

TENTATIVE AGENDA
OTTUMWA BOARD OF HEALTH

MEETING NO. 10
Council Chambers, City Hall

December 6, 2022
5:30 O'clock P.M.

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

Approval of Minutes 1. Approve the minutes from Meeting No. 9 on November 15, 2022 as presented.

RECOMMENDATION: Approve the minutes.

Condemnation Hearing 1056 Tuttle 2. This is the time, place and date set to consider condemnation of the structures on the property located at 1056 Tuttle in the City of Ottumwa, Wapello County, Iowa.

- A. Open hearing for comments.
- B. Close the public hearing.
- C. Condemn the structures located at 1056 Tuttle, 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 1056 Tuttle.

Condemnation Hearing 1054 Tuttle 3. This is the time, place and date set to consider condemnation of the structures on the property located at 1054 Tuttle in the City of Ottumwa, Wapello County, Iowa.

- A. Open hearing for comments.
- B. Close the public hearing.
- C. Condemn the structures located at 1054 Tuttle, 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 1054 Tuttle.

Condemnation Hearing 530 W. Fourth 4. This is the time, place and date set to consider condemnation of the structures on the property located at 530 W. Fourth in the City of Ottumwa, Wapello County, Iowa.

- A. Open hearing for comments.

- B. Close the public hearing.
- C. Condemn the structures located at 530 W. Fourth, 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 530 W. Fourth.

Adjourn

5. Adjournment.



[CITY OF]
O T T U M W A

FAX COVER SHEET

City of Ottumwa

DATE: 12/2/2022 TIME: 10:00 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 Ottumwa Board of Health Meeting #10 to be held on
12/6/2022 at 5:30 P.M.

*** FAX MULTI TX REPORT ***

JOB NO. 2526
DEPT. ID 4717
PGS. 3
TX INCOMPLETE -----
TRANSACTION OK 916606271885
916416823269
ERROR 916416847834
916416828482

KTVO
Ottumwa Waterworks
Ottumwa Courier
Tom FM



CITY OF
OTTUMWA

FAX COVER SHEET

City of Ottumwa

DATE: 12/2/2022 TIME: 10:00 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 Ottumwa Board of Health Meeting #10 to be held on 12/6/2022 at 5:30 P.M.

*** TX REPORT ***

JOB NO.	2526	
DEPT. ID	4717	
ST. TIME	12/02 10:01	
SHEETS	3	
FILE NAME		
TX INCOMPLETE	-----	
TRANSACTION OK	916606271885	KTVO
	916416823269	Ottumwa Waterworks
ERROR	916416847834	Ottumwa Courier
	916416828482	Tom FM



FAX COVER SHEET

City of Ottumwa

DATE: 12/2/2022 TIME: 10:00 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 Ottumwa Board of Health Meeting #10 to be held on 12/6/2022 at 5:30 P.M.

OTTUMWA BOARD OF HEALTH MINUTES

MEETING NO. 9
Council Chambers, City Hall

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

The meeting convened at 5:30 P.M.

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

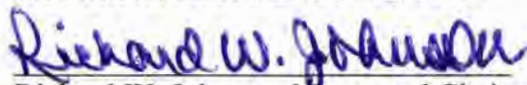
Approval of Minutes 1. Roe moved, seconded by Galloway to approve mins. from Mtg. No. 8 on Oct. 18, 2022 as presented. All ayes.

301 N. Graves 2. This was the time, place and date set to consider condemnation of the structures located at 301 N. Graves in the City of Ottumwa, Wapello County, IA. Comm. Development Dir. Simonson reported the structure was placarded April 6, 2022 due to lack of utilities, severe structure damage, being unsecured and multiple neighborhood complaints. The City has mowed the property and performed extensive clean-up of the yard. There is no current repair plan and several missed inspections. Cheryl Canny addressed the council along with Bryan Jordan (administrator of contract purchaser's estate). Donnie Stockdall, Jr. was the contract purchaser of 301 N. Graves, deceased July 18, 2022. Donnie didn't allow anyone to enter his property while alive, but now Cheryl and Bryan are trying to take care of it. Executor paperwork (dated Aug. 12, 2022) provided showing Amisha Bartlow as the person to take over the house, but she has since decided to move out of town and wants nothing to do with it. Cheryl and Bryan don't want to keep the property but want to be able to get items out of the house before it is demolished. Simonson explained that they normally give twenty-one day notice to get possessions out of the house, but can extend this timeframe to allow enough time for Cheryl and Bryan. Galloway moved, seconded by McAntire to close the public hearing. All ayes.

