



## REPORT/RECOMMENDATION

<b>To:</b> MAYOR AND COUNCIL	<b>Agenda Item</b> <u>IX. A.</u>
<b>From:</b> DEBRA MANGEN CITY CLERK	<input type="checkbox"/> <b>Action</b>
<b>Date:</b> JANUARY 3, 2012	<input type="checkbox"/> <b>Discussion</b>
	<input checked="" type="checkbox"/> <b>Information</b>
<b>Subject:</b> CORRESPONDENCE RECEIVED SINCE LAST COUNCIL MEETING	

**INFORMATION/BACKGROUND:** Attached are copies of e-mails and letters received since the last Council meeting.

Dear Sirs:

Thank you to the Edina Fire & Rescue and the Edina Police Officer who responded to assist my mother, Joan Swendson, at 4637 Arden Ave. on Dec 7th.

My Mom spent 3 days and a couple nights in ICU - without your fast and professional care who can tell what may have happened.

Although I've lived away from Edina for many years - I still consider it "home" as I was born and raised there. I can now honestly say that I now have real "HOMETOWN HEROES"

Have a blessed Merry Christmas and Happy New Year!

Warmly and with Gratitude —

Jane Swendson Christensen  
- Hadzima, Dr.  
- Link, Driver

For City Council

11-6-11  
6721 Gleason Rd  
- O'Brien  
- Hadzima  
- Knaeble

On the one month anniversary of my husband, Leo's, death my family + I thank the members of the Edina Fire Department for all the support and help that was extended to me on November 6<sup>th</sup>. The prompt response of the paramedics, as well as their kindness, was greatly appreciated! I'm truly grateful to be living in Edina.

Sincerely,  
Jaye Lander

For City Council

Just a note...

Dec 21, 2011

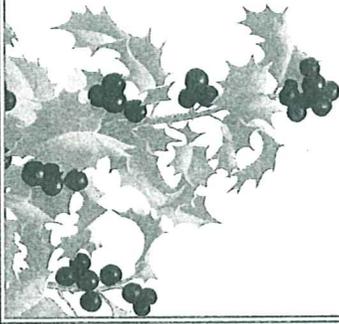


Mary Smith  
10825 Johnson Ave S  
Bloomington, MN 55437

To/ Edina City Council & Planning  
Commission Members!

Sim so upset with the way  
Southdale Shopping Center's Simon  
Properties is treating Bill Roase  
and his shoe repair business, an  
original small business owner he  
is being told to move again and  
to pay for it himself. And he'll probably  
be stuck in some back space where  
it's difficult to find.

Our country was founded on small  
business. Now all that's interesting  
to corporate people like Simon Properties



Just a note...

is big business. Corporate big  
box stores etc. Isn't that sad?

This is what the people are  
protesting all over the country.

Think very hard before you  
think about helping the  
Shopping Center if they don't  
decide to help Bill Roase and  
any other small - <sup>independent owners.</sup>  
your fathers - <sup>grandparents</sup> had independent  
businesses if you check your backgrounds  
Mary Smith 952-881-6138



Dear All:

I hope that you received and read my previous letter regarding the handout that you are contemplating with the owners of Southdale Mall. I thought perhaps you should know a bit more about the owner, Simon Property Group.

Simon is a very well regarded REIT. They are one of the largest retail real estate owner/developers in the U.S. For those of you that are not familiar, a REIT is a Real Estate Investment Trust. This is a corporate construct that requires the entity to pay through 90% of its earnings to shareholders. Within this construct the earnings are exempt from corporate income tax.

Simon is a public REIT, so any of you can buy or sell the shares and participate in owning a piece of the company if you wish. The public value of the equity is about \$38 billion dollars, and the shares are trading very close to their all time high. The market likes this company and awards it a very high valuation (6 times its stated book value).

Simon owns 335 properties plus additional real estate via joint ventures. Of the 335 properties, 159 are regional malls like Southdale. The majority of its holdings are in the U.S. but it also has interests in Japan, Korea, and other international markets.

In 2011 Simon will post ALL TIME RECORD EARNINGS, surpassing its last peak set in 2008. The company is having a good year in 2011. Earnings are expected to increase 37% with one quarter left to report.

