



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

Civil Division

400 City Hall

15 West Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: 651 266-8710

Facsimile: 651 298-5619

September 20, 2017

**NOTICE OF VIOLATION
NOTICE OF INTENT TO IMPOSE ADDITIONAL LICENSE CONDITIONS**

Robert Coolidge, President
Coolidge Rolloff Service, Inc.
c/o 829 Central Avenue West
St. Paul, MN 55104

RE: Solid Waste Hauler & Vehicle and Solid Waste Hauler (Each Additional Vehicle) licenses held by Coolidge Rolloff Service, Inc. d/b/a Coolidge Rolloff for the premises located at 560 Randolph Avenue in Saint Paul
License ID #: 20170001196

Dear Licensee:

The Department of Safety and Inspections (DSI) has recommended adverse action against the Solid Waste Hauler & Vehicle and Solid Waste Hauler (Each Additional Vehicle) licenses held by Coolidge Rolloff Service, Inc. d/b/a Coolidge Rolloff for the premises located at 560 Randolph Avenue in Saint Paul. The basis for the recommendation is as follows:

On May 11, 2016, you were sent a NOTICE OF VIOLATION recommending a \$500.00 matrix penalty for storing refuse and operating a waste transfer station in violation of a CEASE and DESIST ORDER from Ramsey County and Saint Paul Legislative Code § 357.04(b).

On July 27, 2016, you were sent a letter from Geoffrey Karls, Assistant City Attorney, with an affidavit for your signature admitting to the violation and waiving the \$500.00 penalty with the understanding that the penalty would be reinstated if there was a same or similar violation within one (1) year. You signed and returned the affidavit on August 4, 2016.

On August 4, 2017, an inspector from the Department of Safety and Inspections came to 560 Randolph and took numerous photographs showing assorted refuse being stored inside rolloffs and throughout the property. Storing refuse and operating a transfer station at this location is a direct violation of the CEASE and DESIST ORDER dated April 21, 2016 and Saint Paul Legislative Code § 357.04(b). It will also be considered a same or similar violation within one (1) year according to the Affidavit you signed on August 4, 2016.

Saint Paul Legislative Code Section 310 provides that adverse action may be taken against your licenses based on any one or more of the following grounds:

Section 310.06 (b) (6) (c): *“the licensee or applicant (or any person whose conduct may by law be imputed to the licensee or applicant) has engaged in or permitted a pattern or practice of conduct of failure to comply with laws reasonably related to the licensed activity or from which an inference of lack of fitness or good character may be drawn.”*

Section 310.06 (b) (8): *“the licensed business, or the way in which such business is operated, maintains or permits conditions that unreasonably annoy, injure or endanger the safety, health, morals, comfort or repose of any considerable number of members of the public.”*

Due to the fact that you continue operate a solid waste transfer station at 560 Randolph in direct violation of the CEASE and DESIST ORDER and without the appropriate city license, the licensing office will recommend reinstatement of the \$500.00 matrix penalty and add the following two (2) new conditions to your license:

2. *There will be no storage and/or transfer of waster at 560 Randolph Avenue. Only empty containers and vehicles shall be stored at this location. Any vehicle parked at 560 Randolph for any amount of time must be free of waste.*
3. *All vehicles and containers shall be parked in compliance with the site plain (13-138950) on file with the City of Saint Paul dated 1/22/13.*

At this time, you have four (4) options to proceed:

1. If you do not contest the imposition of the proposed adverse action, you may do nothing. If I have not heard from you by **Monday, October 2, 2017**, I will presume that you have chosen not to contest the proposed adverse, and the matter will be placed on the next available City Council Agenda for approval of the proposed remedy.
2. You can pay the recommended \$500.00 matrix penalty and sign, date and return the attached license condition affidavit. If this is your choice, you should send the payment and signed license condition affidavit directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, October 2, 2017**. A self-addressed envelope is enclosed for your convenience. Payment of the \$500.00 matrix penalty and returning a signed and dated license condition affidavit will be considered to be a waiver of the hearing to which you are entitled.

