



Agenda

PFEED

Oelwein City Hall, 20 Second Avenue SW, Oelwein, Iowa

5:15 PM

January 24, 2022

Oelwein, Iowa

Mayor: Brett DeVore

Mayor Pro Tem: Lynda Payne

Council Members: Karen Seeders, Tom Stewart, Matt Weber, Dave Garrigus, Dave Lenz

Pledge of Allegiance

Discussions

- [1.](#) Discussion of House Forfeiture

Adjournment

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 319-283-5440

From: ellen rogers <ellenrogers50662@outlook.com>
Sent: Wednesday, January 5, 2022 10:53 AM
To: BuildingOfficial <BuildingOfficial@cityofuelwein.org>
Subject: Oelwein house

I ellen rogers do not want anything to do with the house. When jay came out n condemned the house due foundation and support ben issues lee burr told me he was taking house back on forfeiture, Due to jay ocndemming it we had to go to Missouri with a friend. While I was in Missouri lee went to court house and did some kind of quit claim taking his name off the deed against what he said, I am on ssi only getting 800 a month I can not afford anything to do with the house. Lee was selling me the house on supposed contract for 40k when he only I later found out he payed 3k for it and it only was worth 20k I cant afford boarding it up or demolishing it im only on ssi please help me My email is ellennbeth@aolcom ty so much

Sent from [Mail](#) for Windows



Policy: Oelwein Property Forfeiture Policy

Adopted by Resolution: 5297-2021

Date: September 13, 2021

The City is willing to work with property owners when the situation is advantageous to the city and community members. Anyone who owns a property, residential or commercial, that they can no longer manage may submit a request to sign the property over to the city. The process below outlines how a property owner can quitclaim deed their property over to the city:

- The property owner works with Community Development on an inspection of the property
- Community Development inspects the property and produces a report
- The property owner writes a letter to the city making a request for the property to be quitclaim deeded to the city
- The report and letter from the owner is presented to the Planning, Finance, Enterprise and Economic Development Committee with a recommendation from the City Administrator
- The Committee will make a recommendation to council
- Council will vote the same night through a motion to accept or deny the property transfer
- At the following meeting, the council will accept the property through a resolution
 - City council must accept all property through a resolution

Conditions do apply when requesting to surrender a property to the city through a quitclaim deed:

- The property owner must provide to the city evidence of a significant hardship to be eligible to quitclaim deed the property
- The property must be current on all taxes and utility bills
- The property must be clean inside and out
- All immediate nuisances on the property should be cleaned or eradicated before presenting to council

While the city strives to follow the above guidelines, exceptions can be made in dire circumstances. The city accepts dilapidated properties because going through the court system would prove costly for the city. While the city can assess demolitions or clean-ups to the taxes, these circumstances have not paid off for the city. The most cost-effective option for the city is to take a property and demolish it rather than going after an individual who does not and will not have the resources to demolish a property. All enforcement roads lead to demolition for the city. With the city taking possession of the property, the city avoids court costs and attorney fees.



PFEED Members,

In May of 2021, the Community Development Department was contacted by a concerned citizen regarding the condition of the property located at 632 5th Ave SW, Oelwein, IA. The concerns were the sanitary conditions of the home and the condition of the structure.

The Community Development Department responded to the complaint and verified both items of concern.

The Community Development Department did not enter the home due to unsanitary conditions but was granted permission by the owner to enter the basement. After inspection of the basement, it was brought to the owner's attention by the Building Official, the home would be placarded as an unsafe structure due to the structural and sanitary conditions.

Ellen Sue Rodgers bought this house from Mebyer Corporation on contract. Ellen and her family were moving back to Missouri, forfeiting on the contract with Mebyer Corporation.

The building official sent an unsafe structure document to Mebyer corporation stating it was in the Building Official's opinion that the structure be demolished by July 19, 2021. A forwarding address was not provided to the Community Development Department for Ellen Sue Rodgers; therefore, the document was not sent to her.

The demolition deadline of July 19, 2021 was not met. In an attempt to find Ellen through Beacon, the Community Development Department discovered that the property was quit claim deeded to her on May 28, 2021.

The Community Development Department was notified that Ellen moved back to the area and was able to contact her. She was notified that the property was quit claim deeded to her and she was now the legal owner of the property and had full responsibility for all abatements and violations against the property.

Ellen was sent another abatement document requiring the property to be secured as to not create an attractive nuisance and a public safety hazard. Doors are open, windows have been shot out, the structure harbors vermin and is in such unsanitary condition on the interior, the odor can be detected from the exterior of the home. Ellen has been cited to court for non-compliance.

Ellen has since sent an email to the Building Official stating that she would like to give the property to the City of Oelwein.

City of Oelwein Community Development Department

20 2nd Ave SW Oelwein, Iowa 50662

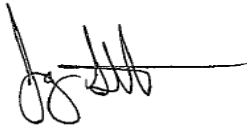
319-283-5862

As the Building Official it is my recommendation that the City of Oelwein accept the property located at 632 5th Ave SW, Oelwein, IA. Ellen does not have the financial means to demolish the home and maintain the property.

If the city does not accept the property, the cost of demolition would fall upon the city through legal action, along with the city maintaining the property, i.e., lawn mowing, snow removal. These items would be special assessments or liens against the property, making it unaffordable to future buyers.

Ellen has not currently met the requirements for the Oelwein Property Forfeiture Policy. If the City of Oelwein PFEED members make a recommendation to accept the home, please keep in mind that it should be contingent on Ellen meeting all requirements.

Sincerely,



Jay Shekleton
Building Official/Zoning Administrator