In the first six months of this year sales per square foot of the Simon's retail properties are up 9.4% to \$513 per foot. Average base minimum rents are up about 3% to \$39.70 per square foot. Releasing spreads are positive, which means a new lease is being written for higher base rent than the expiring contract. New leases are increasing base rent at an average of +9%. For those of you without experience to make comparisons, these are enormously healthy numbers.

The company's overall effective borrowing rate is 5.52%. This number is skewed up by long term borrowing costs above 6%. The company has variable rate credit available at libor +200 basis points, or about 3%. A large portion of the company's debt is actually unsecured, meaning creditors have no lien on its real estate. How many real estate owners do you know that can do that?

If you look at the company's first six months of 2011, revenues were \$1.6bln, flat with the prior year. Operating income for the first six months was \$1.0 billion, about flat with last year.

As of June 30, 2011 the company's balance sheet shows cash of \$770 million, real estate book value of \$16.1 bln, and total debt of \$16bln. The company's bonds are single A rated and well bid.

What you should take away from this is that Simon property group is a fortress of a company with extremely deep financial resources. The company's valuation, which is set by public markets is as good as you will find. This means investors really believe in this company, the value of its real estate, and its ability to manage its resources.

It also means that a company like SPG will work first and foremost for its shareholders. This includes working hard to keep any and all expenses in check ( aggressively contesting assessments with counties and municipalities), and always trying to extract as much as possible from public entities where they own real estate.

This is their job. Your job is to recognize that your responsibility as stewards of the city is not to provide free handouts, or handouts of any kind to SPG. They will ask and keep asking. They want their shareholders to be rewarded. If you wish to participate you are free to buy shares, but you are not free to do what is in effect a "reverse bribe".

Please do the right thing and cease this discussion.

Thank you

Roger Norberg

Susan Howl

---

**From:** Lynette Biunno  
**Sent:** Wednesday, December 28, 2011 8:59 AM  
**To:** Scott Neal  
**Cc:** Susan Howl  
**Subject:** FW: Corporate Welfare for Simon Property Group?



Good morning,

This message has been forwarded to the Mayor and Council members and Scott Neal.

Lynette Biunno, Receptionist  
952-927-8861 | Fax 952-826-0389  
[lbiunno@ci.edina.mn.us](mailto:lbiunno@ci.edina.mn.us) | [www.CityofEdina.com](http://www.CityofEdina.com) ...For Living, Learning, Raising Families & Doing Business -----Original Message-----

**From:** Ted Roberts [<mailto:troberts@robertsautomatic.com>]  
**Sent:** Tuesday, December 27, 2011 5:11 PM  
**To:** Lynette Biunno  
**Subject:** Corporate Welfare for Simon Property Group?

Is it true that Edina is considering giving Simon Property Group \$5 million to upgrade Southdale?

If so I strongly object to having my tax dollars wasted in this way.

I'm not even going to go into the fact they squeezed Ralph's shoe repair out after gouging them for \$65,000.00 .

Ted Roberts  
1 Cooper Avenue  
Edina, MN 55436  
Cell - 612.384.3999  
Work - 952.567.2868

RECEIVED

DEC 29 2011

December 21, 2011

Mayor Hovland:

**VIA EMAIL TO CITY COUNCIL**

I watched the replay of the council meeting this morning and see where you recused yourself for "conflict of interest" reasons. I came in after the easement presentation and just before public comments. In the interest of "transparency and full public disclosure" you could have made it known [publicly] that you were purchasing the property at 5023 Nob Hill Road. I am sure that the council knew this fact and that their vote took that into consideration.

**Easement**

In the big picture the easement doesn't really matter. I am glad that you will be buying Eva's house. In this depressed market, houses assessed over \$1 MM are very hard to sell. You got a great deal and now you also know about the UV tubes in your AC's plenum - unless they were removed. Note: the tubes lose effectiveness over time and may need to be cleaned/replaced but I guarantee you that the AC coil is mold-free and looks brand new.

**Vandalism of God's houses**

The real reason for my attendance was the issue of EPD's handling of the vandalism investigations. This is a **very serious matter** and it impacts the lives of many people - unlike an easement. You now have two letters and a number of emails concerning this matter. If the EPD has not destroyed my other letters and emails to Chief of Police Long (and other officers) then you will have even more detail dating back over a year.

