

Moermond, Marcia (CI-StPaul)

From: Moermond, Marcia (CI-StPaul)
Sent: Wednesday, May 17, 2017 3:05 PM
To: 'Kenneth Udoibok'
Cc: MICHAEL ADERINKOMI; Zangs, Larry (CI-StPaul); churchofthelivingstoneus@gmail.com; Vang, Mai (CI-StPaul)
Subject: RE: 871 Payne Avenue, Vacant Building Fee Assessment appeal

Mr. Udoibok,

As stated in my previous email, arguments with the billing for **1179 E. 7th St** need to be made in the context of an appeal hearing on the assessment and cannot be dealt with via email. Perhaps the vacant building inspector assigned to your property could be of assistance. Please refer to the bill for the contact information.

I understand your request that the **871 Payne Ave.** case not be confused with the **1179 E. 7th St.** I believe the records I provided demonstrate the buildings are not confused with one another on the city side. If you have specific questions on the Payne property, I would be happy to try to answer or make appropriate referrals.

Marcia Moermond

From: Kenneth Udoibok [mailto:k@KenULaw.com]
Sent: Wednesday, May 17, 2017 2:40 PM
To: Moermond, Marcia (CI-StPaul)
Cc: MICHAEL ADERINKOMI; Zangs, Larry (CI-StPaul); churchofthelivingstoneus@gmail.com; Vang, Mai (CI-StPaul)
Subject: RE: 871 Payne Avenue, Vacant Building Fee Assessment appeal

First, this is my first notice of vacant billing assessment for the property located at 1179 East 7th Street. Second, I repeat my previous request that the property located at 871 Payne Avenue must not be conflated with 1179 East 7th Street. Please clarify. Thanks.

Kenneth U. Udoibok



Flour Exchange Building, Suite 5010
310 South Fourth Avenue
Minneapolis, MN 55415
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Practice in State and Federal Litigation

From: Moermond, Marcia (CI-StPaul) [mailto:marcia.moermond@ci.stpaul.mn.us]
Sent: Wednesday, May 17, 2017 2:29 PM
To: Kenneth Udoibok

Cc: MICHAEL ADERINKOMI; Zangs, Larry (CI-StPaul); churchofthelivingstoneus@gmail.com; Vang, Mai (CI-StPaul)
Subject: RE: 871 Payne Avenue, Vacant Building Fee Assessment appeal

Mr. Udoibok,

Thank you for your email. The forthcoming assessment for **1179 E. 7th St.** for an unpaid vacant building fee is appealable and your concerns will be dealt with at the time of that hearing. I note the attached bills which lead to this assessment were not appealed. The bills were sent to the owner of record with Ramsey County Property Records: "Amazing Homes Ecclesia, LLC, 2236 Marshall Ave., St. Paul, MN 55104-5799." Any arguments with the bill should be presented at the time of the hearing on the assessment, as the bills were not paid or appealed.

With respect to the assessment currently under consideration for **871 Payne Ave.**, I have also attached the bills. They were addressed to the previous owner of record: "871 Payne Ave., LLC, 15770 52nd Ave. N., Minneapolis, MN 55446-4507." Ramsey County records show a sale on December 23, 2016 for \$219,000. They now show the fee owner as "Amazing Homes Ecclesia, LLC, 2236 Marshall Ave., St. Paul, MN 55104-5799." They show the tax owner as "The Way of the Peace Ministries International, Inc., 871 Payne Ave., Saint Paul, MN 55130-4101." They notice of assessment for the unpaid vacant building fee was sent to "Amazing Homes Ecclesia, LLC" at the address above, a record of which is attached. I believe it was the receipt of this notice which brought you to the legislative hearing on April 18, 2017 under the mistaken impression it was for 1179 7th St. E.

It seems very likely that the previous owner of **871 Payne Ave.** did not disclose the bills they had received, or some misunderstanding or miscommunication happened between the seller and buyer – given how close in time the transaction was to the billing of the fees. However, your testimony (notes attached) in the hearing focused on the conversion of the space to an assembly use and we made referrals to the appropriate City staff for that issue. Subsequent efforts to follow-up with who my staff understood to be the correct contacts were met with confusion, despite many efforts to clarify appropriate contact people. At the end of the day, the owner of record for 871 Payne Ave. is Amazing Homes Ecclesia, LLC. At this juncture, I am not clear who the appropriate contact is, although you seemed to get the mail which led you to the April hearing. However, the corporate entity Amazing Homes Ecclesia, LLC is, as the legal owner, responsible for the assessment. It is my recommendation that the assessment be divided over 5 years. I am asking that the Council do this to take into account the church is in the process of (re)building its meeting space and may be in need of the funds presently. I believe the interest to be near 4.2%, but this is included in the notice you received.

The time and date of the Council's public hearing on your assessment was included in the same notice, and it was May 3, 2017 at 5:30 p.m. At that time, I asked for a 2-week layover to try to ensure appropriate people were notified. I believe my office has gone above and beyond in its efforts to communicate to the correct parties and I believe we are left with the fact that the legal owner is the only one with whom we can concern ourselves.