3. If you wish to admit the facts but you contest the penalty, you may have a public hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a public hearing. I will need to receive your letter by **Monday, October 2, 2017**. The matter will then be scheduled before the City Council to determine whether to impose the \$500.00 matrix penalty and recommended two (2) new license conditions. You will have an opportunity to appear before the Council and make a statement on your own behalf.
4. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (ALJ). You will need to send me a letter disputing the facts and requesting an administrative hearing no later than **Monday, October 2, 2017**. At that hearing both you and the City will appear and present witnesses, evidence and cross-examine each other's witnesses. After receipt of the ALJ's report (usually within 30 days), a public hearing will need to be scheduled. At that time, the City Council will decide whether to adopt, modify or reject the ALJ's report and recommendation.

Please note: If you choose an administrative hearing, the Department of Safety and Inspections reserves the right to request that City Council impose the costs of the administrative hearing per Saint Paul Legislative Code § 310.05 (k).

If you have not contacted me by Monday, October 2, 2017, I will assume that you do not contest the imposition of the \$500.00 matrix penalty and recommended two (2) new license conditions. In that case, the matter will be placed on the next available City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these options, please feel free to contact my Legal Assistant, Julie Kraus at (651) 266-8776.

Sincerely,



Therese Skarda
Assistant City Attorney

Cc: Robert Coolidge, Coolidge Rolloff, 560 Randolph Avenue, St. Paul, MN 55102-3614
Betty Moran, Community Organizer, West Seventh/Fort Road Federation, 974 West Seventh
St. Paul, MN 55102-3520

Attachment: New License Condition Affidavit
Ramsey County Cease and Desist Order dated April 21, 2016
Notice of Violation dated May 11, 2016
July 27, 2016 Letter with Signed Affidavit dated August 4, 2016
Approved Site Plan #13-138950 dated January 22, 2013



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

Department of Safety & Inspections
Ricardo X. Cervantes, Director
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
Web Site Address: www.stpaul.gov/dsi

Telephone: 651-266-8989
Facsimile: 651-266-9124

I agree to the following conditions being placed on the following license(s):

License #: 20170001196
Type of Business: Solid Waste Hauler & Vehicle
Solid Waste Hauler (Ea Add'l Veh)
Applied for by: COOLIDGE ROLLOFF SERVICE INC
Doing Business As: COOLIDGE ROLLOFF
at: 829 CENTRAL AVE W
ST PAUL MN 55104

Conditions are as follows:

1. Refuse vehicles, containers and equipment shall not be parked or stored at the licensed premises. Any use of these licensed premises shall be in accordance with St. Paul Legislative Code Home Occupation Regulations. Licensee states vehicle will be stored at 560 Randolph Ave only. Condition #2 added 9/17
2. There will be no storage and/or transfer of waste at 560 Randolph Avenue. Only empty containers and vehicles shall be stored at this location. Any vehicle parked at 560 Randolph Avenue for any amount of time must be free of waste.
3. All vehicles and containers shall be parked in compliance with the site plan (13-138950 on file with the City of Saint Paul dated 1/22/13

Licensee

Date

April 21, 2016

CERTIFIED MAIL 7015 1730 0001 9508 9004
RETURN RECEIPT REQUESTED

Robert D. Coolidge
Coolidge Trucking Systems, Inc.
829 Central Ave W
Saint Paul, Minnesota 55104

Dear Mr. Coolidge:

RE: Cease and Desist Orders

On April 13, 2016, Joe Wozniak of the Environmental Health Division conducted a site visit of the vehicle storage area for Coolidge Trucking Systems, Inc. (hereinafter "Coolidge Trucking" or the "company") located at 560 Randolph Ave., Saint Paul, Minnesota. During this visit, Mr. Wozniak observed a company employee performing solid waste transfer activities for which this site is not licensed. As a result, you and Coolidge Trucking are currently in violation of the following provision of the Ramsey County Solid Waste Ordinance:

SECTION 4.00 LICENSING OF SOLID WASTE FACILITIES AND SITES

4.01 License Required. No Person shall make nor allow any land or property under their control to be used for Solid Waste Management or Disposal purposes unless such land or property has been duly Licensed pursuant to the provisions of this Ordinance.

Section 3.00 DEFINITIONS

3.91 Transfer Station: means an intermediate Solid Waste Facility in which Solid Waste collected from any source is temporarily deposited to await transportation to another Solid Waste Facility.

