

TENTATIVE AGENDA  
OTTUMWA BOARD OF HEALTH

MEETING NO. 3  
Council Chambers, City Hall

May 4, 2021  
5:30 O'clock P.M.

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

Approval of Minutes 1. Approve the minutes from Meeting No. 2 on April 6, 2021 as presented.

RECOMMENDATION: Approve the minutes.

Condemnation Hearing 2. This is the time, place and date set to consider condemnation of the structures on the property located at 512 North Green in the City of Ottumwa, Wapello County, Iowa.

512 N. Green

A. Open hearing for comments.

B. Close public hearing.

C. Condemn the structures located at 512 North Green, 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 512 North Green.

Adjourn 3. Adjournment.



[ CITY OF ]  
O T T U M W A

**FAX COVER SHEET**

City of Ottumwa

DATE: 4/30/21 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 #3 to be held on 5/4/2021 at 5:30 P.M.

---

---

---

---

---

---

---

\*\*\*\*\*  
\*\*\* FAX MULTI TX REPORT \*\*\*  
\*\*\*\*\*

JOB NO. 3381  
DEPT. ID 4717  
PGS. 2  
TX INCOMPLETE -----  
TRANSACTION OK 96847834  
916606271885  
96823269  
ERROR 96828482

Ottumwa Courier  
KTVO  
Ottumwa Waterworks  
Tom FM



FAX COVER SHEET

City of Ottumwa

DATE: 4/30/21 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 #3 to be held on 5/4/2021 at 5:30 P.M.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

JOB NO.	3381	
DEPT. ID	4717	
ST. TIME	04/30 08:26	
SHEETS	2	
FILE NAME		
TX INCOMPLETE	-----	
TRANSACTION OK	96847834	Ottumwa Courier
	916606271885	KTVO
	96823269	Ottumwa Waterworks
ERROR	96828482	Tom FM



**FAX COVER SHEET**

City of Ottumwa

DATE: 4/30/21 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 #3 to be held on 5/4/2021 at 5:30 P.M.

---



---



---



---

## OTTUMWA BOARD OF HEALTH MINUTES

MEETING NO. 2  
Council Chambers, City Hall

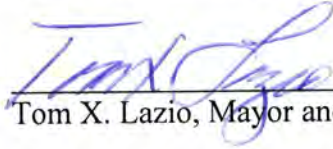
April 6, 2021  
5:30 O'clock P.M.

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

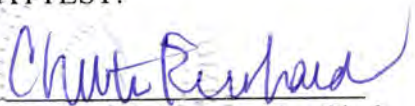
- Approval of Minutes
- 120 S. Van Buren
- 236 Phillips
- Adjourn
1. Roe moved, seconded by Meyers to approve the minutes from Mtg. No. 1 on January 19, 2021 as presented. All ayes.
  2. This was the time, place and date set to consider condemnation of the structures on the property located at 120 S. Van Buren in the City of Ottumwa, Wapello County, IA. Interim Dir./Planner Simonson reported the property was placarded Sept. 1, 2020 due to a partial structural collapse in the rear of the bldg. The bldg. is a former church that was being used as a single-family home. On Sept. 9, 2020, the owners completed a demolition plan, committing to have the bldg. removed before Dec. 13, 2020. The property then suffered a fire on Oct. 13, 2020. To date, no progress has been made in demolishing the bldg. and the demolition plan has expired. No objections were received. Dalbey moved, seconded by Berg to close the public hearing. All ayes.  
  
Roe moved, seconded by Meyers to condemn the structures located at 120 S. Van Buren, 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.
  3. This was the time, place and date set to consider condemnation of the structures on the property located at 236 Phillips, in the City of Ottumwa, Wapello County, IA. Interim Dir./Planner Simonson reported the property was placarded on Aug. 5, 2020 due to lack of utilities, broken or boarded up windows and exposure to the elements. At the initial inspection the door to the bldg. was open to pests, vermin and trespassers. The City has mowed the grass and performed nuisance clean-ups in the yard. No one submitted a repair plan, sought permission to be in the bldg. or made any progress toward curing deficiencies. No objections were received. Roe moved, seconded by Meyers to close the public hearing. All ayes.  
  
