

Ms. Moermond –

Attached please find background information relating to the appeal on 676 Wells (Property) that is scheduled to be heard on November 13, 2014.

On October 1, 2014, the Department of Safety and Inspections (DSI) was informed by officers at the Eastern District that a search warrant had been conducted at a property in our vacant building program. This property was identified as 676 Wells. Officers forwarded a copy of the public narrative from the report (CN 14213547) to the City Attorney's Office (Attachment A).

The City Attorney's Office reviewed the public narrative and sent out a letter regarding the nuisance activity under Minnesota Statute 617.80 to both listed owners, Beth Woolsey and Ronald Adams, appellants herein (Attachment B)

DSI reviewed the status of the property and learned that the property had open building and trade permits and that a final code compliance certificate had not been issued. The file review also highlighted that there were ongoing issues with occupancy in violation of our Vacant Building Ordinance and that Ronald Adams was possibly renting space in his vacant building.

DSI also reviewed council's order and more than 180 days had passed since council ordered the repair or removal of the building. While there was documentation of a request for a continuance based on a rehab advisors advice, our inspection on October 10th did not support that assertion and an extension wasn't granted. (Attachment C).

On October 10, 2014, the Building Official went to the property and performed an inspection. He documented the results of this inspection on the original October 29th, 2012 Code Compliance Report. After the inspection he reported his determination that the project was not more than 50% complete, and that any requests for an extension of the 180 day period should not be considered in accordance with Legislative Code Section §33.03. A letter was sent to James Seeger, Code Compliance, Department of Safety and Inspections on October 21, 2014 in an attempt to appeal this code compliance report (Attachment D).

The lack of progress documented in the file, the determination that less than 50% of the repairs had been completed, the ongoing issues regarding occupancy, the concerns for the safety of Mr. Adams and those he may or may not be renting to and public details in the police report regarding the recovery of a large amount of methamphetamine, prescription medications, suspected marijuana, money, vehicles and a stun gun resulted in the decision being made to enforce the council's order and remove the property under Resolution RR 13-40.

On October 13, 2014, DSI sent a notice of Forfeiture of the bond to appellants and Pathfinder Insurance Brokers (Attachment E). On October 17th, I learned that on DSI had received a letter from the insurance company canceling the bond posted in accordance with Resolution (Attachment F). Appellants have not provided the City with any explanation for the cancelation or payment for the forfeited bond nor have they provided the City with the \$5,000 payment for the forfeited bond.

On October 24, 2014, the correction notice attached to the notice of appeal was sent to appellants. It stated that they needed to "Remove all items from dwelling that you want to save as the City of Saint Paul intends to enforce resolution to remove dwelling located at 676 Wells Street (Ordering the rehabilitation or razing and removal of the structures at 676 WELLS STREET within one hundred eighty (180) days after the March 5, 2014 City Council Meeting.)" and that "The structure is a registered vacant building. Immediately vacate the structure." This correction notice has been appealed to the Legislative Hearing Officer. The application for appeal also states that the code enforcement correction notice is being appealed.

Saint Paul Police Department
PUBLIC

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference C.N.

14213547

Date and Time of Report

10/01/2014 19:02:00

Primary offense

SEARCH WARRANT-EXECUTION OF SEARCH WARRANT

Primary Reporting Officer: Dunaski, Michael F

Name of location/business:

Primary squad: 437

Location of incident: 676 WELLS ST
ST PAUL, MN 55106

Secondary reporting officer: Reginek, Joseph D

District: Eastern

Date & time of occurrence: 10/01/2014 10:00:00 to 10/01/2014 19:03:00

Site:

Secondary offense: WEAPONS-POSS OF AN ASSAULT
WEAPON
SEX OFFENSE-SEX OFFENDER
REGISTRATION VIOLATION
DRUGS-POSS OF
METHAMPHETAMINE

Arrest made? Yes

Pursuit engaged

Resistance encountered

Weapons Used by Police

Weapons Used by Suspect at Time of Arrest

Firearm

ARRESTS

Name Rustad, Rodney Ryan

Date & time of arrest: 10/01/2014 11:51

Booking date 10/01/2014

Arrest Status Booked

Booking time 16:00

Arrest made on view: Yes

Booking #

Arrest made on warrant or previous CN:

