

TENTATIVE AGENDA
OTTUMWA BOARD OF HEALTH

MEETING NO. 3
Council Chambers, City Hall

March 19, 2019
5:30 O'clock P.M.

ROLL CALL: Council Member Dalbey, Roe, Stevens, Streeby, Berg and Mayor Lazio.

Approval of Minutes 1. Approve the minutes from Meeting No. 2 on March 5, 2019 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 lot located at 129 N. McLean
129 N. McLean

- A. Open hearing for comments.
- B. Close public hearing.
- C. Condemn the structures located at 129 N. McLean, 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 129 N. McLean.

Adjourn 3. Adjournment.



[CITY OF]

OTTUMWA

FAX COVER SHEET

City of Ottumwa

DATE: 3/15/19 TIME: 8:00 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 #03 to be held on 03/19/19.

*** FAX MULTI TX REPORT ***

JOB NO. 0012
DEPT. ID 9
PGS. 2

TX INCOMPLETE -----

TRANSACTION OK 96845832
916606271885

ERROR 96834118
96845892
96828482

KISS
KTVO
Ottumwa Courier
KBIZ/KTWA
TOM FM



[CITY OF]

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MEMO: Tentative Agenda for the Board of Health Meeting #03 to be held on 03/19/19.

*** TX REPORT ***

JOB NO.	0012	
DEPT. ID	9	
ST. TIME	03/15 07:50	
SHEETS	2	
FILE NAME		
TX INCOMPLETE	-----	
TRANSACTION OK	96845832	KISS
	916606271885	KTVO
ERROR	96834118	Ottumwa Courier
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MEMO: Tentative Agenda for the Board of Health Meeting #03 to be held on 03/19/19.

 *** COMMUNICATION MANAGEMENT REPORT TX/RX ***

DEPT. ID : 9

ST. TIME	DESTINATION ADDRESS	DESTINATION ID	JOB NO.	COMM. MODE	PGS.	RESULT
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03/15 07:54	916606271885	KTVO	0012	TX ECM	2	OK 00' 24
03/15 07:56	96828482	TOM FM	0012	TX FAX	0	NG 00' 00 #018
03/15 07:57	96834118	Ottumwa Courier	0012	TX FAX	0	NG 00' 00 #018
03/15 07:58	96845892	KBIZ/KTWA	0012	TX FAX	0	NG 00' 00 #018

OTTUMWA BOARD OF HEALTH MINUTES

MEETING NO. 2
Council Chambers, City Hall

March 5, 2019
5:30 O'clock P.M.

Present were Council Member Berg, Dalbey, Roe, Stevens, Streeby and Mayor Lazio.

Approval of Minutes 1. Dalbey moved, seconded by Roe to approve the minutes from Meeting No. 1 on February 5, 2019 as presented. All ayes.

201 Albany 2. This was the time, place and date set to consider condemnation of the structures on the lot located at 201 Albany. No objections were received. Dalbey moved, seconded by Stevens to close the public hearing. All ayes.

Jody Gates, consultant, reported the property was placarded on October 18, 2018 due to a fire. The owner has not demolished the house, therefore staff recommends condemnation and demolition. The house was in foreclosure but it was insured, therefore some of the cost of demo will be recouped. Streeby moved, seconded by Dalbey to condemn the structures located at 201 Albany, 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. All ayes.

Adjourn 3. Roe moved, seconded by Streeby to adjourn the meeting. All ayes. Motion carried. Adjournment was at 5:33 P.M.

OTTUMWA BOARD OF HEALTH

ATTEST:

Tom X. Lazio, Mayor & Chairman

Christina Reinhard, City Clerk

FILED

CITY OF OTTUMWA

Staff Summary

2019 MAR 14 AM 7:56

CITY CLERK
OTTUMWA, IA

**** ACTION ITEM ****

Council Meeting of: Mar 19, 2019

Jody Gates

Prepared By

Kevin C Flanagan *KCF*

Department Head

Health & Inspections

Department



City Administrator Approval

AGENDA TITLE: This is the time, place and date to consider condemnation of the structures on the lot located at 129 North McLean



****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 structures located at 129 North McLean, 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 property was placarded December 10, 2018 due to a fire. There is no insurance on the property and the owner has indicated he cannot demolish or repair the house, therefore staff recommends condemnation and demolition.

