

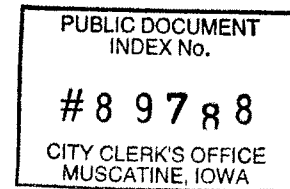
MEMO

TO: A. J. Johnson, City Administrator

FROM: Steven Boka, Director of Planning, Zoning & Building Safety

SUBJECT: Proposed Improvements to 2203 Lucas Street

DATE: June 8, 2006



On Monday, June 5th, at the request of City Council, I contacted Mr. Epperly, owner of the property located at 2203 Lucas Street concerning his plans for bringing this structure into compliance with local codes. Mr. Epperly was in California at that time and agreed to meet with me when he returned. On June 8th, Mr. Epperly and I had the opportunity to meet and discuss required improvements to this structure and a schedule that I feel is reasonable and fair.

Given the fact that Mr. Epperly has already submitted and failed to complete a schedule for required improvements dated April 13, 2005 (copy attached) I was concerned about his ability to follow through. Mr. Epperly informed me that he was not able to comply with that schedule because the contractors that he had secured to complete the tasks did not show up while he was working as an over-the-road truck operator. To avoid a similar situation, Mr. Epperly has informed me that he will take time off and will assume direct responsibility to see that the required improvements are completed on time, and as agreed.

For some reason, Mr. Epperly has "landed" on a schedule of four months. Perhaps that was based on Mr. Nepple's request that HPC be given four months to complete a survey and photograph the property. In any event, I think you will agree that the required improvements will likely require four months.

As I understand the direction given by the City Council, Mr. Epperly is to work with my office, propose a schedule to bring the property into compliance with adopted codes, and submit that list of improvements and the schedule for completion to City Council for their approval.

Therefore, please find the attached agreement, list and schedule for improvements to the building located at 2203 Lucas Street. Mr. Epperly has acknowledged, by signing the attached, that failure to complete the improvements in accordance with this schedule will cause my office to seek abatement through demolition.

Please place this item on the agenda for City Council consideration during their June 15, 2006 meeting.

I, Glen Epperly, state that I am the owner of the property located at 2203 Lucas Street in the City of Muscatine, Iowa. I acknowledge that the existing building is in violation of the ordinances and codes adopted by the City and propose the following:

1. Repair all roof damage around the chimney. The roof shall be made weather-tight and be maintained in a good state of repair.
2. Remove and replace the front steps and landing with suitable materials.
3. Remove the rear porch and stairs.
4. Replace all damaged siding with new siding to match.
5. Repair or replace any damaged or missing exposed wood surfaces.
6. Scrape and paint all exposed wood surfaces.
7. Remove storm windows, replace broken glass and cover with steel mesh to protect against vandalism. Scrape and paint.
8. Repair cracks in foundation. Paint exposed surfaces.
9. The front doors will be restored or replaced as required by city inspectors.
10. The electrical service will be evaluated by city inspectors and shall be replaced, or removed, as required.
11. Any and all other work undertaken to this structure will be completed in strict conformance with the adopted codes of the City of Muscatine.

I agree to complete the following list of improvements within four (4) months of the date this schedule is accepted and approved by the City Council. **Additionally**, on, or before June 1, 2007, the existing roof shall be torn off, damaged sheathing replaced, and a new roof installed in accordance with City Codes.

I further agree that this building is to be used for personal storage and will not be occupied before interior improvements are reviewed and completed as required for the proposed occupancy and use of the building.

I acknowledge that if I fail to comply with **all** provisions contained herein, the City may pursue an abatement action against this property by causing its demolition or seeking other relief as provided by law.


Glen Epperly, Owner
2203 Lucas Street

6/12/06

4-13-05

2203 Lucas AT Muscatine, Ia

To Building + Zoning

To comply with city code & going to

- ① Take off back stoop + steps that had.
- ② Repair + replace siding that needed.
- ③ Ducktail cracks in blocks of basement walls.
- ④ Repair roof around chimney.
- ⑤ Replace front steps + recover front door.
- ⑥ Fix windows so they can't be broken.
- ⑦ Scrap + repaint building.
- ⑧ Remove trailers from yard.
- ⑨ Put equipment away that is in yard.
- ⑩ Clean up after job is done.

