or by calling 641-683-0650.

**Per City Policy #26, you may remove this property from the mandatory trash service and billing for as long as the property remains placarded. Contact Zach Simonson at 641-683-0694 for this service.**

Signed and dated at Ottumwa Municipal Building, Ottumwa, Iowa, **April 11, 2022.**

Respectfully,



**Jeremy Lipe**  
Building Inspector  
Building & Code Enforcement :: City of Ottumwa  
641.683.0650

CERTIFIED #91 7199 9991 7035 6855 4793

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





[ CITY OF ]

OTTUMWA

**Date of Placard Inspection: April 11, 2022**  
**DEFICIENCY LIST-301 N Graves**

### **Exterior**

1. Repair or replace all damaged siding. 304.6
2. Scrape and repaint all chipping and peeling paint, or provide exterior protection from the elements, siding, trim, soffit and fascia. 304.6
3. Repair or replace damaged or missing storm doors. 20-7-15
4. Repair or replace damaged or missing windows. 304.13
5. Repair or replace damaged or missing storm windows and screen unless windows are weather resistant material. 304.13 20-7-15
6. Repair loose, worn or damaged deck boards, railings, steps, etc. on front porch and rear deck. 304.15
7. Trim back all overgrown plant growth in yard. Dispose of any yard waste or tree debris. 302.1
8. Repair roof to code to prevent any leaking. 304.7
9. Keep the property secure from any unauthorized persons and from harboring vermin. 20-3-L
10. Keep the grass kept below 10" 24-3-10

### **Interior**

1. Repair and replace damaged and missing drywall, mudding joints, sanding smooth and painting. Providing an uninterrupted, cleanable wall and ceiling covering. 305.3
2. Repaint all chipping and peeling paint on doors, and trim. 305.3
3. Provide an uninterrupted, cleanable floor covering via floor sealant, vinyl, tile, or carpet. 305.3
4. Level uneven, sagging and humped floors. 305.3
5. Repair both basement and second story staircases, providing handrails. 301.10 304.12 307.1
6. Install minimum of one bathroom facility. 20-7-14
7. Install kitchen facility, cabinets, counter spaces, sink, electrical requirements for range stove and refrigerator. 20-7-14
8. Have licensed electrician bring electrical system to current electrical code, including hardwired smoke alarms. 604.3
9. Have licensed plumber bring plumbing system to current code and make any changes to plumbing system. 504.1

4/6/22

**10. Have licensed HVAC technician bring HVAC system to current code and make any changes to the HVAC system. 603.1 607.1**

**This is an initial inspection only, 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.*

**CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL**

TO: James & Julia Leichty; Wapello County Treasurer; MidAmerican Energy Co.; Community First Credit Union; Heirs of Donnie Stockdall Jr.; Tonnie Brown; Bryan Jordan; Natasha Giles; Amisha Bartlow;

You are hereby notified that the structures located at **301 N Graves**, 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:

**E.A. LANGFORD'S ADD. LOT 8 (301 N GRAVES)**

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 **November 15<sup>th</sup>, 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 October 6, 2022**

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Jake Rusch  
Zoning and Housing Coordinator  
City of Ottumwa, Iowa