

Date August 23, 2010

Communication from Stanley Strock, 1423 E. 9th Street, to speak regarding the Nuisance Ordinance and enforcement.

Moved by _____ to

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED	APPROVED			

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk

REGISTRATION FORM TO SPEAK AT CITY COUNCIL MEETING

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FILED

To: The Honorable Mayor
and
Members of the City Council
City of Des Moines, Iowa
c/o City Clerk

2010 AUG 10 PM 4:21

CITY CLERK
DES MOINES, IA

I/We Stanley Strook
(Please Print)

hereby request permission to speak at the Des Moines City Council
meeting of August 23, 2010, regarding

Nuisance Ordinance, and enforcement

Name: Stanley Strook
(Signature)

Address: 1423 E. 9th

Daytime Phone: 265-4810

PROCEDURAL RULES OF DES MOINES CITY COUNCIL:

Part III. Agenda

Rule 16. Citizen Agenda Requests. Any citizen may request the right to have an item placed on the Agenda (including a request to speak) by filing such request in writing with the City Clerk prior to noon on the Wednesday preceding the Council meeting.

Part V. Citizen Participation

Rule 27. Citizen's Right to Address Council. Persons other than Council Members shall be permitted to address the Council only upon specific Agenda Items.

Dear Mayor Cowrie + Council members;
 I come before you with a problem.
 You and the council approved the
 action done by the (GESTOPHO) ENFORCER
 of the eastside 1423 E. 9TH ST

I was convicted of being a nuisance
 and a danger to the Eastside neighbors
 with my unkept property.

Let's start with the beginning

I get along with my neighbors - (BLACK -
 BROWN - YELLOW - or GREEN -)

The enforcer said; after I answered
 the damn near door busting pounding
 I answered the door in my under
 wear. The man with a cop behind
 him said he came to clean my
 yard that he is authorized to do
 because my property is a nuisance
 + a danger to my neighbors so you
 move your truck out of the driveway
 or he would have it removed at

YOUR (MY) COST, any impediment on my part
 and I'll be CUFFED AND TAKEN DOWNTOWN

I said what is this all about, - HE
 SAID - YOU GOT MY NOTICE IN THE MAIL, I said
 I got no letter, he said it didn't matter
 if I got the notice or not, I said wait
 let me call a lawyer - HE REPEATED
 MOVE YOUR TRUCK - HE ADDED I CAME
 HERE THREE TIMES AND YOU WOULDN'T
 ANSWER THE DOOR, I asked him WAS MY TRUCK
 IN THE DRIVEWAY? He said he didn't

remember, how good ^{it is} to forget, but
 make the claim I wouldn't answer
 his knock, had to be mentioned.

I bought shingles from MANARDS
 25 year Warranty - after 7 years my
 single SCOTCHED-UP and I noticed
 damage to my garage, I searched but
 couldn't find the receipt from MANARDS
 so I went without to complain - without
 a receipt no one would listen so I
 thought I lost that paper after seven
 years so I lost, 2 years later
 looking for my birth certificate I
 found MANARDS receipt. Back I went
 and got a runaround but time goes
 on, I got a roofer to roof my
 house & garage. The estimate
 started at 3400⁰⁰ but because of the
 damage the end bill was 6000,00
 I was working around & with the
 roofing crew, my yard was a
 mess I would have to clean-up
 BUT while on a ladder in front of
 the garage I blacked out & fell
 I was alone when I fell I landed
 on my right shoulder, it got broke
 I flipped with ^{my} back going against
 the clothes line post cracking seven
 ribs, doing this my left lung
 collapsed. There I lay in a heap
 The house across the ally was at that
 time empty, the house to my south

was empty, house north, the old woman was hard of hearing, I'm between garages,

So after a short rest I crawled on my stomach to my back steps where I pulled myself up on my feet, got my keys - hid my billfold locked the house got into my truck and drove to the V.A. MED CENTER, pulled into the emergency area and called for help.

