

P.O. Box 46  
Kotzebue, Alaska 99752  
City Hall (907) 442-3401

Police Dept. (907) 442-3351

Fire Dept. (907) 442-3404

Public Works (907) 442-3401

June 4, 2024

Dickie Curtis  
671 Caribou Drive  
Kotzebue, Ak 99752

Dear Dickie,

On behalf of City of Kotzebue City Council and Administration, this letter is to inform you that the next Regular City Council Meeting will be held this Thursday, June 6, 2024, at 5:15pm.

Here is a copy of the meeting notice and agenda.

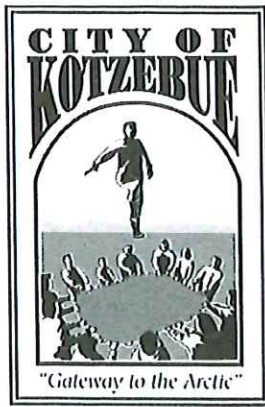
Please note under New Business item; b) House 671 Caribou Drive- Dickie Curtis- is an agenda discussion item.

This letter is to inform you that you are invited and encouraged to attend the Regular City Council Meeting June 6, 2024, at 5:15pm in the City Hall Chamber located at 258 A Third Avenue.

If you are not able to attend in person, please call in at 1-800-315-6338 access code 49401 # to participate telephonically.

Sincerely,

Rosie Hensley  
City Clerk



Dickie Curtis  
House # 671  
Caribou Drive  
Kotzebue, Alaska

Tuesday  
July 25, 2023  
[Hand-delivered]

Joseph W. Evans  
City Attorney  
[joe@jwevanslaw.com](mailto:joe@jwevanslaw.com)

Valerie V. Evans  
Legal Assistant  
[valerie@jwevanslaw.com](mailto:valerie@jwevanslaw.com)

Re: IMMEDIATE ORDER TO CEASE AND DESIST/ABORT PUBLIC HEALTH HAZARD/CLEAN UP PROPERTY

Dear Mr. Curtis:

Your property is a public health hazard and the land around your home must be cleaned up **immediately**. See, photos attached to this email.

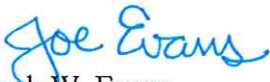
**History of your property:** Over the past 2 ½ years, the Fire Department ambulance has responded to house 671 Caribou Drive 15 times for 9 different adults (three of which have been deceased). The dates of responses are: 12/15/19, 9/30/20, 10/9/20, 2/2/21, 8/13/21, 9/5/21, 10/31/21, 11/8/21, 11/8/21, 11/15/21, 3/10/22, 4/1/22, 11/13/22, 12/27/22, and 3/5/23. The unclean condition of your residence, inside and out, is a health and safety concern for occupants and responders. The only entrance is in the back of the structure. One must walk over broken pallets--past, around, and through garbage, sewage, and waste--to get to the doorway. In the winter, a glacier of human urine is unavoidable when entering. Obstacles render a wheeled-stretcher useless and moving patients with the aid of a backboard that far is a challenge. The front entrance is boarded shut. Most of the windows are either broken or boarded over. The interior of the home is torn apart and covered in filth. The black grime on floors and other surfaces that sticks to boots is especially notable. The only heat source has been an improperly installed woodstove. There is no electricity in use. Considering the dilapidation, a hazardous heat source, and only one entrance/exit the risk and chance of fire is extremely high. Many fires have caused deaths in places like this in Kotzebue. You MUST make a change before another tragic event occurs. (As you know you have been repeatedly cited for the deplorable condition of your property.)

Enough is enough! **You have until the close of business on Friday, August 4<sup>th</sup> to remove all of trash, waste, sewage, etc., from your property.** If you fail to do so by that date, the City Public Works Department will plan to clean up your property and bill you for the time and equipment used in this effort. It is estimated that such a clean-up will cost you in excess of \$2,000.00 considering the deplorable condition of your property and the difficulty of accessing the mess you have created.

Letter of July 25, 2023, to Dickie Curtis, House # 671  
Re: Cease and Desist/Abort Public health Hazard/Clean Up Property  
Page 2 of 2

If you have any questions, please do not hesitate to contact me. If you fail to regard this ORDER, the City will also pursue condemning your property as a public health hazard and seek to have it demolished to protect yourself, other residents of your home and residents along Caribou Drive. Should you ignore this letter and ORDER, you do so at your own peril and will be subject to all efforts by the City to stop your endangering yourself and others.