Source of Funds: 151-3-342

Budgeted Item:



Budget Amendment Needed:



CITY OF BRIDGES

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

December 10, 2018

Tim LaPoint and Shana Crossman
129 N McLean
Ottumwa, IA 52501

To whom it may concern:

An inspection was made on **December 10, 2018**, of the property located at **129 N McLean**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

MAJOR & DIBBLES ADD NE 1/2 LOT 11 EX SW 41.08' (129 N. MC LEAN)

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 January, 2019**, to wit:

DEFICIENCY LIST ATTACHED

Repair plan required. In the event that the repairs or demolition cannot be completed within thirty days, a repair plan must be submitted for approval **prior to January 10, 2019**.

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

Provide a timetable for repair that is separated into thirty (30) day periods (30 days, 60 days, 90 days, etc.) outlining what repairs are to be completed during each period. There should be a maximum allowance of six (6) months for all repairs to be completed. There is a ninety (90) day maximum time limit for demolition. **All wiring, plumbing, furnace – AC repair/replacement, etc. require permits, possibly by licensed contractors.** Contact this office, for permit requirements.

No one is to be in this placarded property without the express written permission from the Director. Violation of this standard will result in legal action being taken, including arrest and prosecution.

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

Failure to make the above said corrections before **12:00 o'clock Noon on the 10th day of January, 2019** may result in the declaration by the undersigned pursuant to Section 364.17 of the Code of Iowa, and Section 20-3 (0), of the Ottumwa Municipal Code that said building(s), is (are) a public nuisance.

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

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

Signed and dated at Ottumwa Municipal Building, Ottumwa, Iowa, this 10th day of December, 2018.

Sincerely,

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

CERTIFIED #91 7199 9991 7035 6854 7023

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



Date of Investigation: December 10, 2018

DEFICIENCY LIST-129 N McLean

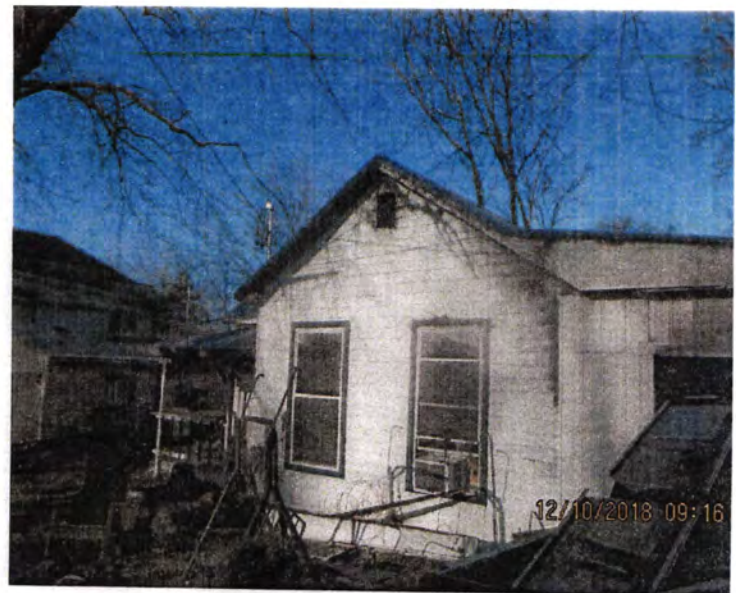
- 1. Repair all smoke, fire and water damage or demolish structure.**
- 2. Provide required legal utilities. IPMC 401.1, 505.4, 602.2, 505.1**
- 3. This is a partial inspection only. A complete inspection will be required and the house must meet the minimum standards of the code. Chapter 20**
- 4. Keep the property secured until it has been repaired. 24-3-6**
- 5. Keep grass and weeds below 10 inches. 24-3-10**