Roe moved, seconded by Galloway to 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 admin. costs, to be assessed against the property and/or collected from the owner or owners thereof. All ayes.

Adjourn 3. There being no further business, McAntire moved, seconded by Galloway that the mtg. adjourn. All ayes.

Adjournment was at 5:50 P.M.

OTTUMWA BOARD OF HEALTH

Richard W. Johnson, Mayor and Chairman

ATTEST:



Christina Reinhard

Christina Reinhard, CMC, City Clerk

received
9-12-22 815A

Item No. 2.

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

Council Meeting of: Dec. 6, 2022

Jake Rusch

Prepared By

Building and Code Enforcement

Department

Zach Simonson

Department Head

Phy RT

City Administrator Approval

AGENDA TITLE: This is the time, place and date to consider condemnation of the structure(s) on the property described as 1056 Tuttle.

****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 1056 Tuttle 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 1056 Tuttle was placarded October 26, 2021. The property was placarded for and dilapidation. Owners of this property have been in communication with staff and have no interest in making repairs to the structure. No progress has been made and the structure continues to deteriorate. There is no current repair plan or permission. 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**

October 26, 2021

Connie Woten
4102 Wapello Jefferson Rd
Eldon, Ia 52554

Occupant:

An inspection was made on **October 26, 2021**, of the property located at **1056 TUTTLE**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

HARDING PARK ADD. LOT 29 BLK 5 (1054

TUTTLE)

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 **26th day of November, 2021**, to wit:

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 26th.**

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, by licensed contractors.** Contact this office, for permit requirements.

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

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 26th day of November, 2021** 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, this **26th day of October 2021.**

Sincerely,

Jacob Rusch

Building Inspector
Health & Inspections :: City of Ottumwa, IA
641.683.0650

CERTIFIED #91 7199 9991 7035 6855 4304

Terry Woten
1054 S Tuttle
Ottumwa, Iowa 52501

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

NOTICE TO ABATE

October 26, 2022

James H. Seamans Jr.
Deed Holder
4102 Wapello Jefferson Rd.
Eldon, IA 52554

Ryan James Seamans
Designated agent of James H. Seamans Jr.
321 N. Fairview
Ottumwa, IA 52501

Lederman Bonding Company
Mortgage Holder
c/o David Lederman
712 Sycamore St.
Waterloo, IA 50703

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

SENT VIA CERTIFIED MAIL

To Whom it May Concern,

An inspection was made on October 25, 2022 of the placarded property located **1056 Tuttle, 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 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 5th day of December, 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.