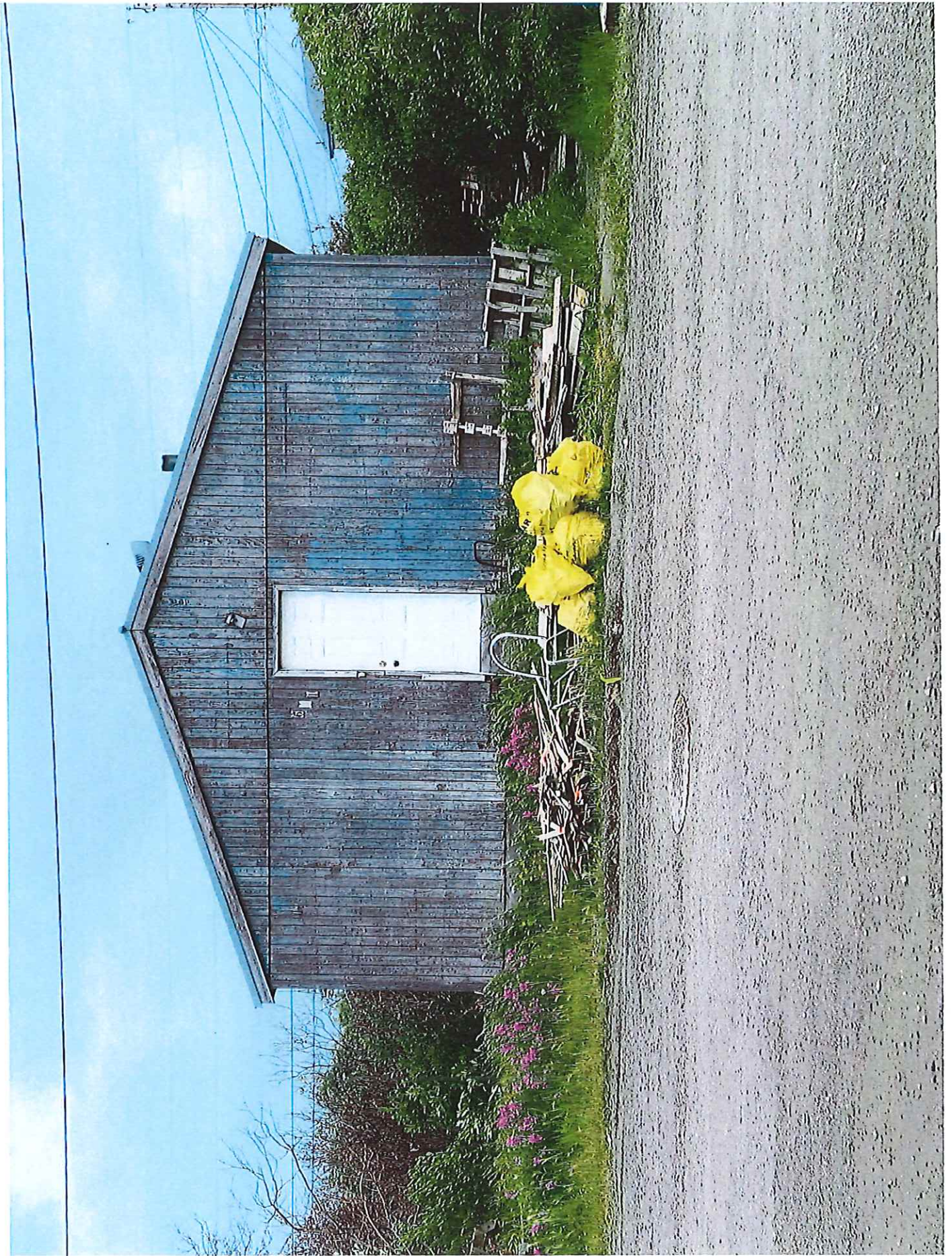
Sincerely,  
CITY OF KOTZEBUE

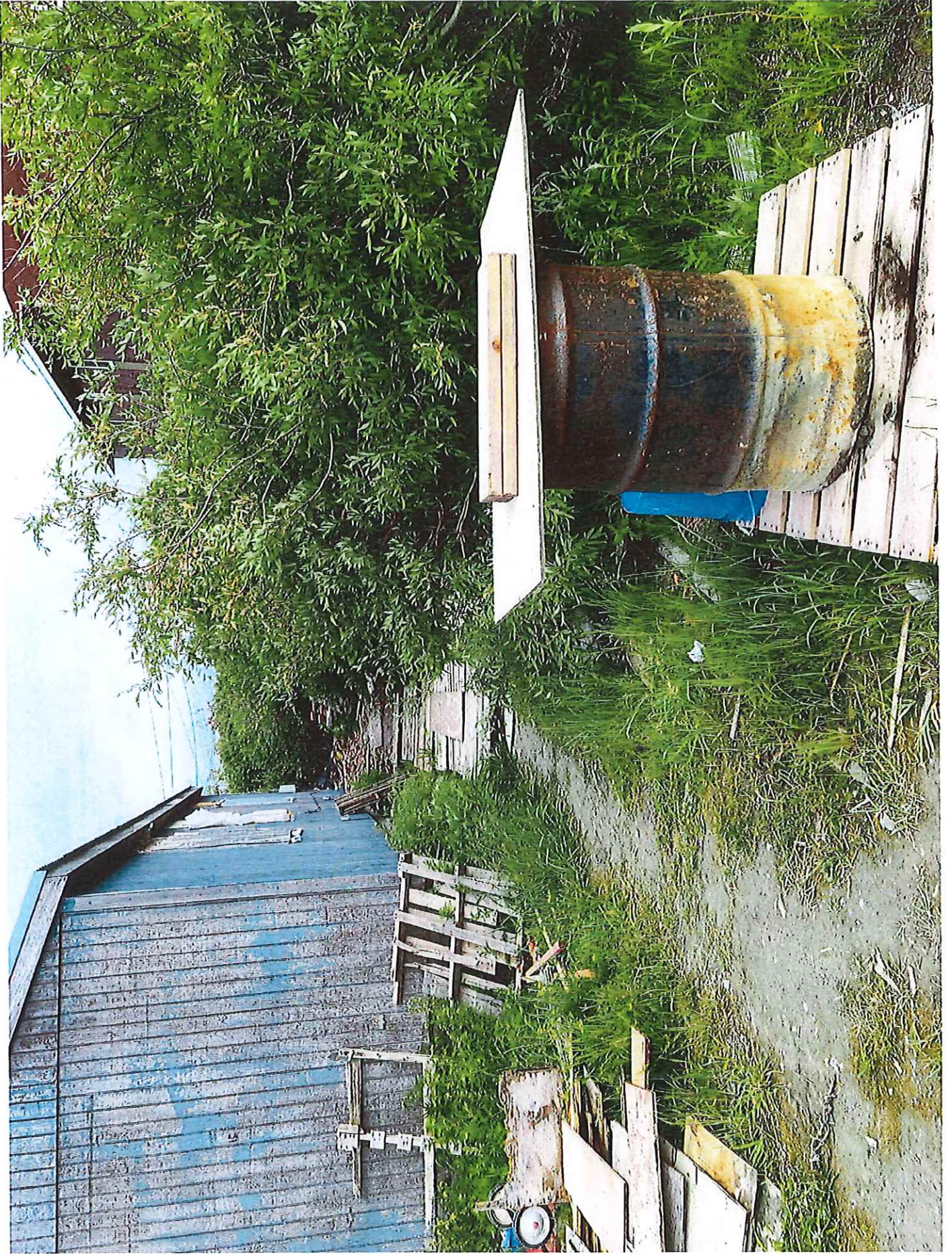


Joseph W. Evans  
City Attorney  
(360) 981-5508 [cell]  
[joe@jwevanslaw.com](mailto:joe@jwevanslaw.com)

Attachments: Three (3) photos of House # 671 taken July 19, 2023

cc: Tessa Baldwin, City Manager  
Chelsea Sieh, Finance Director, and Acting City Manager  
Roger Rouse, Chief of Police and Acting City Manager  
Kelly Marcus, Fire Chief  
Russ Ferguson, Public Works Director  
Darilyn Nelson, Community Service Officer  
Lorlie Brown, House # 670







## Rosie Hensley

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**From:** Saima Chase <saimajohnson@gmail.com>  
**Sent:** Tuesday, May 28, 2024 1:42 PM  
**To:** Tessa Baldwin; Rosie Hensley; Roger Rouse; Russ Ferguson; Joe Evans  
**Subject:** Re: 670 caribou drive

Hi, can we have Russ and his crew pump the yard and put a boom or something that prevents any human waste from going into other's backyards today, or ASAP?

Rosie, can you please include Lorlie's original email in our next RCCM under correspondence? That way, we can have it on record that there are issues with this house.

-Saima

On Tue, May 28, 2024 at 9:32 AM Tessa Baldwin <[TBaldwin@kotzebue.org](mailto:TBaldwin@kotzebue.org)> wrote:

Hi Lori,

Thank you for following up on this matter.

I am writing to follow up on the request made this morning, May 28, 2024, concerning the property maintenance issues with your neighbor. We understand your frustration and share your concerns about the accumulation of waste outside their house. It is a distressing situation, and your feelings are entirely valid.

Unfortunately, addressing these issues takes time due to the legal rights individuals have regarding their property. We have followed up on your request several times and have utilized a significant amount of public funds to clean up the property. Please be assured that we are doing everything within our power to move forward with the necessary processes. In addition, the police have visited the property multiple times to document the conditions to ensure we are documenting properly.

Joe, could you please assist us in following up on the next steps in this matter to clarify for everyone the next steps?

We appreciate your patience and understanding as we continue to work on resolving this issue.

