

CITY OF WINDOM

444 9th Street
Windom, MN 56101
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Emergency – Special City Council Meeting
Monday, September 21, 2026
City Council Chambers
4:30 p.m.

AGENDA

Call to Order

Pledge of Allegiance

1. Consider an Emergency Ordinance regarding the Immediate Securing of 1048 Drake Avenue
2. Adjourn

* Note: City Attorney – Pam Whitmore, Kennedy & Graven, will participate via Zoom.

EMERGENCY ORDINANCE NO. _____
CITY OF WINDOM, MINNESOTA

**AN EMERGENCY ORDINANCE RATIFYING THE EMERGENCY DEMOLITION OF
THE UNSAFE STRUCTURE AND AUTHORIZING THE IMMEDIATE SECURING OF
THE PROPERTY AT 1048 DRAKE AVENUE**

BE IT ORDAINED BY THE CITY OF WINDOM, MINNESOTA, AS FOLLOWS:

SECTION 1. PURPOSE AND AUTHORITY.

This emergency ordinance is adopted pursuant to Section 3.05 of the Windom City Charter and Section 90.07(E) of the Windom City Code to ratify the emergency demolition of the unsafe single-level principal structure formerly located at 1048 Drake Avenue, Windom, Minnesota (the "Property"), and to authorize the immediate securing and abatement of remaining emergency conditions on the Property. Section 90.07(E) provides that "nothing in this section shall prevent the City, without notice or other process, from immediately abating any condition that poses an imminent and serious hazard to human life or safety." This emergency ordinance is necessary for the immediate preservation of the public peace, health, morals, safety and welfare of the City and its residents.

SECTION 2. FINDINGS.

The City Council finds as follows:

1. On September 19, 2026, at approximately 3:50 a.m., the Windom Fire Department responded to assist with an active-shooter incident and remained on standby until approximately 1:30 p.m., when the incident concluded. At the request of the Windom Police Department, Fire Chief Ben Derickson and First Assistant Chief Jordan Bussa thereafter inspected the residence to assist in securing it and identified substantial damage and concerns that the structure was unsafe. Building Official Matthew Fast was called to the Property.
2. At approximately 2:00 p.m. on September 19, 2026, the City's Fire Chief contacted Building Official Matthew Fast concerning the principal structure at the Property following a public-safety incident and requested an assessment of the stability of the remaining structure and the risk to the public.
3. Building Official Fast inspected the Property, photographed the conditions, and documented the findings summarized in his September 20, 2026 Report of Condition of Structure, attached as Exhibit A. Fire officials participated in the inspection. Both fire officials and Building Official Fast determined that the structure, as it then stood, presented an immediate danger to public safety, health, and welfare.
4. The front of the structure was heavily damaged. The north half of the front wall assembly was missing, and the remainder of the front wall assembly had shifted off the foundation and was resting on the natural-gas service line to the structure.
5. Approximately one-third of the rear wall assembly was torn from the structure. The supporting foundation was also missing in that area.

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6. The ceiling was damaged and exposed in the north portion of the structure. The roof assembly and roof trusses sustained substantial damage, including broken or damaged bottom chords and truss bracing.
7. The roof assembly depended on structural support from the front and rear walls. Because those walls were missing, displaced, or otherwise compromised, the damaged rafter and truss assemblies could not reliably support the required dead loads.
8. The loss and displacement of wall assemblies and the compromise of shear-wall support rendered the structure unstable and unsafe for occupancy or entry.
9. A collapse could damage the natural-gas service line, cause a natural-gas leak, and damage or compromise the neighboring residence to the north, thereby endangering occupants, emergency responders, adjoining property, and members of the public.
10. Delay of the removal of this unsafe and dangerous structure would have unreasonably endangered persons or property and would have increased the risk of injury, death, fire, collapse, vandalism, trespass or other harm to the public.
11. The person occupying the Property at the time of the incident was not the record fee owner. The property tax record identifies Joyce Carey as the listed owner, and the obituary attached as Exhibit E establishes that Joyce Carey is deceased. The property records reviewed by the City disclose no recorded mortgagees or lienholders affecting the Property. The property tax record is attached as Exhibit D.