Meyers moved, seconded by Dalbey to condemn the structures located at 236 Phillips, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof. All ayes.
  4. There being no further business, Berg moved, seconded by Dalbey that the meeting adjourn. All ayes.


Adjournment was at 5:36 P.M.

OTTUMWA BOARD OF HEALTH

  
\_\_\_\_\_  
Tom X. Lazio, Mayor and Chairman

ATTEST:

  
\_\_\_\_\_  
Christina Reinhard, City Clerk



**CITY OF OTTUMWA**  
Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: May 4, 2021

Zach Simonson

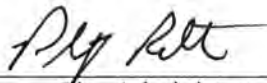
Prepared By

Building and Code Enforcement

Department

Zach Simonson 

Department Head



City Administrator Approval

AGENDA TITLE: This is the time, place and date to consider condemnation of the structure(s) on the property described as 512 N Green.

\*\*\*\*\*

**\*\*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 512 N Green, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

DISCUSSION: This property was placarded on April 13, 2018 due to lack of utilities and housing code deficiencies the Inspector could see on an exterior inspection. Following an interior inspection, the Inspector created a complete deficiency list identifying several issues with the interior as well, including deficient electrical and HVAC systems and damage to walls, floors and ceilings. Since placarding, the property has changed ownership twice, extending the case duration as each new owner had an opportunity to cure deficiencies.

The current owners did not respond to a request to provide a repair plan as required by City Code. The City has had to mow the grass at this property. The property remains in violation of the code. Condemnation notice was served by certified mail and posting notice on the property and in the *Ottumwa Courier*.



# OTTUMWA

CITY OF BRIDGES...RIVER OF OPPORTUNITY

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

April 13, 2018

Jacob Mathis  
Shelby Durflinger  
11051 Quail Ave  
Bloomfield IA 52537

91 7199 9991 7035 6854 4817

Jacob Mathis  
Shelby Durflinger:

An inspection was made on April 13, 2018 of the property located at **512 N Green** in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

**CONANT & CHAMBERS ADD LOT 2 (512 N GREEN)**

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 **13th day of May 2018** 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 13, 2018** that meets the following requirements:

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 three (3) 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.

**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.

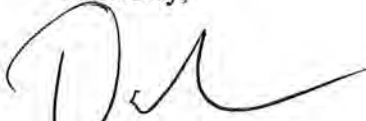
Failure to make the above said corrections before 12:00 o'clock P.M. on the **13th** day of **May 2018** may result in the declaration by the undersigned pursuant to Section 364.17 of the Code of Iowa, and Section 20-3 (0), of the Ottumwa Municipal Code that said building(s), is (are) a public nuisance.

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, by e-mail at [maize.doug@ci.ottumwa.ia.us](mailto:maize.doug@ci.ottumwa.ia.us) 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 641-683-0618 for this service.**

Signed and dated at Ottumwa Municipal Building, Ottumwa, Iowa, this **13th** day of **April 2018**

Sincerely,



Douglas S. Maize  
Building Inspector

route

dsm

CERTIFIED #91 7199 9991 7035 6854 4817



CITY OF BRIDGES...RIVER OF OPPORTUNITY

Date of Placard: April 13, 2018

**DEFICIENCY LIST- 512 NORTH GREEN.**

- 1. Provide gas, water and electrical utilities. 505.1, 602.1 and 604.1**
- 2. Repair all damaged storms screens and window glass. 304.13**
- 3. Repair all damaged exterior stairs. 305.4**
- 4. Repair the front porch structure by the basement door. 304.1**
- 5. All wiring on the exterior must be rated for exposure. 604.3**
- 6. Repair all damaged siding and overhangs. 304.6**
- 7. Repair the chimney. 304.11**
- 8. Remove all trash from the yard. Chapter 24**
- 9. Repair the electrical service.604.3**
- 10. This is a partial inspection only. A complete inspection will be required. Chapter 20**
- 11. Keep the property secured until it has been repaired. 20-3-L**