Tessa Baldwin

City Manager

City of Kotzebue

258A Third Avenue

PO Box 46, Kotzebue, AK 99752

Work: 907-442-5101

Cell: 907-412-3571

Fax: 907-442-3742



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**From:** Lorie Brown <[lorliebrown719@gmail.com](mailto:lorliebrown719@gmail.com)>

**Sent:** Tuesday, May 28, 2024 8:19 AM

**To:** Joe Evans <[Joe@jwevanslaw.com](mailto:Joe@jwevanslaw.com)>; Russ Ferguson <[RFerguson@Kotzebue.org](mailto:RFerguson@Kotzebue.org)>; Saima Chase <[saimajohnson@gmail.com](mailto:saimajohnson@gmail.com)>; Tessa Baldwin <[TBaldwin@Kotzebue.org](mailto:TBaldwin@Kotzebue.org)>

**Subject:** 670 caribou drive

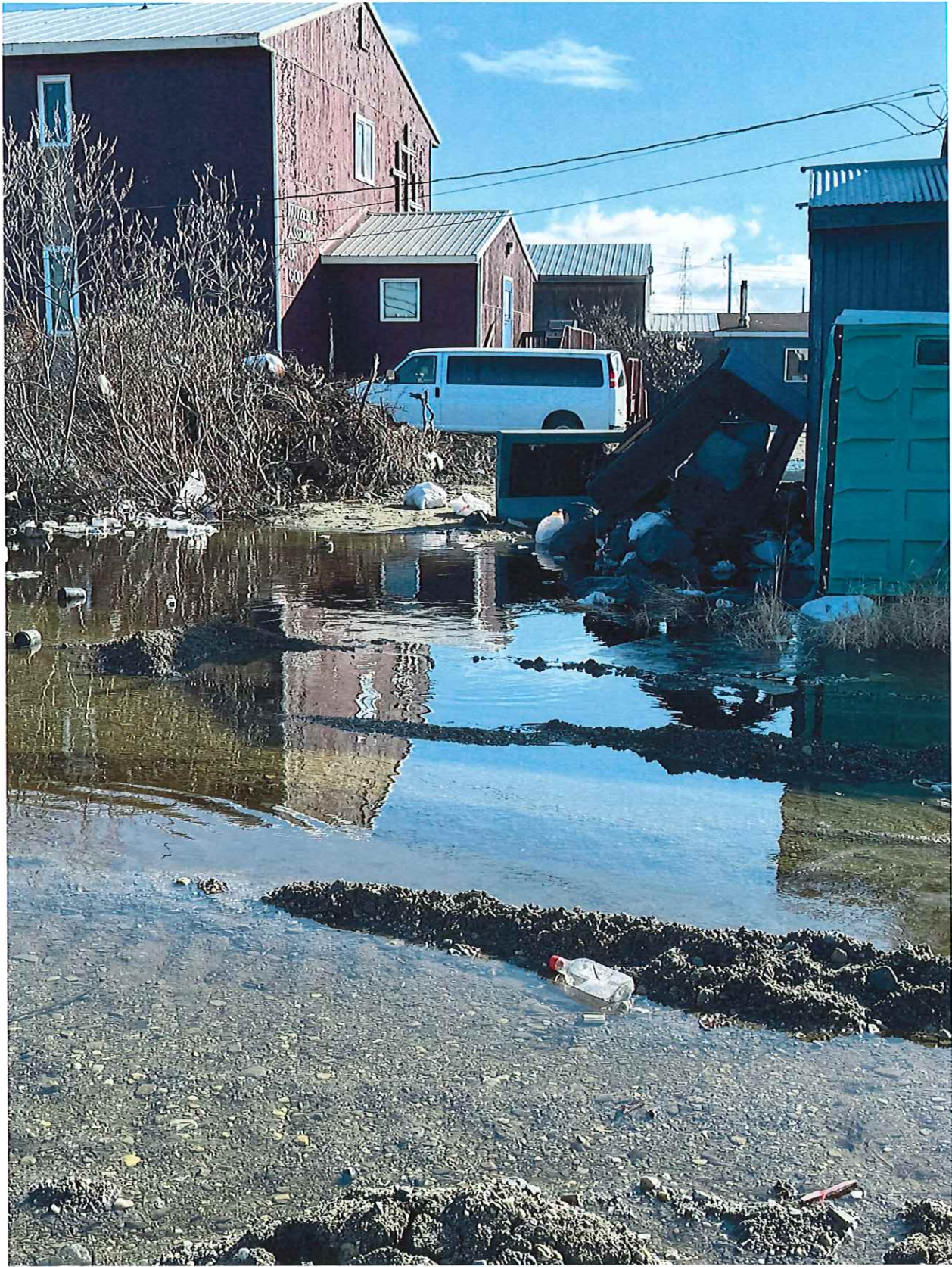
I'd say good morning but it's such an ugly sight to open up my curtains and look for the beauty.

My first initial contact to the city was on 6/6/23 about my neighbor and his raw sewer and trash pile.

On May 3rd 2024 someone from public works came over with an excavator and cleaned some and laid down new gravel over the remaining trash. Over the weekend Lenora Skin thought it was a great idea to bring old couches and add to his trash, which are still sitting outside in the trash pile. This needs to be cleaned up ASAP, I have gave you all more than enough time. We are 9 days away from a whole year of going back and forth with the city of this nasty ass neighbor of mine.

