



Agenda

City Council Work Session

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

5:30 PM

July 26, 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 Unsafe Structure

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



Date: July 23, 2021
To: Honorable Mayor and City Council
Re: Unsafe Structure

After a discussion yesterday with Barb Wagner, the city will soon be faced with a large liability. 27 South Frederick is a huge building in the downtown. This two story is in terrible condition. It requires a significant cleanout, a new roof, and most likely an entire inside rebuild. Should the city continue to enforce the abatements on this building we will go down the following path.

1. We have already fined the owner for not cleaning out the building
2. Should the judge deem the issue a nuisance, the city will be responsible for cleaning out the building
 - a. We will have to hire a crew to clean it
 - b. We will invoice the building owner
 - c. Should we not get paid we will send it to taxes.
3. Once the building is cleaned out the roof and structural issues need to be addressed
4. Should the owner not address these, the courts will allow the city to correct them
 - a. At this point the city will have two choices, fix the building or tear it down
 - b. Fixing the building can be assessed to the property owner
 - c. Tear down can also be assessed to the property owner

I have laid everything out to you, because I anticipate Barb Wagner will request assistance from the city. Council will be faced with hard decisions coming forward. The problem with a successful Community Development is that sometimes you have to take on large problems. The initial bid for tear down was \$80,000.

Attached is the information I have on the building.



**NOTICE: UNSAFE STRUCTURE
*** ACTION REQUIRED*****

April 16, 2021

Barb Wegner
206 4th Ave SE
Oelwein IA 50662

REGARDING:
27 S. Frederick
Oelwein, IA 50662

Dear Barb Wegner:

This letter is an official notice that the property at 27 S. Frederick is in violation of the City of Oelwein Code, Chapter 25, Section 25-8. Therefore, you are being served with this notice of violation.

322 6th Ave SE

Recorded on: **November 30, 2020**

CITY CODE: Section 25-8 Unsafe Structures and Equipment

C. Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property, or safety of the public or occupants of the premises or structure.

F. Dangerous structure or premises. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:

3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.

6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.

8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.

Therefore:

The Interior of this property has been inspected. It has failed inspection as the interior of the structure has deteriorated due to faulty roofing material. The protective treatments designed to protect the structure from the elements is failing and the rain, snow, wind, rodents, vermin can access the structure. These elements of the buildings structure that are failing are causing the structure to become unsafe. During the interior inspection of the structure, it was found the ceilings have collapsed,

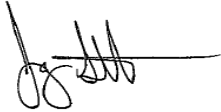
**City of Oelwein Community Development Department
20 2nd Ave SW Oelwein, Iowa 50662
319-283-5862**

mold and mildew throughout, unsafe amount of bird feces on the second floor, fire hazards, accumulation of garbage and rubbish. The structure shall be demolished within (60 days) of this notice.

Failure to comply with any component of this directive will result in referral to the City Attorney.

Right to Appeal: You have the right to appeal this notice and order by filing a written application for appeal with the Housing Board of Appeals for the City of Oelwein. Applications for appeal are available upon request at the Community Development Office located at 20 Second Ave SW in Oelwein.

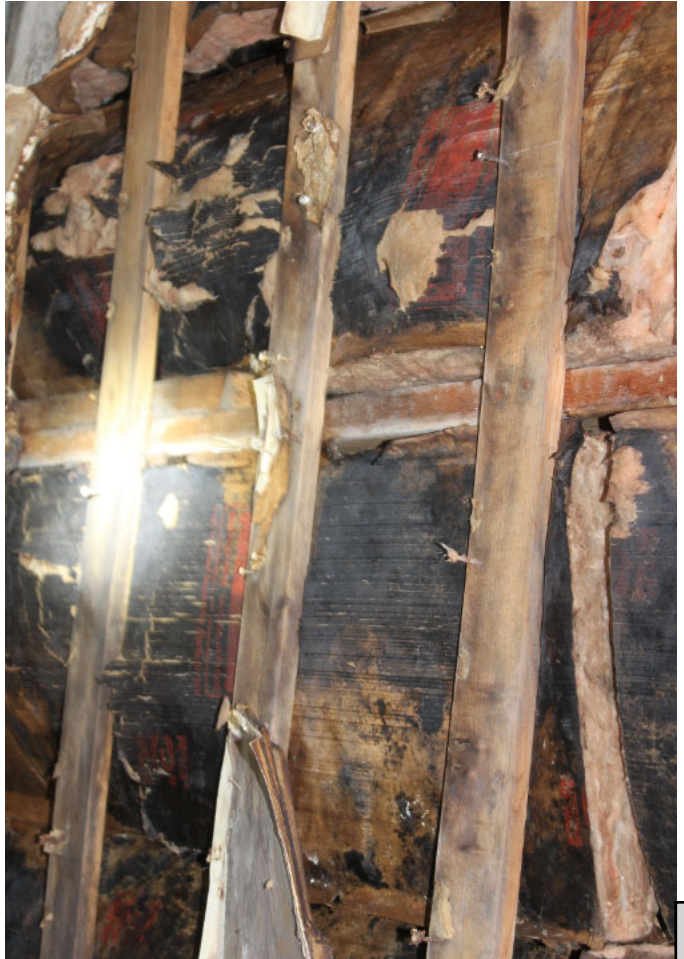
Right to File a Lien: If you fail to correct these violations, any action taken by the City of Oelwein, the authority having jurisdiction, may be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.



