

TENTATIVE AGENDA
OTTUMWA BOARD OF HEALTH

MEETING NO. 7
Council Chambers, City Hall

September 20, 2022
5:30 O'clock P.M.

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

Approval of Minutes 1. Approve the minutes from Meeting No. 6 on September 6, 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 868 South Davis in the City of Ottumwa, Wapello County, Iowa.

868 S. Davis

- A. Open hearing for comments.
- B. Close the public hearing.
- C. Condemn the structures located at 868 S. Davis, 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 868 S. Davis.

Adjourn 3. Adjournment.



[CITY OF]
O T T U M W A

FAX COVER SHEET

City of Ottumwa

DATE: 9/16/22 TIME: 8:30 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 #7 to be held on 9/20/2022 at 5:30 P.M.

*** FAX MULTI TX REPORT ***

JOB NO. 1848

DEPT. ID 4717

PGS. 2

TX INCOMPLETE -----

TRANSACTION OK 96847834

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ERROR 96828482

Ottumwa Courier

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JOB NO.	1848	
DEPT. ID	4717	
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MEMO: Tentative Agenda for the Board of Health Meeting #7 to be held on 9/20/2022 at 5:30 P.M.

OTTUMWA BOARD OF HEALTH MINUTES

MEETING NO. 6
Council Chambers, City Hall

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

The meeting convened at 5:30 P.M.

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

Approval of Minutes 1. Roe moved, seconded by McAntire to approve mins. from Mtg. No. 5 on July 5, 2022 as presented. Motion carried 3-0. Council Members Pope & Galloway were absent.

115 S. Adella 2. This was the time, place and date set to consider condemnation of the structures located at 115 S. Adella in the City of Ottumwa, Wapello County, IA. Zoning & Housing Coordinator Rusch reported the structure was placarded Nov. 19, 2020 for no utilities, exterior conditions and squatters. The owner of the property has not responded to any inspections or notifications. Hull moved, seconded by McAntire to close the public hearing. Motion carried 3-0. Council Members Pope & Galloway were absent.

Roe moved, seconded by McAntire to condemn the structures located at 115 S. Adella, 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 3-0. Council Members Pope & Galloway were absent.

1019 W. Third 3. This was the time, place and date set to consider condemnation of the structures located at 1019 W. Third St. in the City of Ottumwa, Wapello County, IA. Rusch reported the structure was placarded May 6, 2021 for no utilities and poor living conditions. There were many missed progress inspections and the property was open to the elements and squatters during the duration of the file. No progress has been made and the house continues to deteriorate. McAntire moved, seconded by Roe to close the public hearing. Motion carried 3-0. Council Members Pope & Galloway were absent.

Hull moved, seconded by Roe to condemn the structures located at 1019 W. Third St., 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 3-0. Council Members Pope & Galloway were absent.

510 N. Court 4. This was the time, place and date set to consider condemnation of the structures located at 510 N. Court St. in the City of Ottumwa, Wapello County, IA. Rusch reported the structure was placarded March 16, 2022 for sever structure damage.

The owner has not showed any effort in repairing property since Oct. 2021 when a deficiency list was made during an inspection. The house continues to deteriorate and is vacant. Roe moved, seconded by McAntire to close the public hearing. Motion carried 3-0. Council Members Pope & Galloway were absent.

Hull moved, seconded by McAntire to condemn the structures located at 510 N. Court St., 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 3-0. Council Members Pope & Galloway were absent.

Rusch added, this year we have condemned 23 structures in the City.

- Adjourn 5. There being no further business, McAntire moved, seconded by Hull that the mtg. adjourn. Motion carried 3-0. Council Members Pope & Galloway were absent.

Adjournment was at 5:39 P.M.



ATTEST:

Christina Reinhard

Christina Reinhard, CMC, City Clerk

OTTUMWA BOARD OF HEALTH

Richard W. Johnson
Richard W. Johnson, Mayor and Chairman

CITY OF OTTUMWA

Staff Summary

2022 SEP 14 PM 4:09
CITY OF OTTUMWA

**** ACTION ITEM ****


Council Meeting of: Sept 20, 2022

Jake Rusch

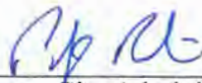
Prepared By

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 868 S Davis.

****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 868 S Davis 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 868 S Davis was placarded April 10, 2020. The property was placarded due to a house fire. The house has been open to the elements during the duration of the file . 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 BRIDGES

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

April 10, 2020

91 7199 9991 7035 6855 1662

Shawn and Angela Kellar
868 S Davis
Ottumwa, Iowa 52501

Shawn and Angela Kellar:

An inspection was made on **April 8, 2020**, of the property located at **868 S Davis**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

J.B.HAMMOND'S SUB. LOT 484 (868 S DAVIS)

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 **10th day of May, 2020**, 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 10th**.

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

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

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.

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 10th day of May, 2020** 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 **10th day of April 2020.**

Sincerely,

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

CERTIFIED #91 7199 9991 7035-6855 1662

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



CITY OF BRIDGES

Date of Investigation: April 10, 2020

DEFICIENCY LIST-868 S Davis

- 1. Repair all fire, smoke, and water damage or demolish structure.**
- 2. This is a partial inspection only. A complete inspection will be required. 20**
- 3. Keep the property secured until it has been repaired. 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
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0650 Fax 641-683-0609



CITY OF
OTTUMWA

NOTICE TO ABATE

August 18, 2022

Shawn & Angela Kellar
Deed Holders
3117 M and W Cir.
Muscatine, IA 52761

Connie Meek
Tax Sale Certificate #2021 274
P.O. Box 254
Bonaparte, IA 52620



ITC Midwest LLC
Easement Holder
c/o CT Corporation System
400 E. Court Avenue
Des Moines, Iowa 50309

Sigtello 20 LLC
Tax Sale Certificate #2022-206
c/o Registered Agents, Inc.
315 E. 5th Street, Suite 202
Waterloo, IA 50703

SENT VIA CERTIFIED MAIL

To Whom it May Concern,

An inspection was made on August 18, 2022 of the placarded property located **868 S. Davis St., 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.

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 20th day of September 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

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: Kellar, Meek, ITC Midwest llc, Sigtello 20 LLC 

City of Ottumwa hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 8/20/22
Subscribed and sworn to before me, and in my presence, by the said 20th day of August, 2022



Notary Public

In and for Wapello County

Printer's fee \$18.35

COPY OF ADVERTISEMENT

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL TO: Shawn and Angela Kellar; Connie Meek; ITC Midwest llc; Sigtello 20 LLC You are hereby notified that the structures located at **868 S Davis**, 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: **J.B.HAMMOND'S SUB. LOT 484 (868 S DAVIS)** 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 **September 20th, 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 August 18, 2022** Jake Rusch Zoning and Housing Coordinator City of Ottumwa, Iowa

BoH Condemnation Notice
868 S. DAVIS