Warrant number

Originating agency St Paul

Name Adams, Ronald Joseph

Date & time of arrest: 10/01/2014 12:15

Booking date 10/01/2014

Arrest Status Booked

Booking time 14:00

Arrest made on view: Yes

Booking #

Arrest made on warrant or previous CN:

Warrant number

Originating agency St. Paul

Name Weinhagen, Mark Anthony

Date & time of arrest: 10/01/2014 13:30

Booking date 10/01/2014

Arrest Status Booked

Booking time 16:00

Arrest made on view: Yes

Booking #

Arrest made on warrant or previous CN:

Warrant number

Originating agency St. Paul

Attachment A

Saint Paul Police Department
PUBLIC

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference C.N.

14213547

Date and Time of Report

10/01/2014 19:02:00

Primary offense

SEARCH WARRANT-EXECUTION OF SEARCH WARRANT

Name	Thompson, Daniel Allen	Date & time of arrest:	10/01/2014 13:30
Booking date	10/01/2014	Arrest Status	Booked
Booking time	16:00	Arrest made on view:	Yes
Booking #		Arrest made on warrant or previous CN:	
Warrant number		Originating agency	St. Paul
Name	Bigbear, Maria Michelle	Date & time of arrest:	10/01/2014 11:51
Booking date	10/01/2014	Arrest Status	Booked
Booking time	16:00	Arrest made on view:	Yes
Booking #		Arrest made on warrant or previous CN:	
Warrant number		Originating agency	St. Paul

NAMES

Arrestee KNOWN	Adams, Ronald Joseph
	ST PAUL MN 55106
Arrestee KNOWN	Bigbear, Maria Michelle
	ST PAUL MN
Arrestee KNOWN	Rustad, Rodney Ryan
	ST PAUL MN 55106
Arrestee KNOWN	Thompson, Daniel Allen
	MINNEAPOLIS MN
Arrestee KNOWN	Weinhagen, Mark Anthony
	ST PAUL MN 55106

Victim

PUBLIC NARRATIVE

Squad #437 (MDunaski/JReginek) along with the St Paul Police SWAT team, narcotics unit, East district force unit, and gang unit executed a search warrant at 676 Wells Street. A large amount of suspected methamphetamine was recovered, along with prescription medication, and suspected marijuana. RODNEY RYAN RUSTAD, 34 YR OLD MALE was arrested for poss of c/s with intent. RONALD JOSEPH ADAMS, 61 YR OLD MALE was arrested for poss of c/s with intent. MARK ANTHONY WEINHAGEN, 54 YR OLD MALE was arrested for poss of c/s with intent. MARIA MICHELLE BIGBEAR, 27 YR OLD FEMALE was arrested for poss of c/s with intent. DANIEL ALLEN THOMPSON, 38 YR OLD MALE was arrested for poss of a stun gun by an ineligibile and sex offender violation. US currency and vehicles were seized. Arrests made without incident. Search warrant executed at 1326 hours on 10-01-2014.

Saint Paul Police Department
PUBLIC

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference C.N.

14213547

Date and Time of Report

10/01/2014 19:02:00

Primary offense

SEARCH WARRANT-EXECUTION OF SEARCH WARRANT

Warrant type (none)	Charge/Citation/Bail Amount	Poss of c/s with intent
Warrant type (none)	Charge/Citation/Bail Amount	Poss of c/s with intent
Warrant type (none)	Charge/Citation/Bail Amount	Poss of c/s intent
Warrant type (none)	Charge/Citation/Bail Amount	Poss of stun gun by an ineligible Sex offender Viol
Warrant type (none)	Charge/Citation/Bail Amount	Poss of c/s with intent



CITY OF SAINT PAUL
Mayor Christopher B. Coleman

Civil Division
400 City Hall
15 West Kellogg Blvd
Saint Paul, Minnesota 55102

Telephone: 651 266-8710
Facsimile: 651 298-5619

October 7, 2014

NOTICE OF NUISANCE ACTIVITY

Ronald J. Adams
676 Wells Street
Saint Paul, MN 55106-3720

Beth A. Woolsey
6008 West 89th Terrace
Overland Park, KS 66207-2012

Dear Mr. Adams & Ms. Woolsey:

You are the owner or interested party of a building located at: 676 Wells Street.

