

ITEM #: 8  
DATE: 01-28-25  
DEPT: FIRE

**COUNCIL ACTION FORM**

**SUBJECT: ASSESSMENT OF FEES RELATED TO DANGEROUS BUILDING LOCATED AT 3323 TRIPP STREET**

**BACKGROUND:**

On July 1, 2024, the structure at 3323 Tripp Street was declared a Dangerous Structure due to inadequate water and electric supply. Both owners of the property were deceased and there was no estate opened on their behalf. **The structure had a reputation for housing vagrants and staff was concerned that people would continue to find ways into the home. As a result, staff purchased materials to ensure the structure remained secured.**

Staff presented the Dangerous Building Declaration to the Building Board of Appeals (BBOA) and requested demolition authorization at BBOA's regular meeting on August 5, 2024. The BBOA upheld staff's determination of a Dangerous Structure and authorized demolition. Staff then proceeded with the initial steps of the demolition process, including asbestos/lead testing and junk removal.

**Shortly thereafter, staff was contacted by an Assistant U.S. Attorney who expressed interest in filing a federal forfeiture action against the property due to the numerous criminal cases occurring at the property over the last decade.** This process would allow the Federal Government to obtain possession of the property with the intent of eliminating future criminal cases at the location. Once obtained through the court, the Government would then sell the property 'as-is' and allow a new owner to demolish or rehabilitate the structure.

**Staff felt the Federal process was a good alternative to demolition by the City due to the hurdles present regarding ownership of the property and the desire to be fiscally responsible. However, prior to that process taking place, action is needed by the City in order to recover the costs incurred by the City in securing the property Without living owners, staff has no person or entity to send an invoice of accumulated charges. Therefore, staff would like to assess the charges to the property to ensure that all charges are paid at the time of sale by the Federal Government.**

The current charges accumulated under this Dangerous Building Declaration include:

<b>Item</b>	<b>Charge</b>
Supplies to Secure the Structure	\$ 144.82
Filing of the Dangerous Building Declaration	\$ 35.60
Junk Removal	\$ 858.00
Asbestos and Lead Testing	\$ 1,750.00
<b>Total</b>	<b>\$ 2,788.42</b>

**ALTERNATIVES:**

1. Authorize staff to file an assessment of the above-described costs associated with the Dangerous Building Declaration with the Story County Treasurer over a term of ten years and with an annual interest rate of 4.599% based on the current US 10-year treasury yield interest rate.
2. Authorize staff to file an assessment of the above-described costs associated with the Dangerous Building Declaration at another term length or interest rate allowable under Iowa law.
3. Do not certify this cost to the County Treasurer and instead, absorb the cost.

**CITY MANAGER'S RECOMMENDED ACTION:**

**City Council approval is necessary to certify these costs to the County Treasurer so they may be collected in the same manner as property taxes. The total amount to be collected is \$2,788.42 (plus interest).** Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.