I spent near 2 weeks in intensive care and after I was released, when I could get around we got SNOW - SNOW - AND MORE SNOW. When the snow melted enough I started to pick-up the things that was around my yard

I loaded the ruined things into my truck. The enforcer took a pictured evidence of my truck loaded that I had to get rid of.

While picking up I did till my garden & cut my grass and had FRI SAT & SUN yard sale. I was slow to take my goods from the front lawn sale so I piled my treasures on the sidewalk against my house and covered it all with canvas tent. Then the enforcer beat on my door.

I moved my truck, the first

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thing they did was raid my yard sale things. They only took the expensive things and left the left overs scattered along my house. I have pictures

They WHILE taking stuff from my back porch broke my brick steps with that heavy machine going on they couldn't get into my private fenced annex to my garage so they cut the rope pulled off the wire and finally got into my annex. Then because I had a metal roof they couldn't handle they put the machine to work.

The operator crunched-up most of my privacy fence & took the pipe posts that held the fence.

After having a hay day the machine hit the cement on the ground pushed my chain link fence post and split my 3 block high retaining wall - collapsed the yard in three or 4 places - knocked down my down spout to my garage rain gutter and wisked it away. They broke-up more fencing on the other side of the garage.

They left me with a bigger mess than I had when they raided my property. I'm on social security which doesn't cover too much so I collect cans & bottles and I saved things to sell.

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The SS sent a letter to us retirees. NO COST OF LIVING INCREASE FOR THE NEXT 2 or 3 YEARS because the economy has leveled off.

Also Senior Citizens comedies stopped me because I am 9 DOLLARS OVER THE POVERTY LINE, SO HOW IS YOUR DAY. If I am allowed to address the MAYOR & COUNSEL I do have more to add on how fair Des Moines is to Disabled senior citizens. I lived in Des Moines from 1969 and if this is how we get treated ~~BUY~~ BUY MY HOUSE, GIVE ME 90 DAYS TO MOVE OUT AND I WONT BE A BOTHER NO MORE

Stanley Strock

1423 E. 9~~th~~ ST

D.M.

50316

Date of Notice: 03/18/2010

Date of Inspection: 03/18/2010

**Please Call
If You Have Any
Questions.**

STANLEY STROCK
Title Holder
1423 E 9TH ST
DES MOINES, IA 50316-2203



Upon inspection of the property at **1423 E 9TH ST**, violation(s) of the Municipal Code of the City of Des Moines, Iowa (Section 42) were observed. The violation(s) constitutes a public nuisance. You will find attached a photograph, a list of the violation(s) existing on the date of the inspection and a recommendation as to the action required to bring the property into compliance.

The City has adopted a new process for dealing with these types of public nuisance actions. It is our intent to bring these violation(s) to your attention and give you sufficient opportunity to resolve the matter. It is also our intent that this notice will serve to educate and therefore prevent future violations. As you read further you will see that you have a specific time frame to clean your property.

If you fail to clean the property the City will clean it and bill you the full cost of the abatement plus administrative costs. If you fail to pay the amount billed, the costs will be assessed against the property as a property tax.

If you clean the property and no future violations of a similar nature take place in the next thirty-six months, we have accomplished what we set out to do and you and your neighbors will have a more attractive neighborhood. If future violations are observed a municipal infraction will be filed upon the observance of the third violation.

1. You may take corrective action to eliminate the violation within 21 days of this notice. When corrective action is taken within the time period you must then call the inspector whose name and number you will see listed at the end of this notice between the hours of 8:00 and 9:00AM or after 4:00 PM. The inspector will then re-inspect the property and, if the violation has been eliminated, action by the City regarding this nuisance will end. However, future violations will result in a penalty; see paragraph #5.

2. You have a right to a public hearing to contest this matter. You may request a hearing by filing the attached Appeal and Request for Hearing form not later than seven (7) days of the date of this notice. By that date the notice must have been received by the City Clerk, 400 Robert D. Ray Drive, Des Moines, Iowa 50309.