Facts supporting the conclusion that a violation of the Ramsey County Solid Waste Ordinance has occurred are as follows:

- On April 13, 2016, Joe Wozniak conducted a site visit of the vehicle storage area for the mixed municipal solid waste (MSW) hauler licensed as Coolidge Trucking, whose vehicle storage area is located at 560 Randolph Ave., Saint Paul, MN. During this visit, Mr. Wozniak observed "Willie," a company employee, using a skid steer vehicle to move MSW from a concrete pad on the ground into a 30-cubic yard roll-off box. Mr. Wozniak spoke with Willie, who indicated that he had previously dumped a 10-yard roll-off box of MSW onto the pad, and then proceeded to load that material into the 30-yard box. Willie said he was to deliver the box to the resource recovery facility in Newport, MN. later that day. When asked how often he dumps a box on site to

Environmental Health Division
2785 White Bear Ave. North
Suite 350
Maplewood, MN 55109
Phone: (651) 266-1199
Fax: (651) 266-1177
www.co.ramsey.mn.us

Robert D. Coolidge, Coolidge Trucking Systems, Inc. Cease and Desist Order
April 21, 2016
Page Two

transfer waste into another container, Willie stated that it occurred once or twice a week, depending on how busy the company was. Mr. Wozniak observed a second 30-yard box of MSW on site that was covered. Willie indicated that he was also going to deliver that box to Newport that day. Willie also stated that a box of construction and demolition waste was to be delivered to SKB landfill in Rosemount, Minnesota later that day.

Mr. Wozniak took photographs of the items listed above to record and illustrate his observations.

Therefore, the County hereby orders the following:

- " Robert D. Coolidge and Coolidge Trucking are hereby ordered to immediately cease and desist any and all solid waste transfer activity at 560 Randolph Ave., St. Paul, MN. This includes, but is not limited to, the deliberate dumping or emptying of any container of solid waste onto the ground or any surface, unless such activity is expressly licensed and/or permitted. This activity is NOT to occur at the above location or any other location within the boundaries of Ramsey County until you have obtained all required permits and/or licenses from this Department, the proposed site location municipality, (City of Saint Paul for this location), and/or the Minnesota Pollution Control Agency (MPCA).

THEREFORE, YOU ARE HEREBY GIVEN NOTICE THAT THESE VIOLATIONS HAVE BEEN RECORDED BY SAINT PAUL - RAMSEY COUNTY PUBLIC HEALTH. THIS NOTICE DOES NOT PRECLUDE THE DEPARTMENT FROM TAKING FURTHER ENFORCEMENT ACTION FOR THESE VIOLATIONS. FAILURE TO COMPLY WITH THESE ORDERS AND ANY PROVISIONS OF THE RAMSEY COUNTY SOLID WASTE ORDINANCE WILL RESULT IN THE REFERRAL OF THIS MATTER TO THE RAMSEY COUNTY ATTORNEY'S OFFICE FOR APPROPRIATE ENFORCEMENT ACTION, INCLUDING CRIMINAL PROSECUTION.

If you have any questions related to this cease and desist order or the transfer station licensing process, please contact Joe Wozniak at (651) 266-1187, or Larry Carlson at (651) 266-1180.

Signed:



Zack Hansen
Environmental Health Division Director

- c: Larry Carlson, Supervisor, Solid & Hazardous Waste Compliance
- Joe Wozniak Solid & Hazardous Waste Compliance Program
- John Ristad, Assistant Ramsey County Attorney
- Tom Ferrara, City of St. Paul, Dept. of Safety and Inspections
- Scott Parr, MPCA, Solid Waste Management



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

Civil Division

400 City Hall

15 West Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: 651 266-8710

Facsimile: 651 298-5619

May 11, 2016

NOTICE OF VIOLATION

Robert Coolidge, Owner
Coolidge Trucking Systems, Inc.
829 Central Avenue West
St. Paul, MN 55104

RE: Solid Waste Hauler & Vehicle and Solid Waste Hauler (Each Additional Vehicle) licenses held by Coolidge Trucking Systems, Inc. d/b/a Coolidge Trucking Systems, Inc. for the premises located at 829 Central Avenue West in Saint Paul
License ID #20010000787

Dear Licensee:

The Department of Safety and Inspections (DSI) will recommend adverse action against the Solid Waste Hauler & Vehicle and Solid Waste Hauler (Each Additional Vehicle) licenses held by Coolidge Trucking Systems, Inc. d/b/a Coolidge Trucking Systems, Inc. for the premises located at 829 Central Avenue West in Saint Paul. The basis for the recommendation is as follows:

The Department of Safety and Inspections received a **CEASE and DESIST ORDERS** letter dated April 21, 2016 from the Ramsey County Public Health Department – Environmental Health Division. The letter concerned a site visit conducted at 560 Randolph Avenue on April 13, 2016.

