



Agenda

City Council Work Session

Oelwein Community Plaza, 25 West Charles, Oelwein, Iowa

5:30 PM

February 22, 2021

Oelwein, Iowa

Mayor: Brett DeVore

Mayor Pro Tem: Warren Fisk

Council Members: Matt Weber, Renee Cantrell, Tom Stewart, Lynda Payne, Karen Seeders

Pledge of Allegiance

Discussions

- [1.](#) Discussion on snow removal appeal request

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



Mayor & Council,

The Community Development Department received a snow removal complaint from OPD on Thursday, December 31, 2020 for the property located at 205 6th Ave SE. This property is owned by Matt Properties from Sumner, IA.

The Code Enforcement Officer responded to the complaint on Tuesday, January 5, 2021. He verified the complaint, hung the door hanger on the front door indicating the date and time. The time frame for the follow-up was due to a list of 88 properties by the OPD and an additional 19 by the Post Office.

Twenty-four hours after the notification was hung on the door the code enforcement officer returned to the property to find that the snow removal complaint was still non-compliant.

The list of properties that were not in compliance including 205 6th Ave SE was given to front office, listed on a spread sheet for properties to be shoveled, then given to the Parks Department.

Parks Department shoveled the sidewalk adjacent to 205 6th Ave SE on Thursday, January 7, 2021. This is seven days after the complaint was received by the Community Development Department. The dates shared with you indicate the time frame the owner or resident of the address must remove the accumulation of snow from the sidewalk before the City of Oelwein shovels for them.

The only property owners that are sent notification letters to inform them there is a snow removal complaint are the empty lots that do not have a structure to hang a notice.

A handwritten signature in black ink, appearing to read "Jay Shekleton", is positioned above the name and title of the signatory.

Jay Shekleton
Building Official/Zoning Administrator

MATT PROPERTIES, LLC

203 Y Avenue
Sumner, IA 50674
Phone: 563-578-8418
Fax: 563-578-5791
Email: mattco@iowatelecom.net

January 26, 2021

Dylan Mulfinger
City Administrator
City of Oelwein
20 2nd Ave SW
Oelwein, IA 50662

RE: Invoice 2062 -205 6th Ave SE

Dylan,

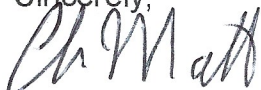
I am writing you about invoice 2062 which we received for one of our properties (205 6th Ave SE).

We were not given any notice from the City that the snow needed to be removed. My wife happened to stop by the premises on January 6 and saw a notice posted on the door in regards to the sidewalks needed cleared. On January 7, we sent over 2 workers to take care of this.

Since we were not given a notice about the snow removal and the Tenant, Brandon Alston was still residing here, we feel we should not be responsible for this invoice. We feel the tenant, Brandon Alston should be responsible for this invoice.

Please contact me with any questions.

Sincerely,



Chris Matt
Matt Properties
563-578-8418



INVOICE

Date	Number	Page
01/14/2021	2062	1

MATT PROPERTIES LLC
 C/O CHRIS & KELLY MATT
 203 Y AVE
 SUMNER IA 50674

Customer No. 1358

Contact:

Terms: Net 30

Quantity	Description	Unit Price	Net Amount
1	Snow Removal Residential Property 205 6TH AVE SE Date completed 01/07/2021	150.00	150.00

PAY BY: 02/13/2021

MAKE CHECK PAYABLE TO:

CITY OF OELWEIN
 20 2ND AVE SW
 OELWEIN IA 50662

Phone: 319-283-5440

Amount	150.00
Balance Due	<u>150.00</u>

MATT PROPERTIES, LLC

Item 1.

203 Y Avenue
Sumner, IA 50674
Phone: 563-578-8418
Fax: 563-578-5791

February 4, 2021

City of Oelwein
Building Administrator
200 7th St NE
Oelwein, IA 50662

RE: Invoice # 2062

Attn: Community Development

I would like to request a hearing to object Invoice # 2062 for snow removal at 205 6th Ave SE.

Enclosed is the invoice along with a letter we sent to Dylan Mulfinger. You can reach me at 563-578-8418 with any questions.

Sincerely,

Chris Matt
Matt Properties LLC.







SECTION 14-93. CLEARING SNOW, ICE AND ACCUMULATIONS.

1. It shall be the duty of a property owner to keep sidewalks abutting its property clear of accumulations of snow or ice. If the owner fails to do so within twenty-four hours after such snow or ice is accumulated, the City shall notify the property owner or resident that the natural accumulations of snow or ice must be removed within twenty-four hours. If the accumulation of snow and ice is not removed within said twenty-four hours, then the City may have the accumulations of snow and ice removed without further notice. The notice required by this subparagraph shall be attempted by personal contact, if practical. Alternatively, 227 notice will be deemed completed by posting written notice on the premises. (Ord. No. 867, 5-11- 92.)

2. If the City removed the accumulation of snow and ice, the code enforcement officer shall give the Council an itemized and verified statement of the costs and a legal description of the property. The costs for the removal of snow and ice accumulations shall be billable at a rate established by resolution of the City Council. The City Clerk shall send a statement of costs for the removal of snow and ice to the owner of the abutting property. The itemized statement of cost required by this subparagraph may be given either by personal service or by mail to the last known address of the owner. The notice shall contain a statement of the work performed, the cost of the work that is being assessed, a description of the property affected and the fact that the person may pay the amount assessed within thirty days without interest or penalty, or may request a hearing in writing to object to such assessment within thirty days. (Ord. No. 936, Section 1, 03-10-1997; Ord. No. 1120, 6-26-2012.)

A request for hearing provided by this sub-paragraph shall be made in writing and shall be filed with the City Clerk at City Hall within thirty days and must specify the basis for objection to the assessment. If a property owner requests a hearing, the City Council shall within fifteen days after receiving the written request for hearing fix the time and place for hearing, which shall be within ninety days of the date of the filing of the request for hearing.

(Ord. No. 795, 6-22-87; Ord. No. 835, 1-14-91 Ord. No. 1175, 8-12-2019.)