3. Failure to request a hearing will mean that you have waived your rights to further hearing, the City will enter onto the property and abate the nuisance (clean your property).

4. If you fail to abate the nuisance (clean your Property) within the time set out in the notice or as ordered by the hearing officer or court, you will be held financially responsible. The City will enter onto your property, clean your property and bill the full costs of the cleanup plus administrative costs. In addition to these fees there may be other fees for special needs situations. If the amount billed is not paid, the City will file an assessment against your property due with your property tax.

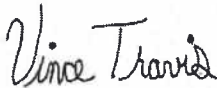
5. Habitual Violators are defined as owners whose properties have had three or more violations in a thirty-six month period of time. That means that property owned by an individual has been cited three (3) or more times for violations. Should any owner in the City of Des Moines have three violations in any thirty-six (36) month period the City may seek a civil penalty in the amount of \$750.00 for the first offense and \$1000.00 for each subsequent offense, or file criminal charges against the property owner.

6. The following checked violations have been noted on your property:

- XXXX- **Sec 42-347** What ever is injurious or dangerous to the public health, safety or welfare, including but not limited to those things or actions which are offensive to the senses, or an obstruction to the free use of real estate so as to unreasonably interfere with the comfortable enjoyment of life or real estate or which are identified specifically as nuisances in this code is a nuisance.
- XXXX- **Sec 42-348 (3)** Depositing or storing outside a completely enclosed building items that constitute a threat to the public health, safety or welfare, including but not limited to the following: old or scrap rope, rags, batteries, paper, trash, rubber debris, tires, waste, used lumber or salvaged lumber, inoperable machinery or appliances or parts of such machinery, vehicular parts, household goods, cut brush or wood including dead or decaying plant material except as contained in a compost pile or orderly stacked firewood if cut in lengths of four feet or less.
- Sec 42-348 (4)** Discarding or abandoning of refrigerators or similar containers.
- Sec 42-348 (5)** Depositing or storing of litter, garbage, or organic waste on any real estate.
- Sec 42-348 (8)** Graffiti placed on any surface not primarily intended for such use.
- Sec 42-348 (9)** Any motor vehicle which is unlicensed, unsafe, or inoperable found upon public or private real estate, and the contents therein, which is not stored within an enclosed building. If you have such a vehicle on your property and would like to have it removed, you may phone me at the number below in order to make arrangements to have the vehicle towed from your property for a 25.00 impound fee. A higher fee will be charged for larger vehicles such as buses and recreational vehicles.

It is your responsibility to correct the violation(s) checked above and to ensure that your property is free of additional violations in the future. If I can be of any assistance to you in reference to this matter or any other issues in your neighborhood please feel free to call between 8:00-9:00AM or after 4:00 PM any week day.

Thanks for your help,



**If you have any questions
Please call.**

Vince Travis
(515) 283-4077

_____ Pictures have been attached to help in identifying your violation(s). However the pictures may or may not include all the violations on your property at the time of the inspection. At the time of re-inspection, and subsequent cleanup, we will include not only these violations but also any additional accumulations of illegal materials.

**CITY OF DES MOINES
REQUEST FOR ADMINISTRATIVE HEARING
CHAPTER 42**

Date of Notice: 03/18/2010

Date of Inspection: 03/18/2010

STANLEY STROCK

Title Holder

1423 E 9TH ST

DES MOINES, IA 50316-2203

Address of Property:

1423 E 9TH ST

I hereby request an administrative hearing pursuant to Chapter 42 or the Municipal Code of the City of Des Moines regarding the above referenced notice of violation. If you, the titleholder of the property, are unable to attend and you wish to have someone represent you please provide a notarized authorization giving approval to allow that person to represent you. The person you have designated to appear on your behalf should bring this notarized authorization to the hearing. If you have hired an attorney to represent you this authorization will not be necessary.

