

## Vang, Mai (CI-StPaul)

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**From:** Moermond, Marcia (CI-StPaul)  
**Sent:** Tuesday, June 16, 2015 6:26 PM  
**To:** Lansing, Carol  
**Cc:** paige.hampson@metropsychsupport.com; matthew.olson@metropsychsupport.com; Carolyn Brown (carolynbrown284@rocketmail.com); Barnett, Andy (CI-StPaul); Magner, Steve (CI-StPaul); Dornfeld, Matt (CI-StPaul); Vang, Mai (CI-StPaul); Yannarely, Joe (CI-StPaul)  
**Subject:** RE: 605 Dale - request for extension of deadline for summary abatement of vehicle and items in yard and garage

Carol,

Yes, Andy Barnett contacted me about getting access into the front of the building, as well. As I remember, the front of the building was to be a staging area for the items which couldn't be removed on the day they vacated the building. I thought I communicated that space would be accessible on the following day, as not all items would be removable that afternoon. I recall that the space in the front did not end up being used to store items, because there was assistance Habitat for Humanity Vista workers to remove items from the building. I do remember being there were the sound board, guitars, amps and tv's.

In the time since all of this transpired, there has been heavy rainfall . The blue tarps on the roof have not kept the water out of the building. From what I observed, the water from the entire roof area pooled deeply in the center of the back of the house. That water then fell through some weeks ago and there have been inches of rain water since then. All this water is going through the same area because of the slope of the roof and the large hole. I can only assume the entire back of the house has gone from having very "soft" floors to having failed floors and ceilings. This damage is over the upstairs kitchen area and also includes the rear stairway, which is the only access point to the upper floor. There can be no access to the upper level. Also, I think it's likely there would have been damage to the appliances in this whole process.

Several days after the Department of Safety and Inspections condemned the building and ordered it vacated, they declared it to be a dangerous structure. This would have allowed very limited access to the front area with vacant building staff – although I did not anticipate it would be needed. A few days later, the Fire Department also declared this to be a dangerous structure, indicating, among other things, that they would not do rescue in the building. I know the Fire Dept. will not allow access to the building (or other dangerous buildings) to either fire fighters or others. I have put in a call to the Fire Marshal this afternoon to see if some sort of limited access with fire fighter present would be possible for the main floor in the front of the building . I don't have confidence he would allow access to the basement, if he entertains the idea of going in at all. However, I will put the question to him and let you know what I learn.

In the process of writing this, I have wondered about whether some of the items would be retrievable in the demolition process. I don't really know if the demolition contractor would be able to take some things out, but I imagine it will be dependent on how the building falls and what is covered by debris. It may be possible to rescue the tote (in particular), but this is purely speculative.

I'm sorry, this is not what folks wanted to hear, but safety has to be our overarching concern. I will contact you if I get more information.

Marcia

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**From:** Lansing, Carol [mailto:Carol.Lansing@FaegreBD.com]

**Sent:** Tuesday, June 16, 2015 2:52 PM

**To:** Moermond, Marcia (CI-StPaul)

**Cc:** paige.hampson@metropsychsupport.com; matthew.olson@metropsychsupport.com; Carolyn Brown (carolynbrown284@rocketmail.com); Barnett, Andy (CI-StPaul); Magner, Steve (CI-StPaul); Dornfeld, Matt (CI-StPaul); Vang, Mai (CI-StPaul)

**Subject:** RE: 605 Dale - request for extension of deadline for summary abatement of vehicle and items in yard and garage

Marcia,

It is very important that Jacie be allowed to retrieve some items from the building and it was always our understanding that this was possible. On May 7<sup>th</sup>, the day after Jacie and Kris had to vacate the building, you sent me an email that stated the building could not be entered without the presence of Matt Dornfeld, or staff he assigns. That information, along with Jacie's and Andy's understanding of what they were told the day before, is why Jacie planned to contact Matt to make those arrangements. They also left some important items on the ground floor near the front (items they either didn't have time to remove or a place to store that day) because that was considered the safest area for them to be stored for subsequent retrieval. We didn't appear at the Council hearing on the order to vacate to seek this permission because we thought it was already possible.

I asked Paige and Jacie to make a list of the items he and Kris would like to retrieve:

List of Items to Retrieve

- Sound board, guitars, and amps- main floor in the small room right inside the front door
- Toolbox- in the basement by the washer and dryer
- Welder- main floor in the small room right inside the front door
- Kris' mother's and father's ashes- in the basement in a tote at the bottom of the stairs
- Kris' walker- in the basement
- Jacie's mom's purse- main floor in the small room right inside the front door
- Stove- upstairs kitchen
- Refrigerator- inside kitchen
- Furnace- in the basement
- TVs- main floor in the small room right inside the front door

Most of these are on the ground floor in the front of the building. There are a few items that would be easy to retrieve from the basement – a tool box, Kris' parents ashes and her walker. We understand that removal of the appliances (stove, refrigerator and furnace) is more problematic but Jacie said they are fairly new and have resale value. Jacie and Kris are currently renting an apartment in Bloomington, but it costs more than they can sustain for long, so every penny they might be able to get through sale of some of these items is more dear now than ever.