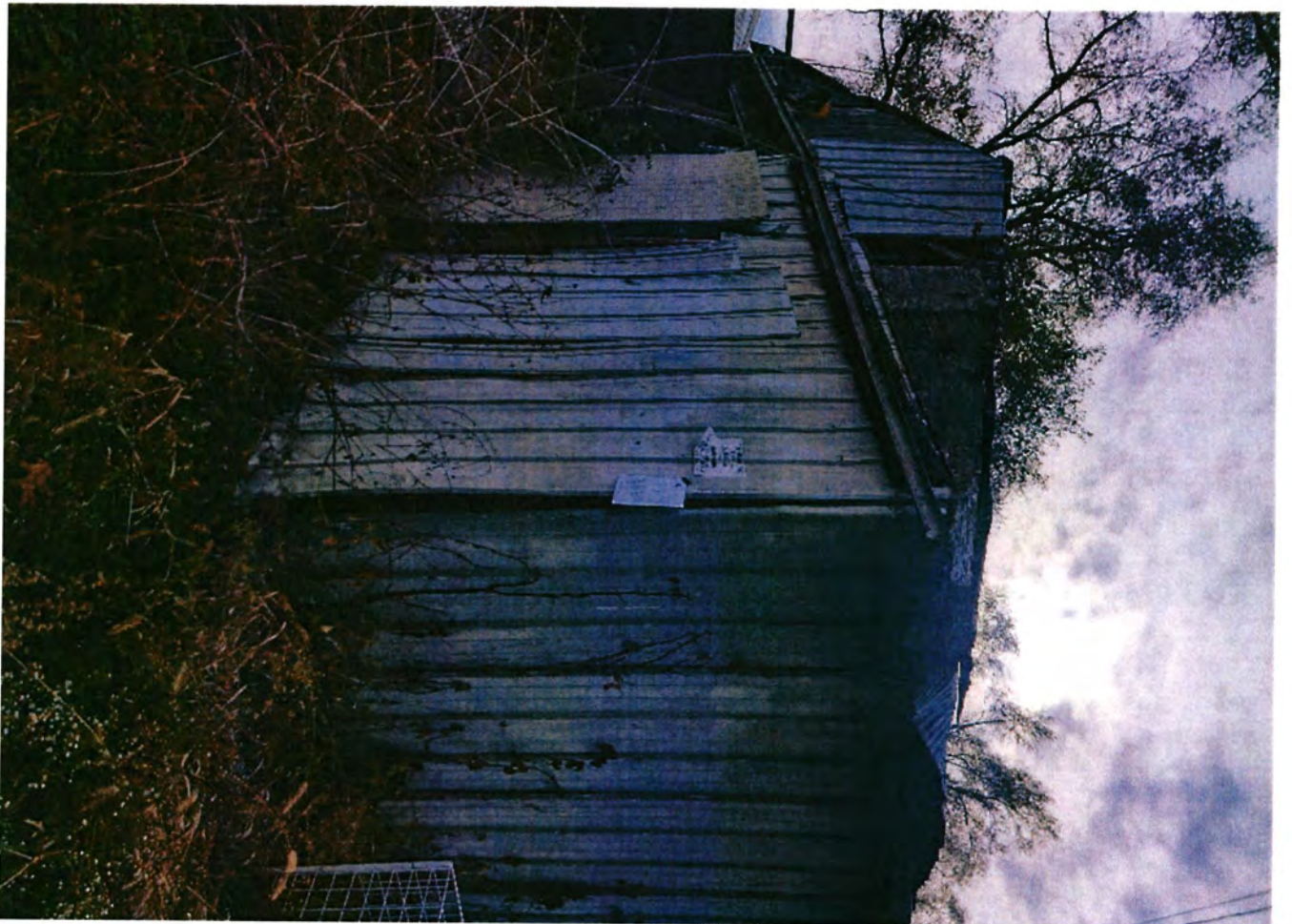
Sincerely,

Jake Rusch
Zoning and Housing Coordinator
City of Ottumwa
641.683.0650



1056 Tuttle

11/2/22



1056 Tuttle

10/20/22

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL

TO: James H Seamans; Ryan James Seamans; Lederman Bonding Company; Wapello County Treasurer;

You are hereby notified that the structures located at **1056 Tuttle**, 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:

HARDING PARK ADD. LOT 30 BLK 5 (1056 TUTTLE)

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 6th, 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!

October 26, 2022

Jake Rusch
Zoning and Housing Coordinator
City of Ottumwa, Iowa

BOH

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL

TO: James H Seamans; Ryan James Seamans; Lederman Bonding Company; Wapello County Treasurer;

You are hereby notified that the structures located at **1056 Tuttle**, 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:

HARDING PARK ADD. LOT 30 BLK 5 (1056 TUTTLE)

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 6th, 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!

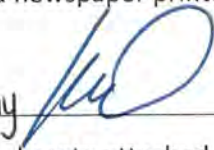
October 26, 2022

Jake Rusch
Zoning and Housing Coordinator
City of Ottumwa, Iowa

PROOF OF PUBLICATION

STATE OF IOWA
WAPELLO COUNTY

I, Kyle Ocker, being duly sworn on my oath, say I am the General Manager 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 H. Seamans, Ryan Seamans, Lederman Bonding Company 

City of Ottumwa hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 11/5/22

Subscribed and sworn to before me, and in my presence, by the said 5th day of November, 2022





Notary Public

In and for Wapello County

Printer's fee \$24.38

COPY OF ADVERTISEMENT

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL TO: James H Seamans; Ryan James Seamans; Lederman Bonding Company; Wapello County Treasurer; You are hereby notified that the structures located at **1056 Tuttle, 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: **HARDING PARK ADD. LOT 30 BLK 5 (1056 TUTTLE)** 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 6th, 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!** **October 26, 2022** Jake Rusch Zoning and Housing Coordinator City of Ottumwa, Iowa

received
12-1-22 8/5A

Item No. 3.