Also can we get a pump TODAY to get his raw sewer sucked out of my yard again! I called 2 weeks ago for our yard to be pumped and I was told I am on a list... yeah keep me on a list so we can just keep waiting while his raw sewer continues keep contaminating my yard!









Joseph W. Evans  
City Attorney  
joe@jwevanslaw.com

Friday  
October 6, 2023  
[Hand-delivered]

Valerie V. Evans  
Legal Assistant  
valerie@jwevanslaw.com

Dickie Curtis  
House # 671  
Caribou Drive  
Kotzebue, Alaska

Re: Your Property – House 671, Caribou Drive - is a Public Health and Safety Hazard, Fire Hazard and Public Nuisance Subject to KMC Chapter 15.04, Dangerous Structures and Premises

Dear Mr. Curtis:

You have completely and totally ignored my letter of July 25, 2023, a copy of which is attached hereto and incorporated by reference herein. As a result, the City of Kotzebue is required to take the following actions.


**Property Clean-Up:** Starting next week – October 9<sup>th</sup> to October 13<sup>th</sup> – the City of Kotzebue Public Works Department will begin the process of removing the garbage, sewage, and waste from your property. In order to have access to the garbage, sewage, and waste on your property, it will be necessary to excavate many of the willows on your property and pile them on your property. Once that is done, the pallets and wood debris on your property will be removed so that the City's equipment can access the garbage, sewage, and waste on your property. Then, the garbage, sewage and waste will be removed and taken out to the City's sewage lagoon. Once at the sewage lagoon, the plastic bags will have to be individually opened, inspected for non-sewage waste and that non-sewage waste removed before the sewage can be disposed of in the sewage lagoon. This clean-up process will involve the use of City equipment – bulldozer, loader, excavator, and dump truck – and three to five City employees working a minimum of 100+ hours. You will be billed for these expenses which will be in the \$20,000.00 range. If you do not pay the bill for these services, the City will reduce the amount owed to a Court judgment and execute on your PDF and any other assets you may have to satisfy the amount owed to the City.

**Kotzebue Municipal Code ("KMC"), Chapter 15.04, Dangerous Structures and Premises:** Once the clean-up process of your property has been completed, the City will start the process of condemning your property so that your house can be demolished. See, KMC Chapter 15.04, a copy of which is attached hereto and incorporated by reference herein. You should start making arrangement for alternative housing/living quarters.

Letter of October 6, 2023 to Dickie Curtis, House # 671  
Re: Clean-up/KMC 15.04  
Page 2 of 2

If you have any questions, please do not hesitate to contact me.

Sincerely,  
CITY OF KOTZEBUE



Joseph W. Evans  
City Attorney  
(360) 981-5508 [cell]  
[joe@jwevanslaw.com](mailto:joe@jwevanslaw.com)

Attachments: (1) Letter of July 25, 2023 (with photos) [5 pages]  
(2) KMC Chapter 15.04 [four pages]

cc: Tessa Baldwin, City Manager  
Chelsea Sieh, Finance Director  
Roger Rouse, Chief of Police and Acting City Manager  
Chloe Belflower, Acting Fire Chief  
Russ Ferguson, Public Works Director  
Sam Atkinson, City Planner  
Darilyn Nelson, Community Service Officer  
Lorlie Brown, House # 670



Dickie Curtis  
House # 671  
Caribou Drive  
Kotzebue, Alaska

Tuesday  
July 25, 2023  
[Hand-delivered]

Joseph W. Evans  
City Attorney  
[joe@jivevanslaw.com](mailto:joe@jivevanslaw.com)

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**History of your property:** Over the past 2 ½ years, the Fire Department ambulance has responded to house 671 Caribou Drive 15 times for 9 different adults (three of which have been deceased). The dates of responses are: 12/15/19, 9/30/20, 10/9/20, 2/2/21, 8/13/21, 9/5/21, 10/31/21, 11/8/21, 11/8/21, 11/15/21, 3/10/22, 4/1/22, 11/13/22, 12/27/22, and 3/5/23. The unclean condition of your residence, inside and out, is a health and safety concern for occupants and responders. The only entrance is in the back of the structure. One must walk over broken pallets--past, around, and through garbage, sewage, and waste--to get to the doorway. In the winter, a glacier of human urine is unavoidable when entering. Obstacles render a wheeled-stretcher useless and moving patients with the aid of a backboard that far is a challenge. The front entrance is boarded shut. Most of the windows are either broken or boarded over. The interior of the home is torn apart and covered in filth. The black grime on floors and other surfaces that sticks to boots is especially notable. The only heat source has been an improperly installed woodstove. There is no electricity in use. Considering the dilapidation, a hazardous heat source, and only one entrance/exit the risk and chance of fire is extremely high. Many fires have caused deaths in places like this in Kotzebue. You MUST make a change before another tragic event occurs. (As you know you have been repeatedly cited for the deplorable condition of your property.)