**Don't believe everything you read - learn the facts/truth**

In the only lawsuit that I have ever initiated, my opponent (Robert Weerts) found it pleasing to serve me legal papers on Christmas Eve, the saturday before Easter, on Valentines Eve and other choice dates. He also controls a newspaper writer and I am now "famous" on the internet. Famous, not for fighting a corrupt County Attorney that refused to file perjury charges against Weerts or the sheriff that refused to investigate, but for the method used to get the CA removed from office - campaigning for his opponent in an election. A twisted mind and evil heart relishes in these opportunities to inflict pain and prove they are hard to expose or take down. That is the problem with us "little guys" - we only have heart and determination. Sadly, some ("Rudy" from last week) don't always have staying power and get swept up in the greed and corruption all around. Don't you wish things could change?

**Let's enjoy this Christmas season**

As it is now Hanukkah and Christmas you have my permission to delay taking action until the end of next week. If David Frauenshuh is able to complete my \$31MM requests for donations by the 30th that may also materially impact my desire to pursue this matter to its fullest.

Please use Molly's connections to put out the word to any media that might have been there last night. They should not report the negative - for just a few more days.

Merry Christmas and Happy Holidays,

Steve Willett

Tuesday, December 27, 2011



Mayor James Hovland  
and Edina City Council  
and attorney Roger Knutson  
4801 West 50<sup>th</sup> St. VIA EMAIL AND **HAND DELIVERED**  
Edina, MN 55424

RE: BCA investigation of Edina Police Department and vandalism investigation

Dear Mayor Hovland:

Enclosed please find a copy of my Dec. 5 letter and a copy of the reply from the Office of the Minnesota Attorney General – received on 12/21. Their reply may contain legal / legislative errors. Their errors support moving any intervention off to another entity. This runs contrary to the reason that the former Edina Chief of Police recommended that I contact them.

It should be noted that my prior dealings / requests to Governor Pawlenty's office (2009) and the AG office (2010), related to matters discovered in a lawsuit against Robert Weerts of Winnebago, and relevant connections between the former AG Michael Hatch, the CEO of Bixby Energy Systems, former Minnesota Rep. Gil Gutknecht and Robert Weerts, were all ignored. Further, these disclosures, by someone of such a low status, would quietly and quickly be dismissed by the courts and other government officials - through court orders and letters.

My actions [around this lawsuit] may have led others to use a Winnebago resident and newspaper reporter in retaliation. The reporter had attended over five court hearings, knew the court reporter had falsified a court transcript, but then chose to write *only* of my actions to remove a local County Attorney from office. Actions which I was forced to take *after* the sheriff refused to investigate charges and the CA refused to prosecute Robert Weerts for perjury; despite overwhelming facts. Some of the evidence would have implicated Winnebago's city attorney.

But it now believed, that it was the inclusion of **David Frauenshuh and Steven Wheeler**, as trial witnesses, that led to the dismissal of that lawsuit.

It is important, therefore, that AG Lori Swanson research, pen, and sign the next response coming from her office. Like you, she must not take the opportunity to ignore, delegate or remove herself from **personal responsibility** in uncovering the truth and facts pertaining to the vandalism of God's worship places. Therefore, I will be forwarding a copy of this letter and its attachments to friends, residents of Edina, attorneys and others to gather support for a Bureau of Criminal Apprehension investigation (per my December 5 letter).

Edina City Council  
December 27, 2011  
Page 2

My Edina City Council presentation, as well as the prayer that I was not given time to offer, now appear on the YouTube channel – *truthnjustice1*. If you Google “Willett Frauenshuh” you will find the site. Watch the “Invitation” video to see verified connections between David Frauenshuh, pastor Steven Wheeler, and Colonial Church member Jerry Potter. The connections became apparent after the reviewing the content that was presented to the media, the WCCO TV episode, and my thwarted attempts to uncover the truth behind the meaning of the markings.

As stated in my December 20 letter [handed to the clerk at the City Council meeting]:

“I DO NOT BELIEVE THAT the residents of Edina [or Minnesota] would ever willingly accept the allegations, contentions, probable cause claims, or court submissions of the Edina Police Department, regarding the church vandalisms, if there was even the slightest possibility of corruption or deception in the handling of matters regarding God’s worship places.”