SECTION 3. DECLARATION OF EMERGENCY.

Based on the foregoing findings, the City Council affirms the determination of the City Building Official and City Administrator that the condition of the structure constituted a public emergency and an imminent and serious hazard to human life and safety within the meaning of Section 3.05 of the Windom City Charter and Section 90.07(E) of the Windom City Code. Immediate action was necessary to prevent unauthorized entry, collapse, fire, explosion, utility damage, injury, death, and damage to adjoining property. Because delay would have materially increased those risks, demolition of the structure as an emergency abatement measure appropriately proceeded without prior notice or other process as permitted by Section 90.07(E), and the City Council ratifies that emergency demolition. The City Council further declares that the conditions remaining on the Property following demolition, including unsecured access, debris, possible exposed or damaged utilities, and other hazards resulting from the incident and demolition, constitute a continuing public emergency and an imminent and serious hazard to human life and safety under the same authorities. Immediate securing of the Property is therefore necessary to prevent unauthorized entry, injury, utility damage, and damage to adjoining property, and the City Council authorizes the securing measures set forth in this ordinance.

SECTION 4. ORDER AND AUTHORIZATION TO FURTHER SECURE.

The City Council orders and authorizes the City Administrator, Building Official, Fire Chief, City Attorney, and their respective designees to enter the Property and take the following actions, using reasonable means and limiting the work to measures reasonably necessary to eliminate or control the remaining emergency conditions:

1. Establish and maintain a safe exclusion zone around the property by fencing, barricades, warning signs, or other access-control measures.

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2. Remove persons from the unsafe area except by authorized emergency personnel, inspectors, utility personnel, contractors, or other persons authorized by the City.
3. Coordinate the shutoff, disconnection, protection, or relocation of natural gas, electric, water, sewer, and other utility services as necessary to eliminate immediate hazards.
4. Remove or control loose debris or building components that present an immediate risk of falling, displacement, ignition, or interference with emergency operations.
5. Take any other temporary and proportionate measure the Building Official determines is immediately necessary to protect human life or safety, adjoining property, or public infrastructure.
6. Pursue abatement of the remaining nuisance conditions under otherwise applicable law.

SECTION 5. IMPLEMENTATION, DOCUMENTATION, AND COSTS.

City personnel shall document the condition of the Property and the emergency work performed, including photographs, invoices, and staff or contractor time when practicable. The City may seek recovery of its costs from the responsible property owner or other responsible person, and may assess, certify, or otherwise collect those costs, only as authorized by applicable law.

SECTION 6. SEVERABILITY.

If any provision of this ordinance is held invalid, the invalidity does not affect any other provision that can be given effect without the invalid provision.

SECTION 7. EFFECTIVE DATE.

The City Council finds that this ordinance is immediately necessary for the preservation of public health and safety. This ordinance takes effect immediately upon adoption in the manner required by Section 3.05 of the Windom City Charter and shall be signed, recorded, and published as required by the Charter and applicable law. This ordinance shall automatically expire when the City Administrator or Building Official determines that the nuisance and hazardous conditions on the Property have been abated through City action or voluntary remediation by the property owner.

Adopted by the City Council of the City of Windom, Minnesota, this ____ day of September, 2026.

Vote: Ayes ____; Nays ____; Absent ____.