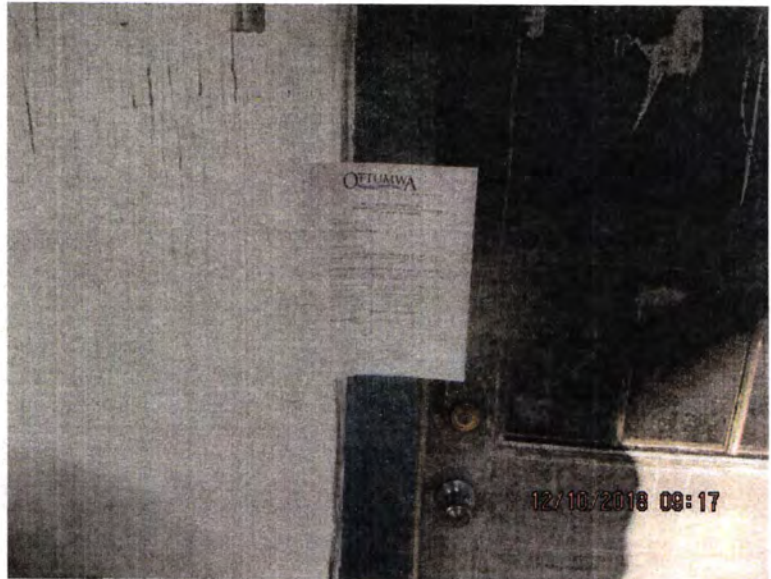
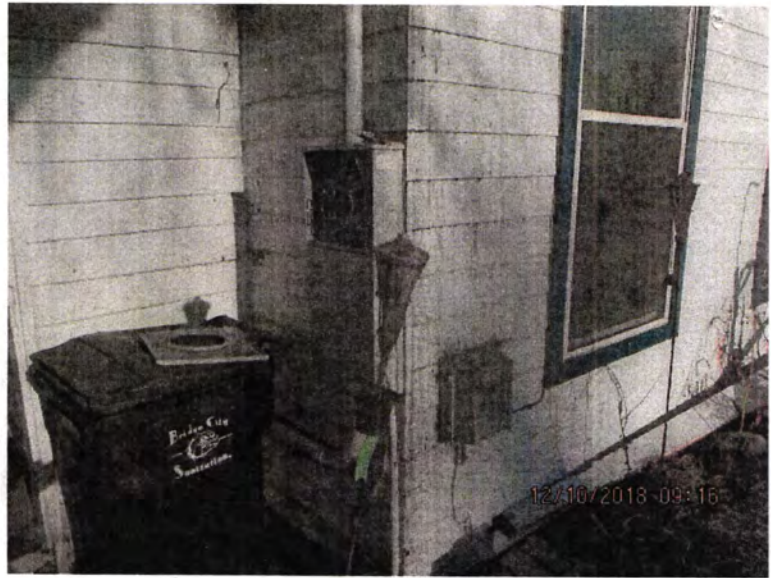
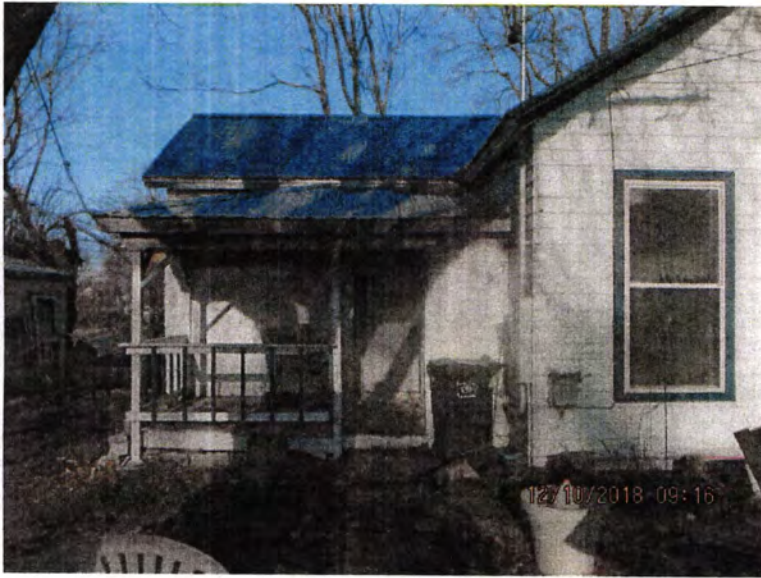
No one is to be in this placarded property without the express written permission from the Director. Violation of this standard will result in legal action being taken, including arrest and prosecution.