This Notice is to inform you that a public nuisance as defined in Minn. Stat. §617.81, subdivision 2 is maintained or permitted in the building listed above. The prosecuting attorney has reason to believe that an act constituting a nuisance, pursuant to Minn. Stat. 617.81, subd. 2 (v) and (ix) occurred or is occurring based upon the following facts:

On October 1, 2014, officers from the Saint Paul Police Department arrived at the above-mentioned address to execute a search warrant. A large amount of suspected methamphetamine was recovered along with prescription medication and suspected marijuana. Several people inside the residence were arrested for Possession of a Controlled Substance with Intent to Distribute. In addition, officers arrested one person for Possession of an Assault Weapon by an Ineligible and a Sex Offender registration violation. Saint Paul Police Department complaint number (CN: 14-213-547).

As the owner or interested party it is your responsibility to abate the conduct constituting the nuisance. Failure to stop the conduct causing the nuisance or to otherwise resolve the matter within thirty (30) days of service of this notice may result in the filing of a complaint for relief in district court that could, among other remedies, result in enjoining the use of the building for any purpose for one (1) year or, in the case of a tenant, lessee, or occupant, could result in cancellation of the lease. This may result in complete loss of use of the property for one year, even if the building is your primary residence.

Attachment B

Ronald J. Adams
Beth A. Woolsey
October 7, 2014
Page 2

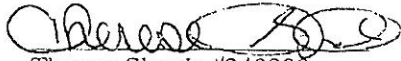
Under Minn. Stat. §617.85, if the current occupants are tenants, you have the option to file a motion in district court to cancel the lease or otherwise secure restitution of the premise from the tenant or lessee who has maintained or conducted the nuisance. In certain circumstances, you may assign to the prosecuting attorney the right to file this motion on your behalf.

Please contact me at your earliest convenience to discuss how you will abate this nuisance activity. I can be reached at 651-266-8710. The City of Saint Paul is willing to enter into an agreed abatement plan, but you must do so within the next thirty (30) days. If, within the next thirty (30) days you abate the conduct that constitutes the nuisance, or enter into an agreed Abatement Plan, I will not file a nuisance action on your property.

If you have any questions about this Notice or your legal rights and/or responsibilities, you should contact an attorney who is experienced in property and rental issues.

Sincerely,

Dated: 10/7/14



Therese Skarda #240989
Assistant City Attorney
400 City Hall
15 W. Kellogg Blvd.
St. Paul, MN 55102

cc: Councilmember Dan Bostrom

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

Julie Kraus, being first duly sworn, deposes and says that on the 17th day of October she served the attached **NOTICE OF NUISANCE ACTIVITY** and correct copy thereof in an envelope addressed as follows:

Ronald J. Adams
676 Wells Street
Saint Paul, MN 55106-3720

Beth A. Woolsey
6008 West 89th Terrace
Overland Park, KS 66207-2012

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.

Julie Kraus
Julie Kraus

Subscribed and sworn to before me
this 17th day of October 2014

Rita M. Bossard
Notary Public

~~~~~  
RITA M. BOSSARD  
NOTARY PUBLIC - MINNESOTA  
MY COMMISSION  
EXPIRES JAN. 31, 2015  
~~~~~

7007 3020 0000 0177 1395

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at www.usps.com .	
OFFICIAL USE	
Postage	\$.48
Certified Fee	\$ 3.30
Return Receipt Fee (Endorsement Required)	\$ 2.70
Restricted Delivery Fee (Endorsement Required)	—
Total Postage & Fees	\$ 6.48

Postmark Here

676 Wells

Sent To	Beth A. Woolsey
Street, Apt. No., or PO Box No.	6008 West 89th Terrace
City, State, ZIP+4	Overland Park, KS 66207-2012

PS Form 3800, August 2009 See back for instructions

Department of Safety and Inspections

July 21, 2014

ATTN:

James L. Seeger

Code Compliance Inspector

Fax: 651-266-9124

RE: 676 Wells St

St Paul, Mn

55106

Dear Code Compliance Inspector,

This is to inform you that your department made an inspection of the property on Friday July 18, 2014 and according to the report I have from my rehab advisor Bruce Noyes, the work is proceeding expeditiously and that more than 50% of the code of compliance work is expected to be completed by your deadline of August 11, 2014.