The threats to my safety, security and life are more real today than they were when, as president, I began an investigation of Cross View Lutheran Church’s financial matters. Broad exposure of my personal interactions with David, Michelle and Matthew Frauenshuh, both during and after this experience, appears to be my only recourse. Legal action is currently underway against me as a result of Matthew Frauenshuh’s lies in his sworn affidavits. This legal action is directly related to my attempts to expose the truth behind the vandalism of the churches, to apologize to Cross View for resigning, and for failing to oversee the completion of the church audit.

Last, they are not rumors. Public documents, emails and letters, to police and district court judges, reveal the reasons why I contend that David Frauenshuh *still needs to be* “waterboarded” in front of former Gov. Pawlenty, that his son, Matthew, needs to be taken behind the “woodshed” and his daughter, Michelle, needs to be investigated for “terroristic threats”.

Sincerely,



Steve Willett  
5705 Kemrich Drive  
Edina, MN 55439

Encl. December 5 letter to Edina City Council and AG office (SEE FILE COPY)  
December 20 reply letter from Minnesota Attorney General’s office

Mr. Steve Willett  
December 20, 2011  
Page 2

Third, this Office has no original jurisdiction over criminal matters. Public records reflect that the Hennepin County Attorney's Office is prosecuting the vandalism case referred to in your letter. If you have questions about the prosecution or believe that you have information relevant to the case, you may contact that office. Similarly, if you believe that the city has improperly declined to prosecute another crime, you may wish to report the suspected crime to the county attorney and sheriff, who may have jurisdiction over the matter. You may contact the Hennepin County Attorney's Office and the Hennepin County Sheriff's Office as follows:

Mike Freeman  
Hennepin County Attorney  
C-2000 Government Center  
300 South Sixth Street  
Minneapolis, MN 55487  
(612) 348-5550

Richard Stanek  
Hennepin County Sheriff  
350 South 5th Street, Room 6  
Minneapolis, MN 55415  
(612) 348-3744

Finally, Section 302A.917 of the Minnesota Statutes is part of the Minnesota Business Corporation Act. The statute permits the Attorney General's Office to intervene in litigation involving a corporation if the Attorney General determines that intervention is in the public interest. Based on the information you have provided, it does not appear that your concerns about the Edina Police Department involve a corporation or current litigation and this Office is without jurisdiction over this matter.

I thank you again for your correspondence.

Very truly yours,



CHRISTIE B. ELLER  
Deputy Attorney General



# STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

LORI SWANSON  
ATTORNEY GENERAL

December 20, 2011

SUITE 1200  
445 MINNESOTA STREET  
ST. PAUL, MN 55101-2130  
TELEPHONE: (651) 296-9412

Mr. Steve Willett  
5705 Kemrich Drive  
Edina, MN 55439

Dear Mr. Willett:

I thank you for your correspondence received on December 7, 2011.

You believe that the Edina Police Department mishandled a criminal investigation concerning the vandalism of several Edina churches and failed to properly investigate another crime that you reported. You also sent your letter to the Edina City Council. You believe that the city council should investigate the department and suspend several city employees. You request that this Office intervene pursuant to Minn. Stat. § 302A.917.

While this Office does not have authority over the operation of local police departments and cannot give you legal advice, I can tell you the following, which I hope will be helpful:

First, as you know, the Edina Police Department operates under the direction of Chief of Police Jeff Long. If you have not already done so, you may wish to report your concerns about police misconduct to him. Alternatively, the city council may have authority over local-government operations. You were therefore correct to notify the council of your concerns. You may contact Police Chief Long as follows:

Chief of Police Jeff Long  
Edina Police Department  
4801 West 50th Street  
Edina, MN 55424  
(952) 826-1610

Second, the Minnesota Board of Peace Officer Standards and Training ("POST") regulates law enforcement in Minnesota. If you have concerns about the conduct of officers in the Edina Police Department, you may contact POST as follows:

Minnesota Board of Peace Officer Standards and Training  
1600 University Avenue, Suite 200  
St. Paul, MN 55104  
(651) 643-3060





December 20, 2011

Mayor Hovland and City Council:

Here is a video of my prayer. I wish you had allowed me to present this during the meeting.