To be completed by October 31, 05

Attn: Mr. C. P. Perry

RESOLUTION NUMBER _____

A RESOLUTION AUTHORIZING THE BUILDING OFFICIAL TO
PROCEED WITH SPECIFIED WORK ON THE PREMISES LOCATED
AT 2203 LUCAS STREET IN THE CITY OF MUSCATINE, IOWA

WHEREAS, The Building Official has caused all (known) interested parties to be advised that the building located at 2203 Lucas Street is subject to be abated under a notice to "ABATE A NUISANCE" from the Building Official of the City of Muscatine, Iowa, a copy of which notice is attached hereto, and incorporated by reference; and

WHEREAS, an oral report by the Building Official was submitted to this Council on June 01, 2006, and an updated report submitted to the City Council, a copy of which is attached hereto and made a part hereof, indicating that the said owner (s) (has) (have) failed, neglected, or refused to comply with said Notice; and

WHEREAS, it would be in the best interest of the health and well being of the citizens of Muscatine, Iowa, if this Council were to order the Building Official to "Abate a Nuisance" by demolition as set out in said Notice,

NOW, THEREFORE, be it resolved by the City Council of the City of Muscatine, Iowa, as follows:

1. The Building Official is ordered to proceed with the demolition of this structure and the clean-up necessary to Abate a Nuisance as specified in said Notice.
2. The Building Official may contract for the performance of said work, the cost of which shall not exceed \$16,000.00, and shall upon completion of said work, transmit a statement of cost to this Council which shall in turn certify the same to the County for placement on the tax roles in the manner prescribed by State Code.

PASSED, APPROVED AND ADOPTED THIS 01st DAY OF June, 2006.


Richard O'Brien, Mayor

ATTEST:

(SEAL)

A.J. Johnson, City Clerk

Information Regarding 2203 Lucas Street:

Owner, Glenn Epperly
309 East 8th Street
Muscatine, Iowa 52761

March 2005 Received complaint regarding dilapidated condition of structure and junk around property.

March 16, 2005 Noticed sent to deed holder via certified mail.

March 19, 2005 Letter accepted and signed for.

April 13, 2005 Letter (hand written) delivered to this office by owner, Glenn Epperly indicating a number of 10 items that he would have done and completed by October 31, 2005.

A number of complaints since this time of which each time they were checked, there was no activity ever noted on this property.

May 15, 2006 Again after receiving complaints and never seeing any activity or change with this property, a letter was sent to Mr. Epperly indicating that since he had not followed through with his intentions, I would be requesting a resolution from City Council for Demolition.

May 23, 2006 Received complaint regarding trailer sitting on street in front of property with old lumber on back. Checked complaint first to verify and see if police matter. After verifying complaint, I drove to Mr. Epperly's residence to see if trailer was his and what he was planning.

The trailer did in fact belong to Mr. Epperly who had indicated that he was getting prepared to build some new steps and board up broken windows. I asked if he had received my recent letter which he (had), therefore in my opinion, this was the reason for the sudden activity.

I advised Mr. Epperly of the complaint with the trailer and also indicated that he would be better served to wait until the City Council meeting prior to starting anything. I had asked why he hadn't completed or even started anything and it was entirely someone else's fault, they did not follow through. Mr. Epperly was advised that the ultimate responsibility for this was his own and he had not attempted to get anything done nor had he made any attempts to contact this office.

He was advised that if he chose to attempt to save this building that he would need to attend the City Council meeting with a very specific plan in place regarding the remodeling of the building as well as a specific time frame.

I respectfully request City Council consideration for resolution for Demolition of 2203 Lucas Street.

Additionally,

This building is and has been used expressively for storage ONLY, for a number of years.

It has been in dis-repair for a number of years and has not been properly maintained during this time and would not be getting any attention now if a notice had not been sent.

To repair the building properly, regardless of its use, per a visual inspection, it would require the following repairs:

Roof Replacement

Window Replacement (most are broken out)

Rotted Wood Replacement

Scrape & Paint or Wrap

Foundation needs to be tuck pointed in a number of areas

New Steps for Front Entrance

New Electrical Service (or dis-connect and remove old)

In my opinion, the structure, at its current use would not be cost effective to place this amount of repairs/money on it.

It is in a residential area and surrounded by a number of very nice and well maintained homes.

It is simply a nuisance to the neighborhood.