CITY OF WINDOM, MINNESOTA

By: _____

Mayor

Attest: _____

City Clerk

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EXHIBIT A

**BUILDING OFFICE REPORT OF CONDITION OF STRUCTURE
AT 1048 DRAKE AVENUE**

CITY OF WINDOM

UNSAFE BUILDING OR STRUCTURE

INVESTIGATION REPORT

Prepared by Matthew Fast, Building Official

Report Date	9/21/2026
Property Address	1048 Drake Avenue, Windom, MN 56101
Property Identification No.	25-352-0870
Record Owner(s)	Joyce Carey
Occupant(s), if any	Unknown
Structure/Area Investigated	Primary Structure
Inspection Date(s) and Time(s)	9/19/2026 @ 4:00PM
Persons Present	Matt Fast, Building Official; Ben Derrickson, Fire Chief; Jordan Bussa, Assistant Fire Chief; Windom PD
Weather/Site Conditions	Light Mist

1. Authority and Purpose

I, Matthew Fast, Building Official for the City of Windom, prepared this report to document the conditions observed at the above property and to determine whether the building, structure, portion thereof, building service equipment, use, appendage, or structural member meets one or more unsafe-condition categories identified in Minnesota Rule 1300.0180. This report records factual observations and the basis for any recommended action. Under the rule, unsafe buildings, structures, and appendages are public nuisances subject to abatement by repair, rehabilitation, demolition, or removal in accordance with Minnesota Statutes, sections 463.15 to 463.26.

2. Investigation History and Basis

Reason for Investigation	Assessment of Structure after Event where damage to structure occurred.
Initial Information Received	Ben Derrickson, Windom Fire Chief called me at 2:00 PM on 9/19/2026 regarding a structure that had been heavily damaged from an incident involving Windom Police Department.
Authority	Emergency Circumstances, Minn. R. 1300.0180 and City Code 90.07(E)
Areas Viewed	Exterior and interior rooms viewed from right of way and street as one level residential structure was compromised and entire walls missing so that could see both exterior and interior. Unsafe conditions made viewing basement impossible.
Records Reviewed	Photographs and onsite visual
Inspection Methods	Visual and photographs

3. Factual Observations

For each condition, identify the exact location; describe what was seen, measured, smelled, heard, or otherwise directly observed; state the apparent extent and severity; identify supporting photographs or exhibits; and distinguish direct observations from information supplied by others.

Rule-Based Category	Present?	Location and Objective Observations	Photo/Exhibit
Structurally unsafe	☒ Yes ☐ No ☐ Undetermined	Area of foundation missing that supports floor assembly. Exterior walls that support roof assembly removed. Remaining wall supporting roof assembly shifted off foundation. All shear values of walls that support lateral forces compromised. Roof Trussed damaged and missing members.	Photos Attached

Inadequate egress	X Yes No Undetermined	Foundation removed in locations, cannot access crawlspace.	Photos Attached
Fire hazard	X Yes No Undetermined	Natural Gas riser located under wall section that shifted off of foundation.	Photos Attached
Otherwise dangerous to human life	X Yes No Undetermined	Risk of collapse if entered. Collapse has potential to damage dwelling on adjacent property.	Photos Attached
Unsafe building service equipment	X Yes No N/A Undetermined	Gas meter removed, however riser remains under part of wall section. Collapse may cause damage to riser resulting in gas leak that cannot be shut off promptly.	Photos Attached
Unsafe use due to inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage, or abandonment	X Yes No Undetermined	Damage and condition of structure due to event.	Photos Attached
Unsafe appendage or structural member	X Yes No N/A Undetermined	Supporting walls for roof/ceiling assembly missing and/or destroyed, cannot sustain roof dead load. Rafter assemblies compromised and can no longer support roof. Shear walls compromised and can no longer support lateral/wind loading in its current condition.	Photos Attached

3.1 Detailed Narrative

I arrived at 1048 Drake Avenue at approximately 4:00 pm on 9/19/2026. I observed the damage done to the principal structure as a result of the incident. Collected photos of damaged sections of structure to determine which structural building elements were compromised.

Assessed remainder of structure and remaining building components to determine effect of missing components and structural stability of remaining structure.