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

Council Meeting of : Dec. 6, 2022

Jake Rusch

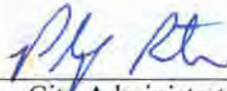
Prepared By

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 1054 Tuttle.

****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 1054 Tuttle 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 1054 Tuttle was placarded October 26, 2021. The property was placarded for living conditions, a bad foundation, and dilapidation. Owners of this property have been in communication with staff and have no interest in making repairs to the structure. No progress has been made and the house continues to deteriorate. There is no current repair plan or permission. 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**

October 26, 2021

Connie Woten
4102 Wapello Jefferson Rd
Eldon, Ia 52554

91 7199 9991 7035 6855 4304

Occupant:

An inspection was made on **October 26, 2021**, of the property located at **1054 TUTTLE**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

HARDING PARK ADD. LOT 29 BLK 5 (1054

TUTTLE)

and which the records of the Wapello County Iowa Records' 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 **26th day of November, 2021**, to wit:

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 26th**.

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, by licensed contractors.** Contact this office, for permit requirements.

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

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 26th day of November, 2021** 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, this **26th day of October 2021.**

Sincerely,

Jacob Rusch
Building Inspector
Health & Inspections :: City of Ottumwa, IA
641.683.0650

COPY

CERTIFIED #91 7199 9991 7035 6855 4304

Terry Woten
1054 S Tuttle
Ottumwa, Iowa 52501

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



Date of Investigation: October 26, 2021

DEFICIENCY LIST-1054 Tuttle

1. **Repair structure to meet current housing code.**
2. **Provide legal Utilities.**
3. **Keep property nuisance free in accordance with Chapter 24.**
4. **This is a partial inspection only. A complete inspection will be required. 20**
5. **Keep the property secured until it has been repaired or demolished. 24-3-6**

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,

Jacob Rusch

Building Inspector

Health & Inspections :: City of Ottumwa, IA

641.683.0650



CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL

TO: James H Seamans; Terry Woten; Bryan James Seamans; IAT47 LLC; ACC 700 LLC; Wapello County Treasurer;

You are hereby notified that the structures located at **1054 Tuttle**, 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:

HARDING PARK ADD. LOT 29 BLK 5 (1054 TUTTLE)

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 6th, 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!

October 26, 2022

Jake Rusch
Zoning and Housing Coordinator
City of Ottumwa, Iowa

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL

TO: James H Seamans; Terry Woten; Bryan James Seamans; IAT47 LLC; ACC 700 LLC; Wapello County Treasurer;

You are hereby notified that the structures located at **1054 Tuttle**, 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:

HARDING PARK ADD. LOT 29 BLK 5 (1054 TUTTLE)

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 6th, 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!

October 26, 2022

Jake Rusch
Zoning and Housing Coordinator
City of Ottumwa, Iowa


PROOF OF PUBLICATION

STATE OF IOWA
WAPELLO COUNTY

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

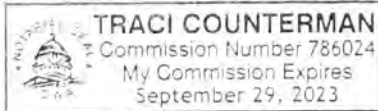
Condemnation Notice: James H. Seamans, Terry Woten, Bryan Seamans

City of Ottumwa

 hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 11/5/22

Subscribed and sworn to before me, and in my presence, by the said 5th day of November, 2022





Notary Public

In and for Wapello County

Printer's fee \$24.38

COPY OF ADVERTISEMENT

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL TO: James H Seamans; Terry Woten; Bryan James Seamans; IAT47 LLC; ACC 700 LLC; Wapello County Treasurer; You are hereby notified that the structures located at **1054 Tuttle**, 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: **HARDING PARK ADD. LOT 29 BLK 5 (1054 TUTTLE)** 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 6th, 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!** October 26, 2022 Jake Rusch Zoning and Housing Coordinator City of Ottumwa, Iowa

received
12-1-22 815A

Item No. 4.

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

Council Meeting of: Dec. 6, 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 530 W Fourth.