Reason for the appeal (Please print or type):

I understand that I will receive notice of the date and time of the hearing. The notice will be sent to the address that I provide on this Request for Hearing. I understand that my failure to appear at the scheduled hearing will be deemed a waiver of my rights to a hearing.

This request for hearing must be filed by Thursday, March 25, 2010

Date

Signature

Daytime Phone

Name

Mailing Address

City/State/Zip

File with: City of Des Moines, City Clerk, 400 Robert D. Ray Drive., Des Moines, IA 50309

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Invoice

Invoice Date: 04/21/2010
Invoice Number: COD2010-01296

Parcel Number: 110/01263-000-000

ATTENTION: STANLEY STROCK
Title Holder
1423 E 9TH ST
DES MOINES, IA 50316-2203

The following charges were incurred as a result of an administrative or legal action taken by the City of Des Moines against a property located at 1423 E 9TH ST on 04/20/2010.

<u>Date</u>	<u>Account Number</u>	<u>Description</u>	<u>Fee Amount</u>	<u>Amount Paid</u>	<u>Amount Due</u>
4/21/10	GE001 POL100100 461058	Police Security	422.50	0.00	422.50
4/21/10	GE001 CDD070100 482450	Administration Fees	65.00	0.00	65.00
4/21/10	SP020 CDD049900 489170 CDBG2009005	CDBG Cleanup	2,920.78	0.00	2,920.78
4/21/10	GE001 POL100100 461058	Police Security	162.50	0.00	162.50
			\$3,570.78	\$0.00	\$3,570.78

If you have questions or would like to arrange for a payment schedule regarding these charges please contact this office. Failure to pay these costs by 5/21/2010 will result in an assessment to your property. Payments may be directed to Neighborhood Inspections Division, 602 Robert D Ray Drive, Des Moines, Iowa 50309.

Sincerely,

Ms. Jennifer Hulse, 283-4575
City of Des Moines
Neighborhood Inspection Division
602 Robert D. Ray Drive
Des Moines, Iowa 50309

**CITY OF DES MOINES
REQUEST FOR ADMINISTRATIVE HEARING
CHAPTER 42 PRIVATE PROPERTY**

Date: April 21, 2010

Attn: STANLEY STROCK
Title Holder
1423 E 9TH ST
DES MOINES, IA 50316-2203

The attached invoice is for collection of costs incurred in the clean up of the property located at:

1423 E 9TH ST

If you feel aggrieved by the invoice you may request a hearing by filing this Request for Administrative Hearing by **5/5/2010**. The appeal must state clearly why you think the invoice is incorrect and any defenses you wish to present regarding the cleanup. The appeal shall be in writing and received by the City Clerk, 400 Robert D. Ray Drive, Des Moines, IA, by the above date. If an appeal is filed, a hearing will be scheduled within fourteen (14) days of the receipt of the notice of appeal.

I hereby request an administrative hearing pursuant to Chapter 42 of the Municipal Code of the City of Des Moines regarding the above referenced notice of violation. If you, the titleholder of the property, are unable to attend and you wish to have someone represent you please provide a notarized authorization giving approval to allow that person to represent you. The person you have designated to appear on your behalf should bring this notarized authorization to the hearing. If you have hired an attorney to represent you this authorization will not be necessary.

Reason for the appeal (Please print or type):

(Attach additional pages if necessary)

(Caution: Any statement made on this form may constitute an admission on your part)

I understand that I will receive notice of the date and time of the hearing. The notice will be sent to the address that I provide on this request for hearing. I understand that my failure to appear at the scheduled hearing will be deemed a waiver of my rights to a hearing.