4. Findings and Conclusions

Based on the conditions personally observed, the records identified above, and the limitations stated in this report, I make the following findings:

1. **Applicable regulated condition.** Single Family Dwelling located at 1048 Drake Avenue.
2. **Unsafe criterion.** Structural members that are supported by, attached to, or a part of a building. Wall Assemblies, Roof Assembly, Floor Assembly
3. **Supporting facts.** Sections of wall assemblies missing and or moved from original locations. Roof assembly missing structural support from wall assemblies. Roof assembly missing specific components required for structural integrity.
4. **Risk presented.** All missing or compromised components are part of the structural stability of this structure. Structure could at any time shift or collapse in its current condition. Remaining structure could collapse and cause harm to the neighboring single-family dwelling. Remaining structure could collapse or shift and cause damage to remaining natural gas service.
5. **Occupancy determination.** Continued use is: Dangerous to life, health, or safety of occupants.
6. **Ultimate conclusion.** The investigated condition: Constitutes an unsafe building, structure, appendage, equipment condition, or use under Minnesota Rule 1300.0180.

5. Immediate Safety Action

Vacation	Not ordered X Ordered because continued use is dangerous to life, health, or safety of occupants. Written order dated 9/19/2026; reasons stated: [SUMMARY]; attached as Exhibit [].
Utility Disconnection	Not ordered X Ordered in an emergency to eliminate a hazard to life or property. Service/system: Natural Gas, Electric, Water; reasons stated in written order: Electrical system compromised, Water service damaged by incident response team, Natural gas meter damaged as result of response team.; Minnesota Energy Resources, City of Windom Electric Department, City of Windom Water Department all notified on 9/19/2026.
Other Interim Safeguards	Area barricaded off, Windom Police Department on site.

7. Limitations

This report is limited to the areas and conditions accessible and observed on the dates stated. Concealed conditions may exist. Unless expressly stated, this report is not a substitute for analysis by a licensed engineer, architect, electrician, or other qualified professional. Any later change in conditions should be documented by supplemental report.

8. Certification

I certify that this report accurately states my observations, identifies the materials I relied upon, and expresses my conclusions to the best of my knowledge and professional judgment as of the report date.

 Matthew Fast, Building Official City of Windom Date: <u>9-21-26</u>

9. Exhibits

- Exhibit A — Inspection photographs with date, location, direction, and description
- Exhibit B — Written utility-disconnection posted on site
- Exhibit C — Fire Chief Report

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EXHIBIT B PHOTOGRAPHS











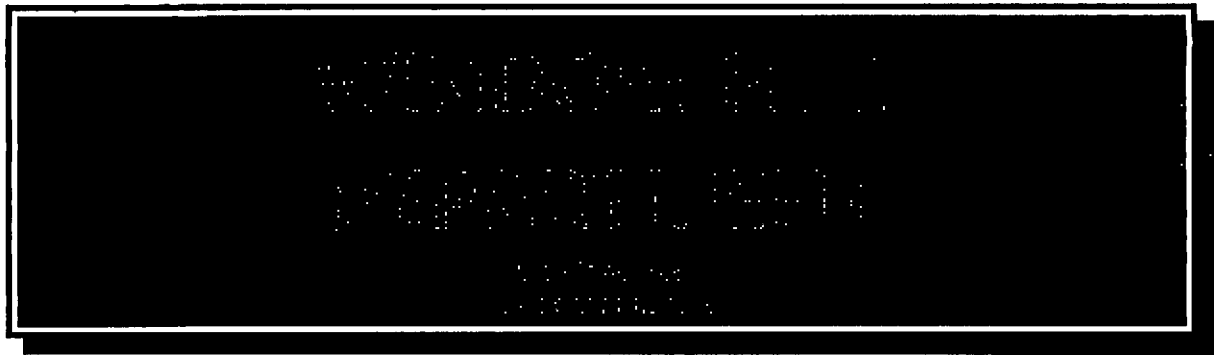




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EXHIBIT C: FIRE CHIEF REPORT