During the site visit, an inspector observed a company employee using a skid steer vehicle to move solid waste from a concrete pad on the ground into a 30-cubic yard roll-off box. This is a solid waste transfer activity for which this site is not licensed and therefore in violation of Ramsey County Solid Waste Ordinance Section 4.01 (License Required) and Section 3.91 (Transfer Station).

In addition, according to DSI records, you do not currently hold the appropriate (Solid Waste Transfer Station) license required per Saint Paul Legislative Code § 357.04 (b) to perform solid waste transfer activities at this site.

As a result of this violation, the licensing office will recommend a \$500.00 matrix penalty.

At this time, you have four (4) options to proceed:

1. If you do not contest the imposition of the proposed adverse action, you may do nothing. If I have not heard from you by **Monday, May 23, 2016**, I will presume that you have chosen not to contest the proposed adverse action, and the matter will be placed on the City Council Agenda for approval of the proposed remedy.

Coolidge Trucking Systems, Inc.

May 11, 2016

Page 2

2. You can pay the recommended \$500.00 matrix penalty. If this is your choice, you should make payment directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, May 23, 2016**. A self-addressed envelope is enclosed for your convenience. Payment of the \$500.00 matrix penalty will be considered to be a waiver of the hearing to which you are entitled.
3. If you wish to admit the facts but you contest the penalty, you may have a public hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a public hearing. I will need to receive your letter by **Monday, May 23, 2016**. The matter will then be scheduled before the City Council for a public hearing to determine whether to impose the \$500.00 matrix penalty.
4. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (ALJ). You will need to send me a letter disputing the facts and requesting an administrative hearing no later than **Monday, May 23, 2016**. At that hearing both you and the City will appear and present witnesses, evidence and cross-examine each other's witnesses. After receipt of the ALJ's report (usually within 30 days), a public hearing will need to be scheduled. At that time, the City Council will decide whether to adopt, modify or reject the ALJ's report and recommendation.

Please note: If you choose an administrative hearing, the Department of Safety and Inspections reserves the right to request that City Council impose the costs of the administrative hearing per Saint Paul Legislative Code § 310.05 (k).

If you have not contacted me Monday, May 23, 2016, I will assume that you do not contest the imposition of the \$500.00 matrix penalty. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these options, please feel free to contact me at 266-8710.

Sincerely,


Geoffrey Karls
Assistant City Attorney

cc: Eric Hudak, DSI Licensing Manager

STATE OF MINNESOTA)

) ss.

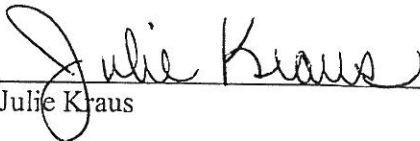
AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

Julie Kraus, being first duly sworn, deposes and says that on the 11th day of May she served the attached **NOTICE OF VIOLATION** and a correct copy thereof in an envelope addressed as follows:

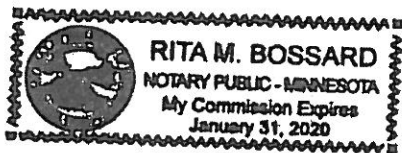
Robert Coolidge, Owner
Coolidge Trucking Systems, Inc.
829 Central Avenue West
St. Paul, MN 55104

(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

Subscribed and sworn to before me
this 11th day of May, 2016


Notary Public



OFFICE OF THE CITY ATTORNEY

Samuel J. Clark, City Attorney



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

Civil Division

400 City Hall

15 West Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: 651 266-8710

Facsimile: 651 298-5619

July 27, 2016

Robert Coolidge, Owner
Coolidge Trucking Systems, Inc.
829 Central Avenue West
St. Paul, MN 55104

RE: Solid Waste Hauler & Vehicle and Solid Waste Hauler (Each Additional Vehicle) licenses held by Coolidge Trucking Systems, Inc. d/b/a Coolidge Trucking Systems, Inc. for the premises located at 560 Randolph Avenue West in Saint Paul
License ID #20010000787

Dear Mr. Coolidge:

As per our conversation before the City Council meeting on July 20, 2016, please sign, date and return the attached affidavit in the envelope provided as soon as possible.

