

**CITY COUNCIL
COMMUNICATION:**

ITEM _____

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

00-317

SYNOPSIS -

AGENDA:

JULY 10, 2000

SUBJECT:

3418 CLARK

The structure located at 3418 Clark has been declared to be a public nuisance. On the 19th day of June 2000, the City Council, sitting as the Board of Health, authorized the Engineering Department to cause the removal of the structure. On the 26th day of June 2000, Mr. Curtis White, on behalf of Family Plan 2000, appeared before the City Council to request a stay of the demolition. Council referred the matter to the City Manager, asked staff to define a process to bring the structure into compliance within 30 days and for a recommendation to Council by the 10th day of July 2000.

TYPE:

**RESOLUTION
ORDINANCE
RECEIVE/FILE**

FISCAL IMPACT -

N/A

SUBMITTED BY:

JIM GRANT
COMMUNITY
DEVELOPMENT
DIRECTOR

RECOMMENDATION -

Staff recommends that Curtis White, on the behalf of Family Plan 2000, be granted an extension to the 31st day of July, 2000 to complete renovation and be directed to pull the required permits for the completion of work done to the electrical system, mechanical system, plumbing system, and any building permits as required by the inspector from the Neighborhood Inspection Division for the structure.

BACKGROUND -

The structure located at 3418 Clark was inspected on the 8th day of March 1999, and it was found to be in a condition which constitutes a public nuisance. The titleholder is Family Plan 2000. The registered agent is Curtis White. He was notified of the decision of the inspector on the 8th day of April 1999. The Public Nuisance Notice of Inspection gave the titleholder 30 days to take action to abate the nuisance.

The structure was not brought into compliance, and staff requested that City Council approve legal action. On the 17th day of May 1999, the City Council, sitting as the Board of Health, approved legal action. On the 28th day of May 1999, the action was filed in court. On the 30th day of September 1999, Mr. White signed a Consent Decree and the Court entered it as a judgment. Mr. White agreed in the Consent Decree to complete the project within 30 days.

The owner failed to comply with the court order and the structure remained in violation. On the 21st day of January 2000, the structure was inspected and an additional Notice of Violation was sent to the titleholder.

Staff requested that Mr. White provide proof of financial ability, a plan, and time line for the completion of the project. Mr. White has provided copies of checks issued, as a result of a real estate closing, payable to Family Plan 2000 in the amount of \$4,964.74 and \$2,330.

Mr. White has submitted a plan, which indicates that he can have the structure in compliance by the 31st day of July 2000. He has started work on the exterior of the structure and intends to complete the exterior work by the 10th day of July 2000.

Staff recommends that Mr. White be granted an extension to the 31st day of July 2000. Mr. White should be directed to pull the required permits for repairs completed to the electrical, plumbing, and mechanical systems. Additionally, permits may be required for structural work required for completion of the renovation as required by the inspector from the Neighborhood Inspection Division.