This unit must be inspected and meet minimum housing code standard before it can be released and occupied. Application for a building permit on a placarded house must be accompanied by an updated deficiency list. No structure will be released from the tag list without the necessary permits being taken out before construction starts. Repair or replace all rot, decay or dilapidation that may occur until the structure is released.

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

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







CITY OF BRIDGES...RIVER OF OPPORTUNITY

NOTICE TO ABATE

January 18, 2019

VIA CERTIFIED AND REGULAR MAIL

Tim LaPoint

Shana Crossman

129 N. McLean

Ottumwa, Iowa 52501

TO WHOM IT MAY CONCERN:

An inspection was made of the placarded property at **129 N. McLean, 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, this property constitutes a public nuisance.

The following abatement is needed to meet the minimum standards set forth in ordinance 2817-1994, an ordinance establishing the minimum standards governing the condition and maintenance of dwellings, etc.:

Abatement needed:

- 1) This nuisance must be abated by demolition within **thirty (30) days** from this date and the ground leveled to the contour of the surrounding earth.
- 2) The sewer must be terminated and capped within 3' of the property line.
- 3) The water service must be terminated at the connection to the main line.

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 19th day of March, 2019 at 5:30 p.m. in the Council Chambers in City Hall, 105 East Third Street, Ottumwa, Iowa.

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0600 Fax 641-683-0613

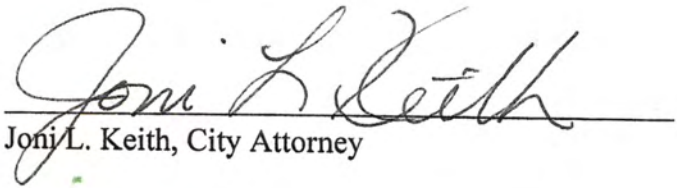
Notice to Abate

Page 2

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 641-683-0625 or by coming to Room 109 at City Hall.

Sincerely,



Joni L. Keith, City Attorney

Cc: Health Department Jody Gates
Building Inspector Zach Simonson

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL

TO: Tim LaPoint
Unknown Spouse of Tim LaPoint, if any
Shana Crossman
Unknown Spouse of Shana Crossman, if any
Iowa Child Support Recovery
State of Iowa
Credit Bureau Services of Iowa, Inc.
Dawn Lee LaPoint
Wapello County, Iowa

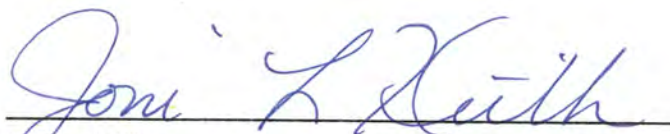
You are hereby notified that the structures located at **129 N. McLean**, Ottumwa, IA have been determined to be a public nuisance, and that the nuisance must be abated by demolition with thirty (30) days of this notice and the lot cleaned and leveled. You are further notified that the legal description of the above property is as follows:

The Northeast One Half of Lot Number Eleven (11) in Major and Dibble's Addition to the City of Ottumwa, Wapello County, Iowa, excepting that portion described as follows: Beginning at a point on the Northwest line of McLean Street in said City, that is 58.7 feet Southwest of the East Corner of said Lot No. 11, thence Northwest parallel to Fourth Street to the Northwest line of said Lot No. 11; thence along the Northwest line of said lot a distance of 41.08 feet to the West Corner of the Northeast Half of said Lot No. 11; thence Southeast parallel to Fourth Street, a distance of 56 ½ feet; thence Northeast along the Northwest line of McLean Street a distance of 41.08 feet to the point of beginning.

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 **March 19, 2019 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 January 18, 2019



Joni L. Keith
City Attorney