[http://www.youtube.com/watch?v=QA0\\_rqLlky0&context=C387e4ebADOEgsToPDskL5O2Afmgst4QAYW5mHXu4Y](http://www.youtube.com/watch?v=QA0_rqLlky0&context=C387e4ebADOEgsToPDskL5O2Afmgst4QAYW5mHXu4Y)

Tonight I made a public statement in front of over 50 people and made it known that there are letters/emails in your possession from me. I know from Joni's reaction and comments as we walked into the Braemar facility (the night of the Citizens League survey) that she was aware of who I was, the letters and the issues that concern me. If the media begins to cover this, which I doubt they will given the connection to the Frauenshuhs, you will be held responsible for accepting or denying my request for BCA involvement - even if Roger Knutson is the individual to respond.

I take terroristic threats by a billionaire's daughter very seriously. I take perjury by a billionaire's son very seriously. I take the destruction of public documents very seriously. I take the vandalism of churches to implicate me very seriously. But when others fear for my life and safety I take steps to prevent my harm and will take further steps to expose the individuals that are responsible. You may be reluctant to suspend Jeff Long but you need to remove pastor Steven Wheeler from the chaplain program and suspend Konters. They should not be allowed contact with any individuals within the Edina Police Department until the investigation is completed.

Mayor Hovland, do not attempt to pass the buck on this one. Apparently it was not disclosed that you are buying the house/property at 5023 Nob Hill Road. Why was this not disclosed? Because I came late, I missed who presented the request for the variance/easement and what it entailed. I will be interested in reviewing the video of the meeting when it is posted. I considered Jim May a friend and Eva as well. Their house is valued by Edina assessors at far above the price that she will be getting from a sale. Please don't take advantage of this situation and Eva. Pay a fair price, a price that a man of integrity would pay. There are too many cowardly crooks getting away these days. We need to turn back this trend by example and by actions.

---

From: [smwille@msn.com](mailto:smwille@msn.com)

To: [rknutson@ck-law.com](mailto:rknutson@ck-law.com); [squist@ci.edina.mn.us](mailto:squist@ci.edina.mn.us); [jlong@ci.edina.mn.us](mailto:jlong@ci.edina.mn.us); [manderson@ci.edina.mn.us](mailto:manderson@ci.edina.mn.us); [bernie.bogenreif@co.hennepin.mn.us](mailto:bernie.bogenreif@co.hennepin.mn.us); [rich@sheriffstaneck.com](mailto:rich@sheriffstaneck.com); [joe.dixon@usdoj.gov](mailto:joe.dixon@usdoj.gov)

Subject: Destruction of public documents RE: City of Edina

Date: Tue, 18 Oct 2011 09:32:28 -0700

October 18, 2011

Edina city attorney Roger Knutson,

There are two "t's" in my last name.

This is a request for you to send me a copy of all documents **instructing the Edina police** department (officers, IT personnel and/or staff) that they are **to "delete all email from me without responding"**. You cannot possibly endorse the destruction of public documents that could be used as evidence in further investigations or litigation.

I was told (in my one hour meeting with Vik Konters on October 5, 2011) that legal action was commencing against me and that you would be contacting me shortly. He would not say what I was being investigated for or who had initiated the action.

This is a **demand** that any document that is about to be deleted **FIRST BE APPROVED FOR DESTRUCTION** BY THE CITY ATTORNEY AND THE CHIEF OF POLICE AND THAT EVERY DOCUMENT BE SENT TO YOU FOR ARCHIVAL AND RETENTION REASONS.

By way of Mr. Joe Dixon, I am notifying U.S. Attorney B. Todd Jones of this action. I am also making parties within the sheriff's office aware of your actions and those of the Edina Police Department. It remains my hope that this does not spill over to the general public.

If anyone denies my ability to defend my current and past actions by openly authorizing the destruction of public documents you must not, should not and cannot support their actions.

cc: Mayor Hovland (hand delivered)

Sincerely,

Steve Willett  
Edina resident

---

From: [RKnutson@ck-law.com](mailto:RKnutson@ck-law.com)  
To: [smwille@msn.com](mailto:smwille@msn.com)  
Date: Tue, 18 Oct 2011 10:55:53 -0500  
Subject: City of Edina

Mr. Willet,

By letter dated October 14, 2011 you were informed that all communication with the Edina police department must be through me with the limited exception of an active emergency. The Police Department will delete all email from you without responding. Do not send the department any email and do not call the department except in the case of an active emergency.

Attached are the 911 audio recording and missing persons report you requested.