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 meet minimum housing code standard before it can be released. 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 BRIDGES...RIVER OF OPPORTUNITY

Date of Placard: April 13, 2018 (Updated June 28, 2018)

**DEFICIENCY LIST- 512 NORTH GREEN.**

1. Provide gas, water and electrical utilities. 505.1, 602.1 and 604.1
2. Repair all damaged storms screens and window glass. 304.13
3. Repair all damaged exterior stairs. 305.4
4. Repair the front porch structure by the basement door. 304.1
5. All wiring on the exterior must be rated for exposure. 604.3
6. Repair all damaged siding and overhangs. 304.6
7. Repair the chimney. 304.11
8. Remove all trash from the yard. Chapter 24
9. Repair the electrical service. 604.3
10. Repair all damaged walls floors and ceilings. 305.3
11. Repair all plumbing fixtures. 504.1
12. Replace all missing electrical covers. 604.3
13. All wiring must meet the National Electrical Code. 604.3
14. Completely clean out the building. 305.1
15. Provide adequate heat source. 603.1
16. Provide a properly sized water heater. 505.4
17. This is a partial inspection only. A complete inspection will be required. Chapter 20
18. Keep the property secured until repaired. 20-3-L

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 meet minimum housing code standard before it can be released. 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

**Date of Placard Inspection: 2/24/2021,  
DEFICIENCY LIST-512 N. Green ST,**

#### **Exterior/Yard**

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. Replace storm doors, unless entry doors are weather resistant material. 20-7-15
4. Replace rear entry door. 304.18
5. Provide deadbolt locks to entry doors. 304.18
6. Repair or replace damaged or missing windows. 304.13
7. Repair or replace damaged or missing storm windows and screen unless windows are weather resistant material. 304.13 20-7-15
8. Repair loose, worn or damaged deck boards on porch. 304.15
9. Trim back all overgrown plant growth in yard. Dispose of any yard waste or tree debris. 302.1
10. Dispose of all construction or building material waste and debris in yard. 302.1
11. Remove and replace stairway to second floor unit. 304.10
12. Provide all legal utilities, gas, water, and electric. 401.1 505.4, 602.2, 505.1

#### **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. Install minimum of one bathroom facility per unit. 20-7-14
6. Install kitchen facilities, cabinets, counter spaces, sink, electrical requirements for range stove and refrigerator. 20-7-14
7. Have licensed electrician bring electrical system to current electrical code, including hardwired smoke alarms. 604.3
8. Have licensed plumber bring plumbing system to current code and make any changes to plumbing system. 504.1
9. Have licensed HVAC technician bring HVAC system to current code and make any changes to the HVAC system. 603.1 607.1
10. Keep the property secure from unauthorized persons. 20-3-L

3/3/21

**11. Keep the grass kept below 10" 24-3-10**

**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.*

3/3/21

3/18/21





2/24/21





2/24/21



2/24/21



2/24/21



[ CITY OF ]  
O T T U M W A

## NOTICE TO ABATE

March 31, 2021

Yahara Marquez  
512 N. Green  
Ottumwa, IA 52501

91 7199 9991 7035 6855 3222

Wapello County Treasurer  
101 W. 4<sup>th</sup> Street  
Ottumwa, IA 52501

91 7199 9991 7035 6855 3239

SENT VIA CERTIFIED MAIL

Juvenal Marquez  
512 N. Green  
Ottumwa, IA 52501

91 7199 9991 7035 6855 3673

To Whom it May Concern,

An inspection was made on March 31, 2021 of the placarded property located at **512 N. Green, 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.**

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) 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 4<sup>th</sup> day of May, 2021 at 5:30 P. M. in the Council Chambers in City Hall, 105 East Third Street, Ottumwa, IA.**

City of Ottumwa  
105 East Third Street, Ottumwa, Iowa 52501  
Telephone 641-683-0606 Fax 641-683-0609

**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,

A handwritten signature in black ink, appearing to read 'Zach Simonson', with a long horizontal flourish extending to the right.