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Re: Cease and Desist/Abort Public health Hazard/Clean Up Property  
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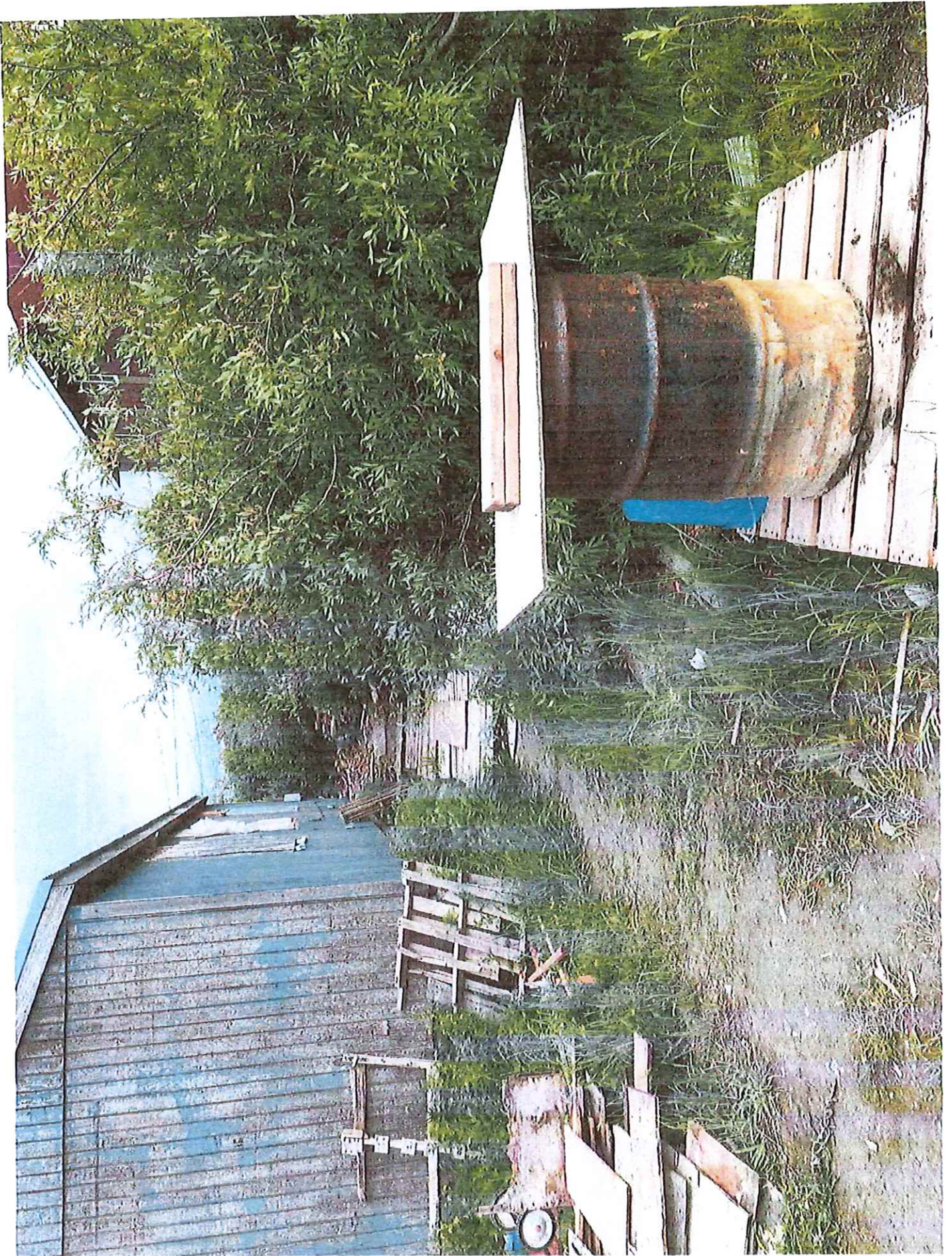


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Darilyn Nelson, Community Service Officer  
Lorlie Brown, House # 670









## Chapter 15.04 DANGEROUS STRUCTURES AND PREMISES

### Sections:

#### 15.04.010 Definitions.

For the purposes of this chapter:

- A. "Fire hazard" means any building or structure which, for want of proper repairs, or by reason of age or dilapidated condition or by reason of poorly installed electrical wiring or equipment, defective chimneys, defective heating apparatus or any other cause or reason, is especially liable to fire, or which building or structure is so situated or occupied as to endanger any other building or property or human life. The term shall also mean and include any building or structure containing any combustible or explosive material, rubbish, rags, waste, oils, gasoline or inflammable substance of any kind, especially liable to cause fire or endanger the safety of such building, premises or human life.
- B. "Health hazard" means and includes any building or structure which shall be kept or maintained or shall be in a filthy or unsanitary condition especially liable to cause the spread of contagious or infectious disease or diseases, or permitting foul odors or obnoxious or poisonous gases to escape from said building.
- C. "Public nuisance" means any building or structure whose condition has been allowed by the owner to deteriorate to a point where it affects the rights enjoyed by citizens of the city, to which rights every citizen is entitled, namely the safety of life, limb and property. The terms shall also mean and include any building or structure in such weak or weakened condition, or dilapidated or deteriorated condition, as to endanger any person or property, or which is an "unsafe building" as defined by section 203 of the Uniform Building Code.