To Windom City Council,

On Saturday, 9/19/26 at approximately 3:50am, the Windom Fire Department was called to assist with an active shooter situation. The Windom Fire Department stood by until 1:30pm when the situation was over. Afterwards the Windom Police Department contacted Windom Fire and asked to assist with securing the house as it had sustained substantial damage during the event. Windom Fire Chief Ben Derickson and 1st Assistant Chief Jordan Bussa looked at the residence and had many concerns as to the condition of the property being structurally unsafe. Windom Building Official Matt Fast was called. After inspection of the property with the building official it was concluded that the home was an immediate danger to public safety as it stood. The decision was made to tear the house down with an excavator. The house was demolished into a pile and barricaded until the process to remove it can be done.

If you have any questions in regards to this feel free to contact me.

Ben Derickson
Windom Fire Chief
507-832-8688
507-920-9003
WFD55@windommn.com

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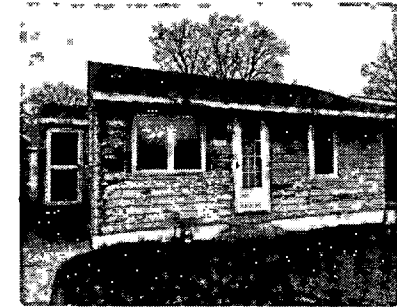
EXHIBIT D: PROPERTY TAX RECORD

Property tax record for 1048 Drake Avenue identifying Joyce Carey as the listed owner.

Cottonwood County, MN

Summary

Parcel ID 253520870
 Property Address 1048 DRAKE AVE
 56101
 Sec/Twp/Rng 0-0-0
 Lot/Block Lot 3/Block 8
 Plat HUTTON & COLLIN SUBD
 Brief Tax Description (Note: Not to be used on legal documents)
 Deeded Acres 0.00
 CER N/A
 Class 201 - RESIDENTIALS
 Homestead FULL HOMESTEAD
 Twp/City 25
 School District 177



Owner

Taxpayer
 Carey/Joyce B
 1048 Drake Ave
 Windom MN 56101

Land

Record #	Item	Description	Type	Units	Depth
1	LOT TYPE	LOT TYPE	FF RES 4	50.0	142.00

Sales

Buyer	Seller	Transaction	Sale Descr	Multi Parcel	Purchase Price	Adj Sale Price	Sale Date	Auditor Date
CAREY, JOYCE B	WALLERT, KARLA L	WARRANTY DEED	Good Sale	Single Parcel	\$9,500	\$0	4/2001	4/16/2001
WALLERT, KARLA L	WILKIN, LEE & JOYC	WARRANTY DEED	SALE UNDER MINIMUM DOLLAR AMOUNT	Single Parcel	\$3,500	\$0	8/1992	6/29/1992

2026 Values for Pay 2027 Taxes

	Market	Taxable
Land	\$6,600	\$6,600
Building	\$10,000	\$10,000
Machine	\$0	\$0
Exemptions		
Total Value	\$16,600	\$9,960

Valuation/Taxation

Year	Est Market Value	TC Value	TC Rate	Credits	Abatements	Special Asmts	Net Tax
2025 Payable 2026	\$17,100	103	120.87900	0.00	0.00	50.00	\$216
2024 Payable 2025	\$22,300	134	110.55200	0.00	0.00	50.00	\$256
2023 Payable 2024	\$21,400	128	97.41300	0.00	0.00	50.00	\$222
2022 Payable 2023	\$16,800	101	121.36200	0.00	0.00	50.00	\$214
2021 Payable 2022	\$12,500	75	138.34400	0.00	0.00	50.00	\$186