****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 530 W Fourth 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 530 W Fourth was placarded October 26, 2021. The property was placarded for bad living conditions and safety concerns. There have been multiple nuisance complaints. The city has had to do several nuisance and mowing abatements on this property. No progress has been made and the structure continues to deteriorate. There is no current repair plan or permission. 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**

October 26, 2021

91 7199 9991 7035 6855 4267

Patricia Perez Mirola
416 N Green
Ottumwa, Ia 52501

Occupant:

An inspection was made on **October 26, 2021**, of the property located at **530 W Fourth**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

**STRIP GROUND 62'X144 ' IN NWSE & SWNE SEC 24 AKA PT OL
20 & PT AL 18 SEC 24**

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 **26th day of November, 2021**, to wit:

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 26th**.

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, by licensed contractors.** Contact this office, for permit requirements.

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

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 26th day of November, 2021** 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, this **26th day of October 2021.**

Sincerely,

Jacob Rusch

Building Inspector
Health & Inspections :: City of Ottumwa, IA
641.683.0650

CERTIFIED #91 7199 9991 7035 6855 4267



[CITY OF]

O T T U M W A

Date of Investigation: October 26, 2021

DEFICIENCY LIST-530 W FOURTH ALL UNITS

1. **Repair structure to meet current housing code.**
2. **Provide legal Utilities.**
3. **Keep property nuisance free in accordance with Chapter 24.**
4. **This is a partial inspection only. A complete inspection will be required. 20**
5. **Keep the property secured until it has been repaired or demolished. 24-3-6**

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,

Jacob Rusch

Building Inspector

Health & Inspections :: City of Ottumwa, IA

641.683.0650



[CITY OF]

OTTUMWA

Date of Placard Inspection: October 27, 2022

DEFICIENCY LIST-530 W Fourth

Exterior/Yard

1. Repair sidewalk
2. Repair steps
3. Repair handrails
4. Repair siding
5. Repair trim
6. Repair soffit and fascia
7. Repair roof
8. Repair chimney
9. Replace damaged or missing windows
10. Repair or replace damaged or missing doors
11. Requires door handle where not provided
12. Repair or remove rear $\frac{1}{4}$ of structure to meet current code
13. Repair foundation
14. Repair or remove fire escape
15. Have electrical service and weather-head updated to meet code, under permit, by licensed Electrician.
16. Repair gutters
17. Replace all damaged or rotting materials
18. Remove volunteer trees against foundation
19. Remove yard waste / debris
20. Provide house numbers of contrasting color

Interior (All Units)

1. Utilities not connected during time of inspection to test any services -
2. Provide all required utilities, gas, water and electric. 401.1, 505.4, 602.2 and 505.1
3. Provide adequate heat
4. Repair or replace all fixtures and appliances to be of clean and working order
5. Repair or replace doors and door jambs
6. Repair and replace trim
7. Repair and replace damaged and missing drywall, mudding joints, sanding smooth and painting. Providing an uninterrupted, cleanable wall and ceiling covering. 305.3
8. Replace damaged or missing doors. 304.18
9. Repair / level weak, damaged, uneven, sagging and humped floors. 305.3

10/27/22

10. Provide an uninterrupted, cleanable floor covering via floor sealant, vinyl, tile, or carpet. 305.3
11. Repair and properly support any structural components that are weak, sagging, rotted, or in any other way compromised of their integrity. 305
12. Remove and replace all rotted and / or water damaged material. 305
13. Install kitchen facility, cabinets, counter spaces, sink, electrical requirements for range stove and refrigerator. 20-7-14
14. Have licensed electrician bring electrical system to current electrical code, including hardwired smoke alarms. 604.3
15. Have licensed plumber bring plumbing system to current code and make any changes to plumbing system. 504.1
16. Have licensed HVAC technician bring HVAC system to current code and make any changes to the HVAC system. 603.1 607.1
17. Do not allow occupancy for sleeping or dwelling of any rooms without meeting fire egress requirements. 702
18. Provide updated and inspected fire extinguishers as required by code. 704.1
19. Pest control performed for any infestations. 309.4

(Any exterior nuisance violations that have already been addressed by this department regarding but not limited to prohibited outdoor storage must still be abated by the dates given in those corresponding notices.)

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.