**Zach Simonson**  
Interim Director  
Planning & Development :: Building & Code Enforcement  
City of Ottumwa, IA  
641.683.0606

# 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 – 512 N. Green

City of Ottumwa

\_\_\_\_\_ hereto attached was published in said newspaper for 1 consecutive week's to-wit: 04/06/2021 Subscribed and sworn to before me, and in my presence, by the said 6th day of April, 2021



*Traci Counterman*

Notary Public

In and for Wapello County

Printer's fee \$ 16.72

## COPY OF ADVERTISEMENT

**CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL TO:** Yahara Marquez, Juvenal Marquez You are hereby notified that the structures located at **512 N Green**, 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: **Conant & Chambers Addition, Lot 2**. 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 **May 4, 2021** at

**5:30 p.m.** in the Council Chambers of City Hall, 105 East Third Street, Ottumwa, Iowa. If you wish to contest this action, you must do so by filing a written statement with the City Clerk, 105 East Third Street, Ottumwa, IA 52501 within five (5) days of the publication of this notice. **TAKE NOTICE AND GOVERN YOURSELF ACCORDINGLY! DATED MARCH 31, 2021** Zach Simonson Interim Director, Building and Code Enforcement City of Ottumwa, Iowa

FOH  
Condemnation Notice  
- 512 N Green

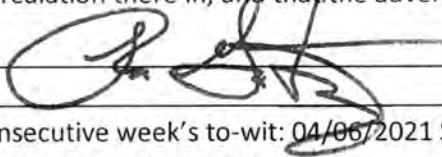
# PROOF OF PUBLICATION

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

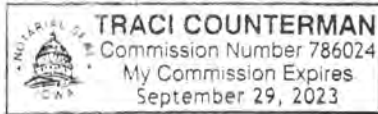
Condemnation Notice – 512 N. Green

City of Ottumwa



hereto attached was

published in said newspaper for 1 consecutive week's to-wit: 04/06/2021 Subscribed and sworn to before me, and in my presence, by the said 6th day of April, 2021



Notary Public

In and for Wapello County

Printer's fee \$ 16.72

## COPY OF ADVERTISEMENT

**CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL TO:** Yahara Marquez, Juvenal Marquez You are hereby notified that the structures located at **512 N Green, 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: **Conant & Chambers Addition, Lot 2.** 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 **May 4, 2021** at

**5:30 p.m.** in the Council Chambers of City Hall, 105 East Third Street, Ottumwa, Iowa. If you wish to contest this action, you must do so by filing a written statement with the City Clerk, 105 East Third Street, Ottumwa, IA 52501 within five (5) days of the publication of this notice. **TAKE NOTICE AND GOVERN YOURSELF ACCORDINGLY! DATED MARCH 31, 2021** Zach Simonson Interim Director, Building and Code Enforcement City of Ottumwa, Iowa

Both-Condemnation Notice  
512 N Green



**Citizen Input Request Form**

5/4/2021  
Council Meeting Date

BOH

Name: Yahara Cervantes

Address: 617 E 4th St

Item No. to Address: 2

(Agenda will be provided to complete this section)

If you are addressing the Council on an item not listed on the agenda, briefly explain the item you wish to speak on:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*

The Mayor will invite you to address the City Council at the appropriate time. When called upon by the Mayor, step to the microphone and please state your name for the record. Comments are to be directly germane to City business, operations, or an item listed on this agenda. Remarks shall not be personalized and will be limited to three minutes or less. The City Clerk shall keep the time and notify the Mayor when the allotted time limit has been reached. Comments not directly germane to City business, operations, or an item listed on the agenda, as determined by the Mayor, will be ruled out of order. If you are addressing an item not listed on the agenda the Council will not take any action on the item due to requirements of the Open Meetings Law. Pertinent questions, comments or suggestions may be referred to the appropriate department for response, if relevant.