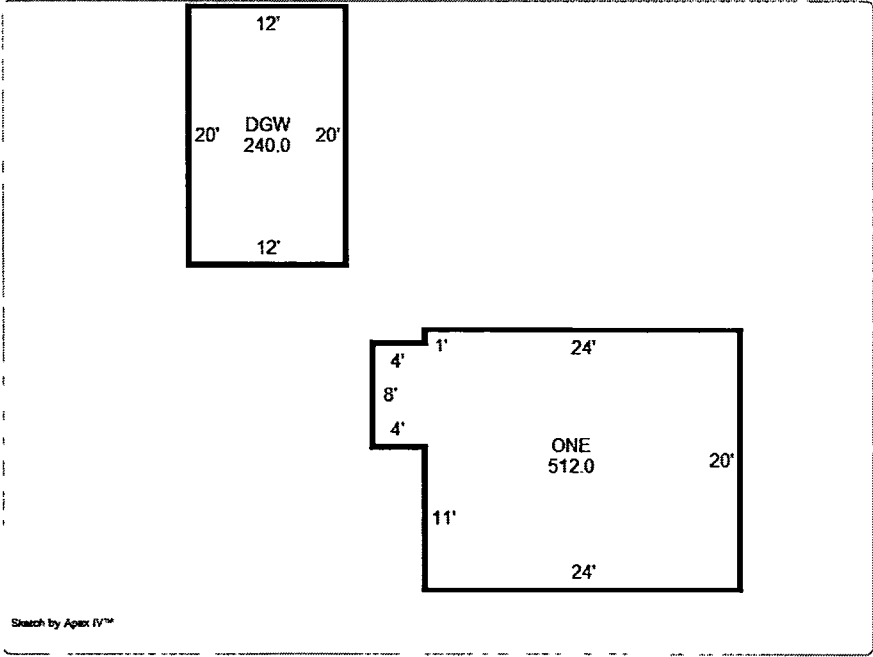
Current Taxes

Gross Tax	\$166.00
Total Credit	\$0.00
Spec Asmt	\$50.00
Net Tax Due	\$216.00
Adjusted Tax	\$0.00
Adjusted S.A.	\$0.00
Adjusted Net Due	\$216.00
Total Receipts	\$108.00
Remain Due	\$108.00

Taxes Paid

Batch Date	Paid By	Validation #	Total Amount
5/08/2026	CAREY/JOYCE B	131	\$83.00

Sketches



No data available for the following modules: Extra Features, Taxes Paid 2.

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Contact Us

Developed by
SCHNEIDER
CORPORATION

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EXHIBIT E: OBITUARY OF JOYCE CAREY

Washburn-McReavy obituary record for Joyce Carey



Joyce Barbara Carey

September 5, 1953 - April 9, 2019

Carey, Joyce Barbara

Our beloved Joyce Barbara Carey, age 65, passed away April 9, 2019 from a rare form of liver cancer. Born and raised in Windom, MN, Joyce graduated from Windom High School, received her B.A. at Southwest State University and her M.A. at Southern Illinois University.

Her teaching career included several positions prior to finding her dream job at Normandale Community College where she taught for 27 years. Joyce taught a variety of communication classes and was the Coordinator of International Education. Her love of travel allowed her to experience many countries and cultures around the world with her students, friends and family.

Joyce is preceded in death by her parents Katherina and Avon. She is survived by her soul mate, Richard Sheldon, two brothers, Merle (Diane) of Peoria, Illinois and James (Tammy Glidden) of Windom and her "second mom" Frances Lange of Minneapolis.

A Celebration of Life will be on April 19th with visitation at Noon, service at 1:00 PM held at Washburn- McReavy, 2300 W. Old Shakopee Road, Bloomington, MN 55431.

In Joyce's memory, donations can be made to the CareyOn Study Abroad Scholarship. Checks to: Normandale Foundation, 9700 France Ave S
Bloomington MN 55431 [normandale.edu/...](http://normandale.edu/)