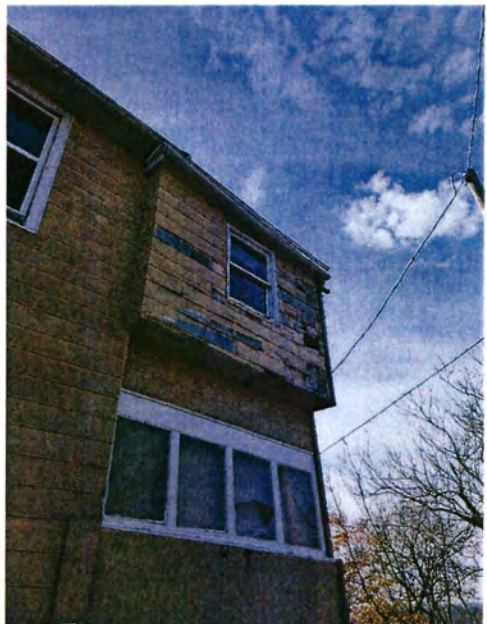
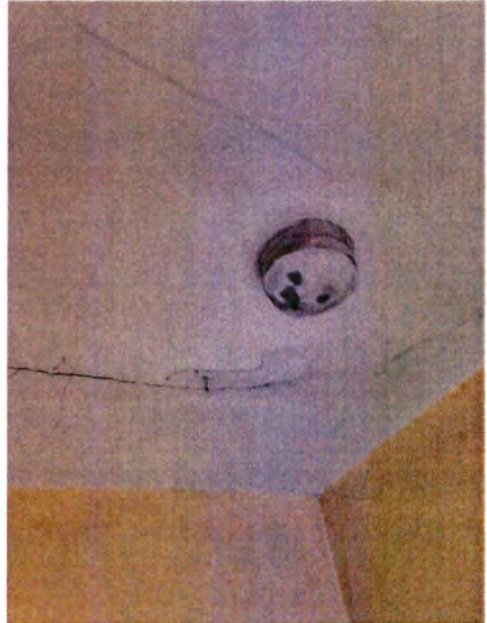
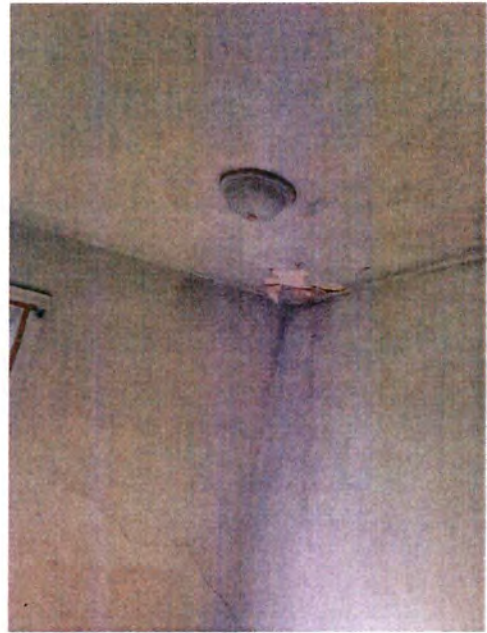
Electrical, Plumbing, Heating and certain Building repairs require permits. Check with the Health Department at 641-683-0650 or by coming to room 203 in City Hall before doing any work that might require a permit.

10/27/22



530 W Fourth

10/27/22



530 W. Fourth

10/27/22



530 W Fourth

10/27/22

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL

TO: Patricia Perez Mirola; Community 1st Credit Union; MidFirst Bank;

You are hereby notified that the structures located at **530 W Fourth**, 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:

STRIP GROUND 62'X144 ' IN NWSE & SWNE SEC 24 AKA PT OL 20 & PT AL 18 SEC 24

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 6th, 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!

October 25, 2022

Jake Rusch
Zoning and Housing Coordinator
City of Ottumwa, Iowa

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL

TO: Patricia Perez Mirola; Community 1st Credit Union; MidFirst Bank;

You are hereby notified that the structures located at **530 W Fourth**, 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:

STRIP GROUND 62'X144 ' IN NWSE & SWNE SEC 24 AKA PT OL 20 & PT AL 18 SEC 24

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 6th, 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!