We are very appreciative of the most recent extension you granted for removing items from the yard and garage and Jacie is working hard to make progress on that front. He has been able to remove the car and some other items.

Do you have any time today or tomorrow to discuss how we could accomplish retrieval of items from inside? I hope we can get permission to do this without a contested hearing tomorrow (and I'm not sure this issue is relevant to the hearing on the summary abatement orders?) I will make myself available for a call at your convenience.

Thank you,

Carol Lansing

**Counsel**

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**From:** Moermond, Marcia (CI-StPaul) [<mailto:marcia.moermond@ci.stpaul.mn.us>]

**Sent:** Tuesday, June 09, 2015 7:32 PM

**To:** Lansing, Carol

**Cc:** [paige.hampson@metropsychsupport.com](mailto:paige.hampson@metropsychsupport.com); [matthew.olson@metropsychsupport.com](mailto:matthew.olson@metropsychsupport.com); Carolyn Brown ([carolynbrown284@rocketmail.com](mailto:carolynbrown284@rocketmail.com)); Barnett, Andy (CI-StPaul); Magner, Steve (CI-StPaul); Dornfeld, Matt (CI-StPaul); Vang, Mai (CI-StPaul)

**Subject:** RE: 605 Dale - request for extension of deadline for summary abatement of vehicle and items in yard and garage

Hello Carol,

I've considered your request for an extension. I am willing to recommend one last extension, to July 6. This would be the 3<sup>rd</sup> one and it's fully 2 months from when the orders were issued. . If the items are not removed and the property is not in compliance with the order, the Department of Safety and Inspections should go forward with the clean-up. I will not recommend any further delay, as the Legislative Hearing on the proposed order to remove/repair the building is on June 23 and the Council Public Hearing on it is for July 17.

As to access to the interior of the building, it will not be allowed. This is a dangerous structure and *no one* is to enter. I'm sorry, but that's the way it must be.

This item is on for public hearing Wednesday June 17, 2015, should you wish to contest further.

Marcia Moermond

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**From:** Lansing, Carol [<mailto:Carol.Lansing@FaegreBD.com>]

**Sent:** Tuesday, June 09, 2015 10:39 AM

**To:** Moermond, Marcia (CI-StPaul)

**Cc:** [paige.hampson@metropsychsupport.com](mailto:paige.hampson@metropsychsupport.com); [matthew.olson@metropsychsupport.com](mailto:matthew.olson@metropsychsupport.com); Carolyn Brown ([carolynbrown284@rocketmail.com](mailto:carolynbrown284@rocketmail.com)); Barnett, Andy (CI-StPaul)

**Subject:** 605 Dale - request for extension of deadline for summary abatement of vehicle and items in yard and garage

Hello Marcia.

We are requesting as much additional time as possible for Jacie to remove the vehicle and other items from 605 Dale. Last week, he and Kris moved into an apartment in Bloomington. Until last week, finding places to stay each day, looking for permanent housing, medical appointments, financial planning, and then getting settled into the new apartment have totally preoccupied them. They have been able to shift some focus now to getting things out of the yard and garage but they both have physical health concerns and are really panicking as they need more time. Jacie already rents part of a garage for storage and is making arrangements to rent the entire two-car garage, at which time he can have the vehicle at 605 Dale towed there. There are other large items on the property that they also plan to store there, such as a snow plow and air compressor. Once the car and other large items are out of the garage and yard, Jacie will be calling to have the dumpster brought in so that other items can be cleared out.

I'm hoping that you will approve an extension to July 6<sup>th</sup>. My thinking is that, other than just needing as much time as possible, the long holiday weekend may be a time when friends and family will be available to help with the final push to clean up as much as they can. Jacie knows he shouldn't wait until the last minute though.

They also will be talking to Matt Dornfeld about going inside the building to remove the stove (which Jacie recently bought for \$600 ) and refrigerator, along with important personal items.

Although Andy and others are making inquiries about whether there are any ways for Jacie to get some value from the property, it is unlikely. They know that they will be leaving a lot behind, but many of the possessions in the yard and building are the only things of value Jacie and Kris have left.

Thank you for your consideration of this request.

Carol Lansing

*Counsel*

[carol.lansing@FaegreBD.com](mailto:carol.lansing@FaegreBD.com) [Download vCard](#)

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