

Moermond, Marcia (CI-StPaul)

From: Moermond, Marcia (CI-StPaul)
Sent: Saturday, January 14, 2017 2:33 PM
To: 'Einan, Barb and Dick'
Cc: Vang, Mai (CI-StPaul); Magner, Steve (CI-StPaul)
Subject: RE: Request for postponement of legislation hearing
Attachments: 1062 Front Ave.Code Compliance Inspection Report.1-6-17.pdf; 1062 Front Ave.Code Compliance Inspection Report.7-3-06.pdf; 1062 FRONT AVENUE CODE COMPLIANCE INSPECTION COMPARISON 2006-2017.docx

Mr. Einan,

I really can't advise you on the best way to approach the City Council on your case

I have reviewed your case using the criteria we discussed at the Legislative Hearing on November 22, 2016, and were recapped in Mai Vang's letter the following day:

1. Post \$5,000 performance deposit by December 13, 2016. This was not done until December 15, 2016.
2. Obtain new Code Compliance Inspection Report by December 13, 2016. This application to get this inspection was not made until after the deadline for its completion, December 15, 2016. With respect to the Code Compliance Inspection Report, it appears to have gone out to Safeguard Properties on January 6, 2017. I think this may well be an error in addressee, but I don't have computer access to your application for the inspection. I have attached this Code Compliance Report. Because I just noticed this possible discrepancy, I checked to see how this Code Compliance Inspection Report compares with the one prepared July 3, 2006 (11 years ago) after the fire. I do not see substantive differences, except those that 11 years of weather and water damage to the property would bring about.

Had the performance deposit and code compliance report been addressed in a timely fashion, I was going to recommend to the City Council that they grant you additional time to develop your work plans and documentation of your financial ability to execute the rehabilitation, etc. However, I ended up recommending additional time anyway, because you had made the application by the time of the public hearing, and the letter from my staff incorrectly relayed I would recommend the layover. I think the proper thing to do in these cases is to grant you the benefit of the doubt if there is conflicting information of this sort.

3. An approved sworn construction statement or work plan with bids was to have been provided by. Clearly, this document would rely on the new Code Compliance Inspection Report, but you also have an expired Code Compliance Inspection report from 11 years ago after the fire. Additionally, we discussed that many contractors are familiar with the requirements of these inspection reports and can prepare plans and do minor amendments if necessary. I have seen no plans.
4. The City estimates to be in excess of \$50,000. As indicated previously, financial documentation indicating you are in possession of the funds necessary for the project is needed. I have seen no such documentation.
5. An affidavit indicating the above funds will be used, segregated, escrowed until the completion of the project. I have seen no affidavit.
6. The property must be maintained. City records indicate there have been no complaints.
7. Lastly, since we last spoke, I noticed your vacant building fee was billed January 9, 2017. This fee will need to be paid prior to a recommendation of time for the rehabilitation of the property.

Finally, here is a link to the record in front of the Council for your case. If you have additional materials, please send them on to Mai and she will make sure the Council has access to your updated information in this file. <https://stpaul.legistar.com/LegislationDetail.aspx?ID=2909298&GUID=49DC8D50-6550-4010-BCDC-ACB24840CA42>

Sincerely, Marcia Moermond

From: Einan, Barb and Dick [mailto:BarbandDickEinan@edinarealty.com]
Sent: Friday, January 13, 2017 4:37 PM
To: Moermond, Marcia (CI-StPaul)
Subject: RE: Request for postponement of legislation hearing

Marcia,

Thanks for your consideration; I will attend the City Council meeting on the 18th.

How can I best prepare for that meeting? Has the Department of Safety and Inspections conducted their code compliance inspection? If so, what were the results?

Any help you can give me would be greatly appreciated.

Sincerely,

Dick Einan

From: Moermond, Marcia (CI-StPaul) [mailto:marcia.moermond@ci.stpaul.mn.us]
Sent: Friday, January 13, 2017 4:26 PM
To: Einan, Barb and Dick
Cc: Vang, Mai (CI-StPaul); Magner, Steve (CI-StPaul)
Subject: RE: Request for postponement of legislation hearing

Mr. Einan,

Based on your email, I'm not sure you're clear that the hearing scheduled for January 18, 2017 is in front of the City Council, not me. It is also at 5:30 p.m., not during the day at 9 a.m. when my hearings are. From what I can determine about the Edina Realty Expo, there 8 speakers, beginning at 9:30 a.m. RiverCentre is, of course, just a couple of blocks from our building.

While I would like to be understanding about your particular circumstances, I think that you need to make the case directly to the City Council about why you should be given additional time to complete your plans, demonstrate financing, etc.

Your original hearing in front of the Council was scheduled for December 21. I agreed to recommend they continue the matter if you posted a performance deposit and obtained a code compliance inspection by December 13. Although you missed this deadline by a couple of days, I still recommended they continue the matter to January 18, as the Department of Safety and Inspections still needed to conduct the code compliance inspection you had just applied for on December 15. By this measure, I have already asked the Council to give you an extra month.

At this juncture, I will not recommend additional time for you to prepare your plans, but rather suggest you make your case to the Council. Your correspondence is a part of the Council record, as would be any additional information you send or testimony you wish to provide.

Sincerely, Marcia Moermond

From: Einan, Barb and Dick [<mailto:BarbandDickEinan@edinarealty.com>]
Sent: Thursday, January 12, 2017 5:13 PM
To: Moermond, Marcia (CI-StPaul)
Subject: Request for postponement of legislation hearing

Marcia Moermond, Legislative Hearing Officer,

I talked to Mai Vang about the possibility of postponing the legislative hearing on the property at 1062 Front Avenue, St. Paul, MN., and she suggested I send an email to you.

Currently this property is on the schedule of January 18th.

I am requesting a postponement to the February 1st meeting because my company, Edina Realty, has an all day function scheduled for us on that day. It's called Expo 2017 and it is scheduled for the St. Paul River Centre.

In addition, the extra time would give me more time to make some progress on improving the property at 1062 Front Avenue. I underwent total left hip replacement surgery on December 22nd of last year and thus have experienced hindered mobility prior two and since the surgery. I am just starting to work some hours at the office every day but still rely on my wife for assistance and transportation.

I have not been a good landlord at this property since we had a fire at the property. The property was restored after the fire but my psyche never was restored and the property has been vacant ever since the fire and this property has been the subject of periodic vandalism that has created work for the City of St. Paul. You now have my full attention and my plan is to fix up the property so it can be sold.

Thanks for your consideration for the postponement to your February 1st meeting.

Sincerely,

Richard K. Einan
Landlord