October 25, 2022

Jake Rusch
Zoning and Housing Coordinator
City of Ottumwa, Iowa

the Landfill from the Recycling Center, and inform the public of this change. Seconded by Morgan. All ayes. Motion carried. Spray Foam in Ceiling of Office Building Creech explained spray foam is necessary in the (Landfill) office building to prevent water lines from freezing. The bid of \$6500.00 is from the same contractor who installed the roof. Hull moved to approve spray foam installation for \$6500.00. Seconded by Pope. All ayes. Motion carried. 28 E Agreement Simonson said Ahlers & Cooney has requested the Commission provide a conflict of interest waiver to proceed with preparing a report on options and outcomes for sole ownership of solid waste operations. The report is estimated to cost \$5000.00. The City and County will also provide conflict of interest waivers. Morgan moved for the Commission provide a conflict of interest waiver. Seconded by McAntire. All ayes. Motion carried. EMS Program Simonson provided a historical overview of EMS participation and concerns with the program. The alternative to EMS is comprehensive planning every five years. Evora would be able to help with comprehensive planning. No interim plan would be necessary. Planning could start in 2025 when the next plan is due. Cost saving projects and environmental compliance would continue if Solid Waste withdraws from EMS. Parker moved to withdrawal from the EMS program. Seconded by Galloway. All ayes. Motion carried. Hunting on Landfill Property Creech said people have asked to hunt on landfill property. She has checked with the DNR. They have no rules against it. The County goes by State requirements. The Commission discussed safety and liability issues. McAntire moved to not allow hunting at the landfill. Motion failed on a vote of one aye and one nay. Although motion failed, hunting was already not allowed on the landfill property. Without a motion to approve hunting, hunting remains not permitted on landfill property. Proposal for Compost Feasibility Study The study was going to be part of the EMS program. Due to exiting EMS, the feasibility study does not have to take place at this time. Morgan moved to reject doing the compost feasibility study. Seconded by Galloway. All ayes. Motion carried. Contract with Mahaska County to Accept Household Hazardous Waste Bain shared Mahaska County Landfill has requested to partner with the SWC for Mahaska County residents to dispose of household hazardous waste at the Wapello County hazardous waste facility. There would be a contract for \$5588.00/year, a per capita fee. Mahaska County residents would follow the same parameters as Wapello and Davis County residents. This partnership was very successful when done previously. Galloway moved to proceed with partnering with Mahaska County for disposal of household hazardous waste at the Wapello County disposal site. All ayes. Motion carried. Brush & Tree Removal in the Fence Line at the Landfill Creech shared the fence line needs cleaned up. The fence line to the north can be saved and cleaned up. The fence line to the west would need replaced. The clean-up is more than Creech and the groundskeeper can do. Parker mentioned utilizing the County's roadside manager. Morgan moved to get bids for fencing and bids for brush cutting. Seconded by Galloway. All ayes. Motion carried. Informational Items The Commission discussed moving the meeting time and day. Pope moved to move SWC meetings to the fourth Monday of the month at 10:00 a.m. Seconded by McAntire. All ayes. Motion carried. The next meeting will be

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: **HARDING PARK ADD. LOT 30 BLK 5 (1056 TUTTLE)** 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 6th, 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! October 26, 2022** Jake Rusch Zoning and Housing Coordinator City of Ottumwa, Iowa

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL TO:

Patricia Perez Mirola; Community 1st Credit Union; MidFirst Bank; You are hereby notified that the structures located at **530 W Fourth, 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: **STRIP GROUND 62'X144' IN NWSE & SWNE SEC 24 AKA PT OL 20 & PT AL 18 SEC 24** 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 6th, 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! October 25, 2022** Jake Rusch Zoning and Housing Coordinator City of Ottumwa, Iowa

THE IOWA DISTRICT COURT FOR WAPELLO COUNTY IN THE MATTER OF THE ESTATE OF MARILYN JOYCE SIEREN, Deceased. CASE NO. ESPR008725 NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS

To All Persons Interested in the Estate of Marilyn Joyce Sieren, Deceased, who died on or about October 17, 2022: You are hereby notified that on October 31, 2022, the last will and testament of Marilyn Joyce Sieren, deceased, bearing date of November 8, 2011 was admitted to probate in the above named court and that Brian E. Wilkinson is appointed executor of the estate. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred. Notice is further given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the date of the sec-

11/5/2022