Upon the advice and estimate of Mr. Noyes, I do respectfully request an extension of time for completion of the work of 180 days.

Sincerely,

Beth A. Woolsey

6008 W 89th Ter

Overland Park, KS

66207

Call: 612-250-0208

Fax: 913-649-3646

Attachment C



October 21, 2014

James L. Seeger
Code Compliance Officer
Department of Safety and Inspections
City of Saint Paul
375 Jackson Street, Suite 220
St. Paul, MN 55101

RE: 676 Wells Street
File No.: 12 090819 VB2

Mr. Seeger:


On or about the date of October 10, 2014 Inspector Stephen Ubl completed a Code Compliance Report on the above mentioned property. This is a formal notice of Appeal regarding the issued relative to the property as indicated in the Code Compliance Report. I have obtained an independent inspection that was completed yesterday October 20, 2014 and am currently awaiting the results and will provide them as soon as possible. I have however attached a previous report dated September 5, 2013 resulting of an independent inspection done by Don Hedquist.

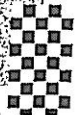
Yours truly,

/s/ Melvin Welch

Melvin Welch
Attorney

Attachment

Attachment 





CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

October 13, 2014

FORFEIT NOTICE

Ronald Joseph Adams
676 Wells St.
Saint Paul, MN 55106

Pathfinder Insurance Brokers
1789 Woodlane Drive, Suite 100
Woodbury, MN 55125

Beth Agnes Woolsey
6008 – 89th Terrace West
Overland Park, KS 66207

RE: 676 Wells Street

Dear Property Owner:

This is to advise you that you failed to complete the rehabilitation of the above-referenced property within 180 days of the March 10, 2014 City Council Resolution, based on my inspection of the property on Friday, October 10, 2014. The expiration date for your performance bond was September 30, 2014.

Your \$5,000.00 performance bond has been forfeited.

If you have any questions, please call me at 651-266-9021.

Sincerely,

Stephen Ubl
Building Official, City of Saint Paul

c: Councilmember Dan Bostrom – Ward 6
Marcia Moermond, Legislative Hearing Officer
Steve Magner, Code Enforcement Manager



RECEIVED IN D.S.I.

THE SILVER LINING®

OCT 07 2014

WB Index: NLN 2024281 1

Customer No.: 0113171625

D

REGISTERED MAIL

CANCELLATION NOTICE

CANCELLATION EFFECTIVE: 11/07/2014

City of St Paul
Department of Safety & Inspections
375 Jackson St Ste 220
Saint Paul, MN 55101-1806

BOND NUMBER: 2024281

PRINCIPAL:

Beth Woolsey
676 Wells St
Saint Paul, MN 55106-3720

BOND DESCRIPTION: Vacant Building Bond

BOND TERM: 09/30/2014 TO 09/30/2015

BOND PENALTY: \$ 5,000.00

YOU ARE HEREBY NOTIFIED BY WEST BEND MUTUAL INSURANCE COMPANY, AS SURETY, THAT THE ABOVE MENTIONED SURETY OR FIDELITY BOND WILL TERMINATE EFFECTIVE THE TIME AND DATE MENTIONED ABOVE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE BOND OR AS AMENDED BY ORDINANCE, STATUTE, REGULATION AND/OR RIDERS ATTACHED TO SAID BOND.

IF ADDITIONAL INFORMATION IS REQUIRED, PLEASE CONTACT THE AGENCY SHOWN BELOW.

OBLIGEE

City of St Paul
Department of Safety & Inspections
375 Jackson St Ste 220
Saint Paul, MN 55101-1806

AGENT **22717**

PATHFINDER INSURANCE BROKERS
1789 WOODLANE DR., STE 100
WOODBURY, MN 55125

***TELEPHONE (651) 731-5963

Dated this 1st day of October, 2014.

OBLIGEE COPY

MICHIGAN ONLY: This policy is exempt from filing requirements of Section 2236 of the Insurance Code of 1956, 1956 PA 218 and MCL 500.2236.

8401 Greenway Blvd. Suite 1100 | P.O. Box 620976 | Middleton, WI 53562 | ph (608) 410-3410 | thesilverlining.com

Attachment **F**