(Prior code § 10.05.010(b),(c),(d)).

#### 15.04.020 Finding and report by city officials.

Whenever any official of the city, such as the fire chief, fire marshal, police chief, building inspector, electrical inspector, plumbing inspector or sanitarian, shall, after inspection, find a building, premises, open lot, basement or area to be a dangerous structure or condition or fire hazard or health hazard or public nuisance, he shall forthwith render to the city manager a full report of the reasons why such structure or premises should be corrected, demolished or abated, including in his report all violations of this code or any rule or regulation issued hereunder, together with his recommendation in full as to correcting, altering, repairing, demolishing or removing such structure.

(Prior code § 10.05.010(a)).

#### 15.04.030 Findings of city manager.

Upon receipt of the report of the administrative official, the city manager shall make his written findings in the matter, excepting, adopting or modifying the subordinate administrative official's reports.

(Prior code § 10.05.020).

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#### **15.04.040 Notice to abate or correct—To whom given.**

The city manager shall cause a written notice to be given to the person creating, causing, committing or maintaining said dangerous condition, nuisance or hazard, if such person be known, or to the owner, tenant or person in possession or control of the premises upon which the dangerous condition, nuisance or hazard exists, or on the premises abutting the public place upon which the nuisance or other hazard exists.

(Prior code § 10.05.030).

#### **15.04.050 Notice to abate or correct—Posting and service—Content.**

- A. The notice provided for in Section 15.04.040 shall be given in either of the following ways:
1. By posting the notice in a conspicuous place upon the premises, or upon a public sidewalk, street or other thoroughfare on the same side and in front of the premises, upon which or abutting the public place upon which the nuisance exists;
  2. By personally serving such person responsible for the nuisance or such owner, tenant, or person in possession or control in the manner required for service of summons.
- B. The notice shall be headed, "NOTICE TO ABATE OR CORRECT DANGEROUS NUISANCE" or "NOTICE TO ABATE OR CORRECT EITHER FIRE OR HEALTH HAZARD" in letters not less than one inch in height. The notice, in legible wording, shall further direct the abatement, correction, demolition or removal of the dangerous condition, nuisance or hazard.
- C. The notice shall also specify a date at least thirty days from date of the notice at which public hearing will be had before the city council, sitting as a board of adjustment, on the question of abatement, condemnation, altering, repairing, demolition, or removal of the dangerous condition, nuisance or hazard. A copy of the city manager's findings shall accompany the notice of the hearing where the notice can be served personally as provided in subdivision (A)(2) of this section.

(Prior code § 10.05.040 (a),(b),(c),(d)).

#### **15.04.060 Objections to findings.**

Any person having an interest in the property, subject to proceedings before the board of adjustment, may submit his written objections to the findings of the city manager by filing such objections with the city manager at any time prior to the public hearing.

(Prior code § 10.05.040(e)).

#### **15.04.070 Public hearing.**

After notice is given in the manner specified by Section 15.04.050, a public hearing shall be had regardless of whether or not objections to the findings of the city manager are submitted. At the hearing, any person having an interest in the property may appear in person or by agent or attorney. The chairman or acting chairman of the board of adjustment may administer oaths and compel the attendance of witnesses. Record shall be kept of the proceedings by a competent stenographer or by a mechanical or electrical recording device.

(Prior code § 10.05.050(part)).

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#### **15.04.080 Board of adjustment findings—Removal or demolition.**

After the hearing is concluded, the board of adjustment shall enter its findings in the matter and may provide by ordinance for the condemnation of any building which has been found to be a fire or health hazard or public nuisance and to order or cause the removal or demolition of such building; provided, however, that the owner shall be given at least thirty days after the hearing within which to remove the objectionable building or buildings before the city may proceed to do so.

The cost incurred by the city in demolishing or removing the objectionable building or buildings, or condition, shall be chargeable to the property first against the salvageable material, which may be sold at public auction, and the balance of cost, if any, against the land, the same as taxes.

(Prior code § 10.05.050 (part)).

#### **15.04.090 Board of adjustment findings—Correction.**

In the event that the board determines that a dangerous condition, public nuisance, fire or health hazard exists which may be corrected or made safe without the necessity of demolition or removal of the building, the board shall allow alteration, repair or reconstruction of the building under such terms and conditions as the board may find proper.