Sincerely, Marcia Moermond
Legislative Hearing Officer
Saint Paul City Council

From: Kenneth Udoibok [<mailto:k@KenULaw.com>]

Sent: Wednesday, May 17, 2017 12:14 PM

To: Vang, Mai (CI-StPaul)

Cc: MICHAEL ADERINKOMI; Zangs, Larry (CI-StPaul); churchofthelivingstoneus@gmail.com; Moermond, Marcia (CI-StPaul)

Subject: RE: 871 Payne Avenue, Vacant Building Fee Assessment appeal

Mr. Mai Vang,

Thank you for your prompt response. I am troubled with your assertion that the "vacant building fee for 1179 East 7th Street" would "be scheduled for Legislative Hearing in the near future." It is apparent that your inspector did not convey

information provided to me to your office. I have addressed the issues sent to me in the last notice to which your inspector agreed. Besides, our contractor was provided the requisite construction permit for the building. It is unclear to me how the property can be vacant while renovation is contemplated. Refurbishing a property such as ours on the Eastside should be encouraged rather create strictures that would only frustrate renovation and development. Please reconsider your plans. Thanks.

Kenneth U. Udoibok



Kenneth Ubong Udoibok, P.A.
ATTORNEYS AT LAW



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Practice in State and Federal Litigation

From: Vang, Mai (CI-StPaul) [<mailto:mai.vang@ci.stpaul.mn.us>]

Sent: Wednesday, May 17, 2017 9:26 AM

To: Kenneth Udoibok

Cc: MICHAEL ADERINKOMI; Zangs, Larry (CI-StPaul); churchofthelivingstoneus@gmail.com; Moermond, Marcia (CI-StPaul)

Subject: RE: 871 Payne Avenue, Vacant Building Fee Assessment appeal

Mr. Udoibok,

When Mr. Aderinkomi attended the Legislative Hearing on April 18, 2017, the property in question was related to **871 Payne Avenue** so I don't know why 1179 East 7th Street keeps coming up.

From looking at DSI record, the vacant building fee for 1179 East 7th Street is to be scheduled for Legislative Hearing in the near future (date has not been scheduled yet).

Mai Vang

Coordinator for Legislative Hearings

City Council Offices

15 W. Kellogg Blvd, Ste. 310 | Saint Paul, MN 55102

Direct: 651-266-8563

Appeals Line: 651-266-8585 or appeal application: <https://www.stpaul.gov/departments/city-clerk/appeals>

Fax: 651-266-8574 | Email: mai.vang@ci.stpaul.mn.us

From: Kenneth Udoibok [<mailto:k@KenULaw.com>]

Sent: Wednesday, May 17, 2017 9:18 AM

To: Vang, Mai (CI-StPaul) <mai.vang@ci.stpaul.mn.us>

Cc: MICHAEL ADERINKOMI <aderinkomi@embarqmail.com>; Zangs, Larry (CI-StPaul) <larry.zangs@ci.stpaul.mn.us>; churchofthelivingstoneus@gmail.com

Subject: Re: 871 Payne Avenue, Vacant Building Fee Assessment appeal

Mr. Mai Vang,

Please review your record to reflect the property at issue. There are no unresolved issues with the property located at 1179 East 7th Street. Please respond with clarification immediately because this is a rather serious government taxing action against an unrelated property. Thanks.

Kenneth Udoibok

Kenneth Ubong Udoibok, P.A.

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Practicing in Federal and State Litigation

On May 17, 2017, at 8:52 AM, Vang, Mai (CI-StPaul) <mai.vang@ci.stpaul.mn.us> wrote:

Mr. Aderinkomi,

Ms. Moermond is going to recommend that your assessment of the vacant building fee be approved and spread payments over 5 years.

If you wish to contest to this recommendation, you may attend the public hearing tonight (May 17) at 5:30 p.m. in Room 300 Council Chambers.

Mai Vang

Coordinator for Legislative Hearings

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Fax: 651-266-8574 | Email: mai.vang@ci.stpaul.mn.us

From: MICHAEL ADERINKOMI [<mailto:aderinkomi@embarqmail.com>]

Sent: Thursday, May 4, 2017 7:56 PM

To: Vang, Mai (CI-StPaul) <mai.vang@ci.stpaul.mn.us>

Cc: Zangs, Larry (CI-StPaul) <larry.zangs@ci.stpaul.mn.us>; churchofthelivingstoneus@gmail.com;

Kenneth Udoibok <k@kenulaw.com>

Subject: Re: 871 Payne Avenue

Dear Ms. Vang,

The Pastor that visited your office on Wednesday, 3rd of May 2017 is Kenneth Udoibok of Apostolic Church, Minnesota Assembly regarding property at **1179 7th Street E, Saint Paul** and not Pastor (Mrs.) Bankole for 871 Payne Avenue. I believe there is a mistake here.

Please, contact Pastor Kenneth Udoibok at: k@Kenulaw.com

Thanks,

Michael Aderinkomi

From: "Mai Vang (CI-StPaul)" <mai.vang@ci.stpaul.mn.us>
To: churchofthelivingstoneus@gmail.com, aderinkomi@embargoemail.com
Cc: "Larry Zangs (CI-StPaul)" <larry.zangs@ci.stpaul.mn.us>
Sent: Thursday, May 4, 2017 3:27:34 PM
Subject: 871 Payne Avenue

Hello Ms. Bankole and Mr. Aderinkomi,

Marcia Moermond would like me to inform you that Larry Zangs will be sending you an email in response to your question(s) you have. Mr. Zangs would like to apologize for not responding to the question(s) but it was his understanding that the contractors or people who came to the counter at the Department of Safety & Inspections, on the church's behalf, would have communicate his information to you. If you don't hear from him, please let us know. I have also copied him on this email.

Ms. Moermond stated that she will recommend that the VB fee be reduced in half and spread over number of years (if you wish) if the repairs are done by July 19 which is also the City Council Public Hearing date, at 5:30 p.m. in Room 300 Chambers. If the repairs are not done, the vb fee will be approved for the whole amount of \$2240.00.

Any questions, please let me know.

Mai Vang

Coordinator for Legislative Hearings

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