Date

Signature

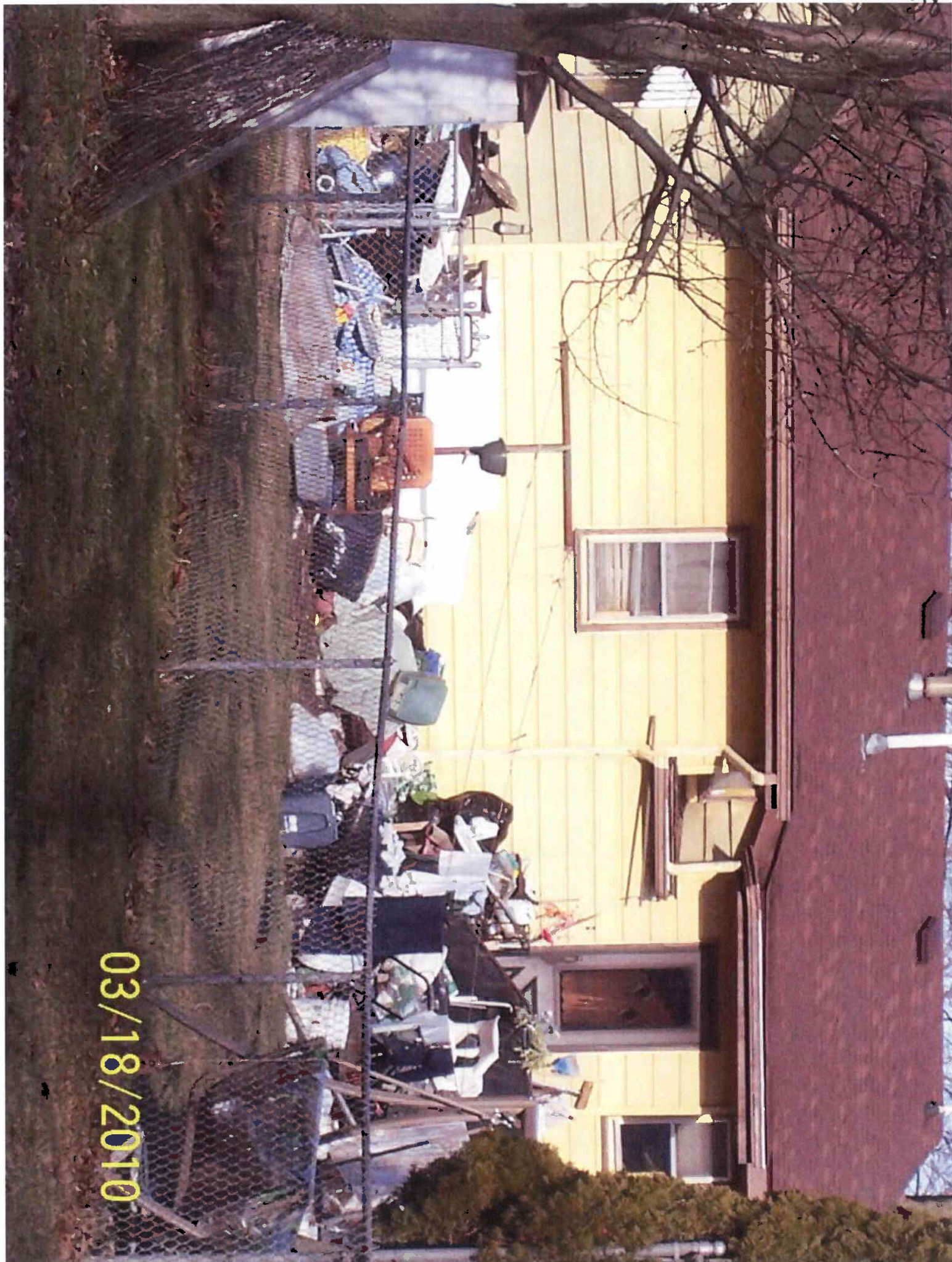
Daytime Phone

Name

Mailing Address

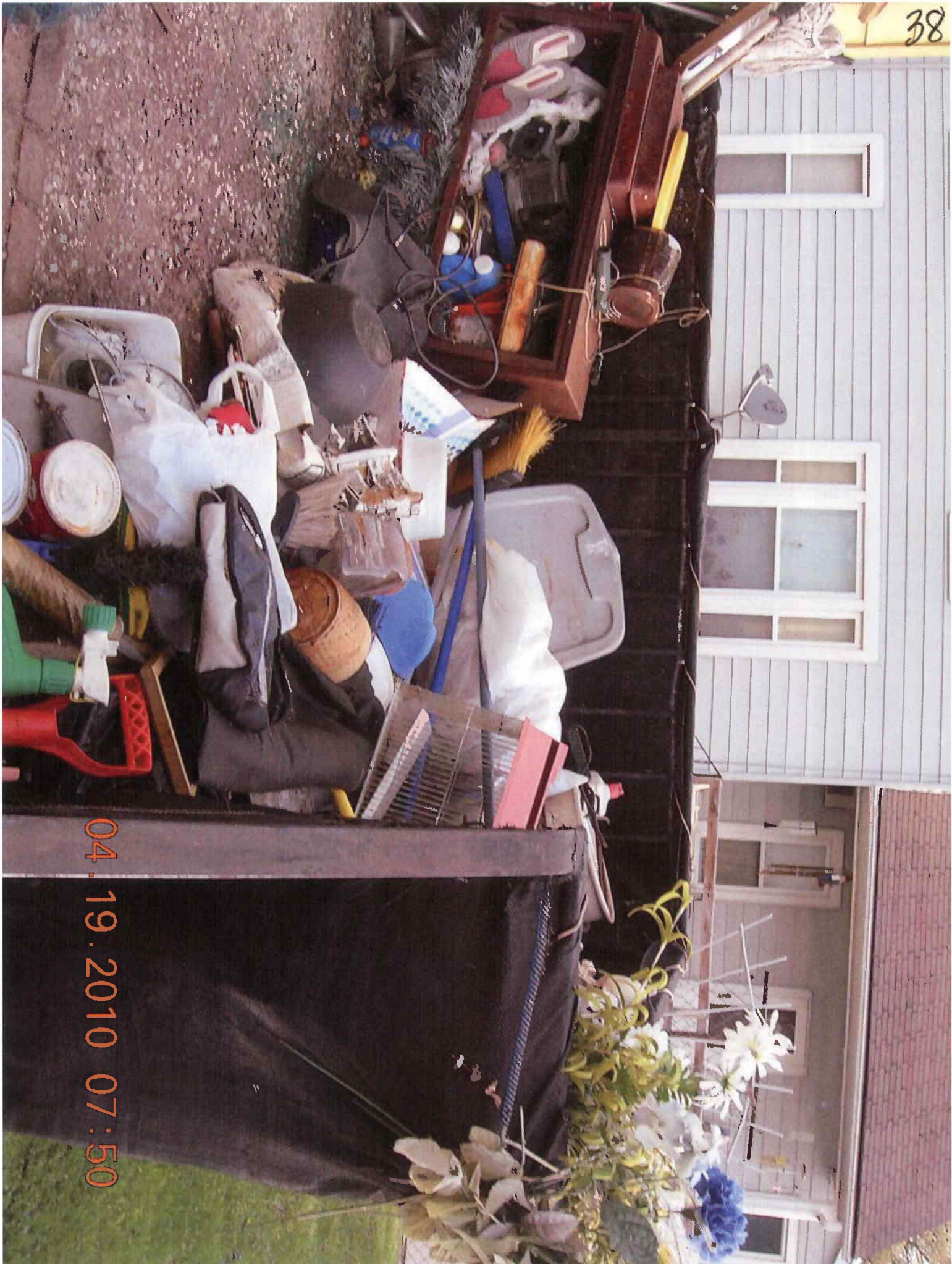
City/State/Zip

File with: City of Des Moines, City Clerk, 400 Robert D. Ray Drive, Des Moines, IA 50309