(Prior code § 10.05.050 (part)).

#### **15.04.100 Board of adjustment findings—Ordinance—Compliance.**

The board, after the public hearing, shall adopt an ordinance containing its findings. If removal or demolition of the structure is provided for and ordered, the owner, tenant or person in possession or control of the property shall have at least thirty days from the date of such public hearing so to do; if repairs, alterations or reconstruction is permitted by the board, the work may be done within such time and under such terms and conditions as the board may specify.

(Prior code § 10.05.060).

#### **15.04.110 Failure to comply—City enforcement.**

If the owner, tenant or person in possession or control of the property fails to comply with the ordinance or any provisions contained therein for removal or demolition, repair or alteration within the prescribed time, or fails to appeal from the board's order, the city manager shall enforce all provisions of the ordinance with city employees. The cost of such abatement shall be chargeable against the property, first against the salvaged material which may be sold at public auction, and the balance of cost, if any, to be filed as a lien upon the real property and enforced as such.

(Prior code § 10.05.070).

#### **15.04.120 Appeals to court.**

Appeals may be taken by person aggrieved, or any officer or department head or by any administrative official of the city. Such appeal shall be taken within twenty days from the adoption of the ordinance containing the findings and order of the board. Such appeal may be taken by filing with the city clerk, a notice of appeal, which notice shall specify the ground of such appeal. Upon filing of the notice of appeal, as herein provided, the

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clerk shall forthwith transmit to the Superior Court Clerk of the judicial district in which the controversy arises, the original or certified copies of all papers constituting the record in the case, together with the ordinance containing the order, decision or ruling of the board of adjustment.

(Prior code § 10.05.080).

#### **15.04.130 Violation—Penalty.**

Any person who is the owner of, or is in possession of, or in responsible charge of any building or structure which is a fire hazard, a health hazard or a public nuisance within the city, and who knowingly suffers or permits any such building or structure to be or remain a fire hazard, a health hazard or a public nuisance shall, upon conviction thereof, be fined not to exceed one hundred dollars or imprisoned not to exceed ten days, or both fined and imprisoned, in the judgment of the court. Each day on which any violation is allowed to continue shall be considered a separate offense and is punishable as such.

(Prior code § 10.05.090).

City of Kotzebue  
Public Works Department

Streets  
Work Order

CY-23

Loc/Veh# 671

Requested by: Russ Ferguson

Order No: ST23-0744

Radio/Phone ext: ext. 201

Date/Time: 10/12/23

Problem/Complaint Description:

Need to clear a path to the back of house #671, so we can clean up all the trash and honey bucket stuff. Keep track of all hours.

Enter materials and/or special equipment used  
action taken, recommendations, etc.

Completion Date/Time: 10-13-23

10 loads gravel, x 600 = 3,000.00  
225' Excavator  
2 hrs \$225.00 x 2 = 450.00  
Operator \$125.00 x 2 = \$250.00

Name of Workers	Hours Worked						
	Mon	Tue	Wed	Thur	Fri	Sat	Sun
Terry McCall					2		
John Garoutte							
David McConnell							

Material Cost Total \$4,300.00 + tax

2 hrs Dump-Truck @ \$150/hr = \$300.00

Total \$4600.00

City of Kotzebue

# Refuse Department Work Order

CY23

Public Works Department

Loc/Veh # 671

Requested by: Russ Ferguson

Order No. R23-16

Radio/Phone ext: ext. 201

Date/Time 10/12/23

**Problem/Complaint Description:**

Need to pick up all the trash around house #671 and keep track of all the hours.

Enter materials and/or special equipment used  
action taken, recommendations, etc.

Completion Date/Time 10-13

Removed 12 yds of Refuse.  
Nic, Gus, Tyler, David  
1 hour

Material Cost Rear Load truck, 110 Loader

	Name of Workers	Hours Worked				
1	Ernie Hyatt MC	1				
2	Gus Nelson	1				
3	Jim Beasley					
4	Ham Millburn DAVID	1				
5	Tyler Barr	1				

12 x 16 = 192.00 VARIOUS REFUSE

4 x 125 = 500.00 LABOR

1 x 175 = 175.00 LOADIN FEE

Total \$867.00









CITY OF KOTZEBUE  
P. O. Box 46  
Kotzebue AK 99752  
Phone: (907) 442-3401  
Fax: (907) 442-3742

# INVOICE

Date	Number	Page
05/03/2024	11687	1

**Bill To:** Curtis, Dick  
PO Box 386  
Kotzebue AK 99752

**Customer No.** 103293

**Contact:**

**Terms:** Net 30 Days

Quantity	Description	Unit Price	Net Amount
1	Human Waste removal from property	300.00	300.00
<b>Amount</b>			300.00
<b>Frelght</b>			
<b>Balance Due</b>			<u>300.00</u>