Sincerely,

Geoffrey S. Karls
Assistant City Attorney
Saint Paul City Attorney's Office
400 City Hall
15 West Kellogg Blvd.
Saint Paul, MN 55102
Tel: 651-266-8773
Fax: 651-298-5619

cc: Eric Hudak, DSI Licensing Manager

STATE OF MINNESOTA)

) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

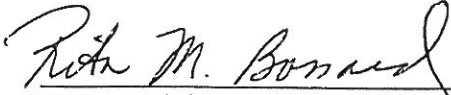
Julie Kraus, being first duly sworn, deposes and says that on the 27th day of July she served the attached **LETTER AND AFFIDAVIT** and a correct copy thereof in an envelope addressed as follows:

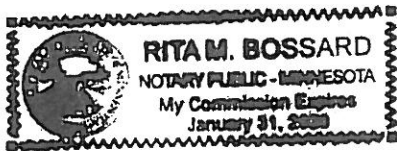
Robert Coolidge, Owner
Coolidge Trucking Systems, Inc.
829 Central Avenue West
St. Paul, MN 55104

(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

Subscribed and sworn to before me
this 25th day of July, 2016


Notary Public





CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

Civil Division

400 City Hall

15 West Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: 651 266-8710

Facsimile: 651 298-5619

AFFIDAVIT

I admit to the violation outlined in the Notice of Violation dated May 11, 2016. It is my understanding that by admitting to the violation, the Department of Safety and Inspections will agree to waive the proposed \$500.00 penalty in this matter, with the further understanding that this violation will be reinstated and considered a "first appearance" under relevant code provisions if a similar violation occurs in the next year.

Robert Coolidge, Owner
Coolidge Trucking Systems, Inc.
829 Central Avenue West

License ID #20010000787

8-4-16

DATE

North Carolina unrecordable value.

0	9	8	7
7	47	47	18
2	47	129	8
3	RANDOLPH AVE.	30	30

TAKEN FOR RANDOLPH AVE.
DOC#1479203.

163.

27.9 30.5

1.89

RANDOLPH

3172

380.79

449.76

310.9

157.05

COALDGE WASTE HAULER
EMPTY WASTE TRUCKS
& ROLL-OFF CONTAINERS
STORAGE AREA

THOMAS FIND ROOFING STORAGE YARD

BUDGET TOWING IMPOUND AREA

BUDGET TOWING IMPOUND AREA

LAB AUTO SALES

BUDGET TOWING OFFICE

BUDGET TOWING OFFICE

MANUAL BUDGET TOWING IMPOUND AREA

MANUAL BUDGET TOWING IMPOUND AREA

MANUAL BUDGET TOWING IMPOUND AREA

CONCRETE

CONCRETE

CONCRETE

CONCRETE

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CONCRETE

SITE PLAN APPROVED
OFFICE OF ZONING
CITY OF WEST PALM BEACH

File # 13-138758 Date 1/22/13
Any alterations from this plan must be approved by the Zoning Administrator.

560 RANDOLPH
SCALE 1"=60'

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 20th day of September she served the attached **NOTICE OF VIOLATION and NOTICE OF INTENT TO IMPOSE ADDITIONAL LICENSE CONDITIONS** and a correct copy thereof in an envelope addressed as follows:

Robert Coolidge, President
Coolidge Rolloff Service, Inc.
c/o 829 Central Avenue West
St. Paul, MN 55104


Robert Coolidge
Coolidge Rolloff
560 Randolph Avenue
St. Paul, MN 55102-3614

Betty Moran, Community Organizer
West Seventh/Fort Road Federation
974 West Seventh
St. Paul, MN 55102-3520

(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

Subscribed and sworn to before me
this 20th day of September, 2017


Notary Public