Jay Shekleton
Building Official/Zoning Administrator















Item 1.





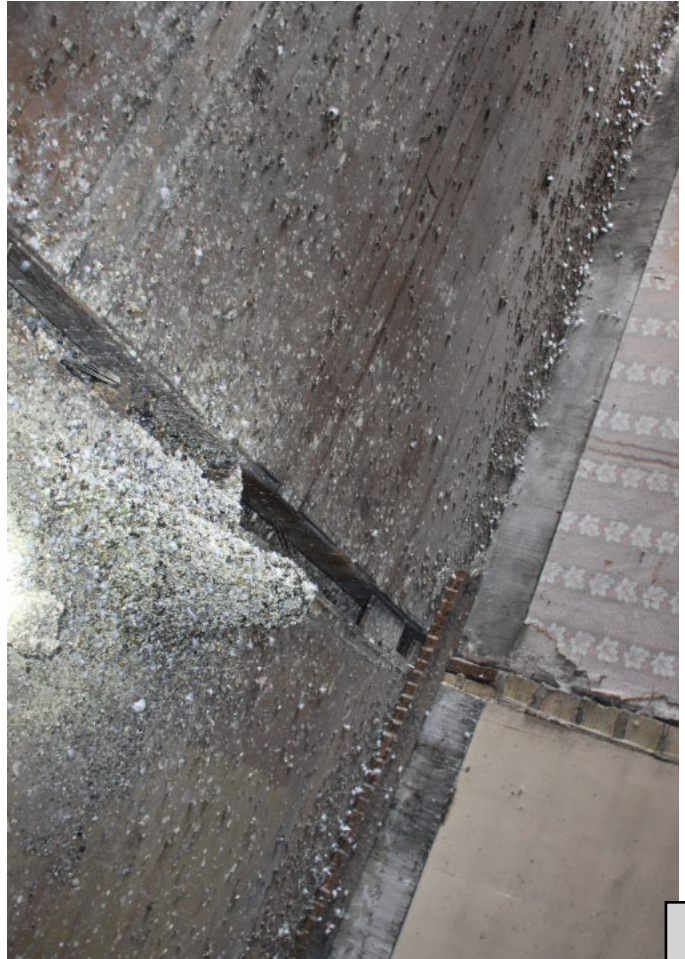


Item 1.





Item 1.













April 14, 2021

Barb Wegner
206 4th Ave SE
Oelwein IA 50662

Dear Barb Wegner,

The Community Development Department inspected the interior of the building located at 27 S. Frederick on April 12, 2021. At the time of the inspection, it was found the interior of the structure has severe water damage and mold issues due to a deteriorated roofing material. There are birds entering the building from holes in the second-floor walls and an unsafe amount of feces on the second floor.

The Community Development Departments requires the structure in its current condition be demolished by Monday, June 14, 2021. If the plan is to salvage the structure, then an approved engineer is required to provide the Community Development Department with a report by Friday, May 14, 2021 of all required repairs for, but not limited to, the sub-structure, roofing, electrical, chimneys.

If an engineer provides a report, a contractor will be required to start work within 30 days of the Community Development Department receiving the engineers report.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay Shekleton", with a horizontal line extending to the right.

Jay Shekleton
Building Official/Zoning Administrator

City of Oelwein Community Development Department
20 2nd Ave SW Oelwein, Iowa 50662
319-283-5862