03/18/2010

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04.19.2010 07:50



04.19.2010 08:39



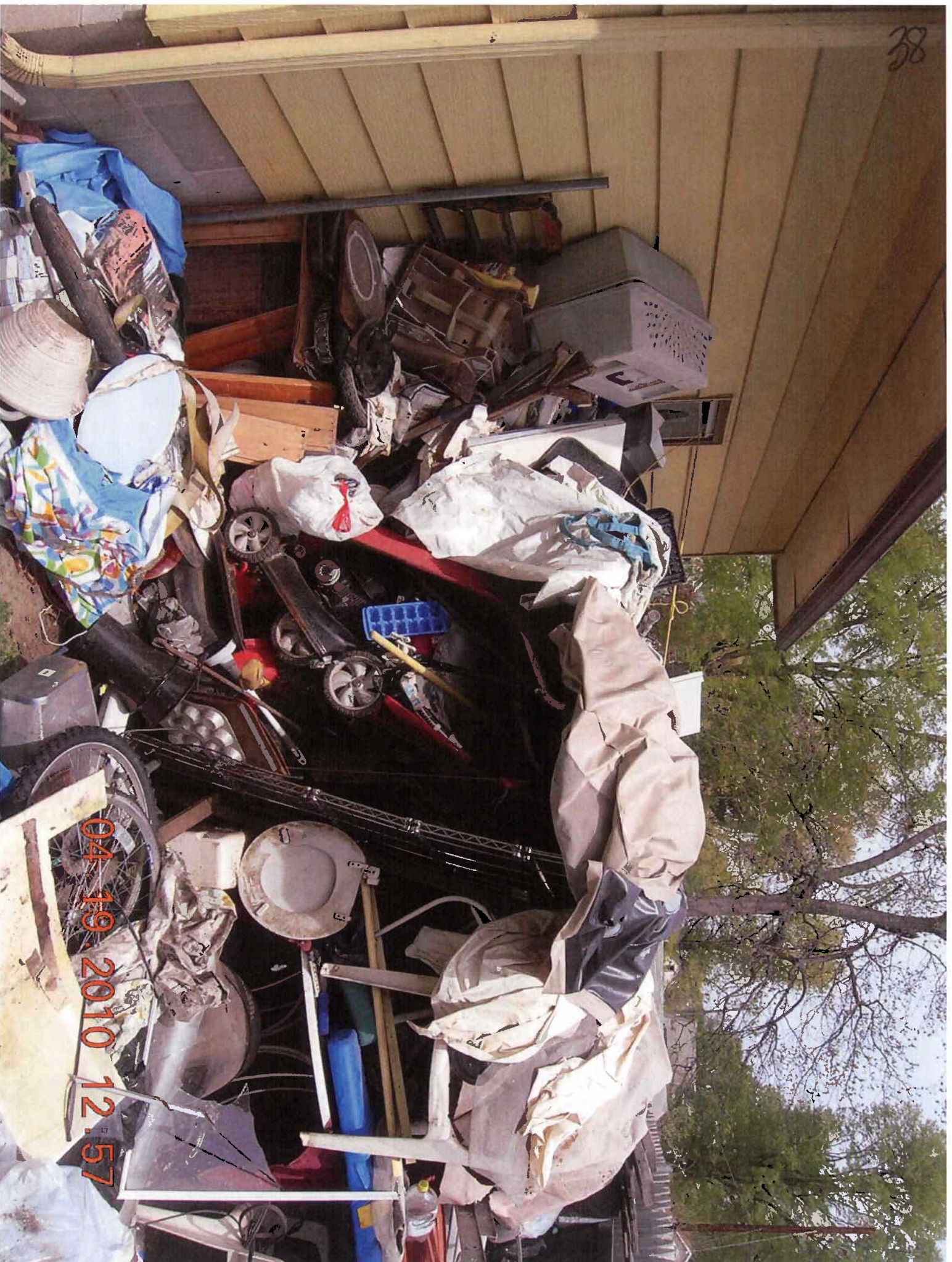
04.19.2010 08:48

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04.19.2010 08:54

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04-19-2010 12:57