

Moermond, Marcia (CI-StPaul)

To: Will Anderson
Cc: Niver, Tim; kjohnson@johnsonconsultingspecialists.com; Ubl, Stephen (CI-StPaul); Owens, Phil (CI-StPaul); Shaff, Leanna (CI-StPaul)
Subject: RE: Rescheduled Public Hearing Regarding 374-376-378 Maria
Attachments: 374-376 Maria Ave.Anderson Ltr.6-19-15.doc; Rescheduled Public Hearing Regarding 374-376-378 Maria

Mr. Anderson,

I will address your points individually.

It sounds like you were told by someone you should receive "legal notice" about the change in hearing date. Attached is the letter sent to you regarding the original scheduling of the hearing. There was no additional formal correspondence. When the hearing was re-scheduled to August 5, 2015, I tried to personally contact all involved and also sent the attached email regarding the layover of this item. I did this in order to ensure you and other parties had notice as quickly as possible. The obligation of the City is to ensure you are notified. You were notified well in advance of the hearing, as is evidenced by your emails.

As to the letters from you and the consultant, there was no request therein for me to contact anyone unless I had questions. I'm not clear about your concerns or confusion in this regard. You had correspondence with Mr. Ubl regarding this matter and he provided a response to you. This is something I have attached to the record.

You indicated you are unclear as to Council process. On the back of the appeal form you filed is a fact sheet on the Legislative Hearing process and the fact that all my recommendations are just that, recommendations to the Council, and you have the opportunity to look for a different outcome than my recommendation. On the Council's website there is a fair amount of information about how this works. Here is a link to a booklet which many use to inform themselves: <http://www.stpaul.gov/DocumentCenter/View/74122>. There is other information on this website which may be of assistance. If this is a matter for which you need additional information, you need to seek private counsel on, as I cannot advise you on your approach to this hearing.

The June 19, 2014 letter you received from my office clearly indicated this matter would be a public hearing. The fact that all my cases got to the Council for their decision-making was something I made very clear in the hearing itself on both occasions you were present. And, as mentioned above, on the Fact Sheet on the back of the appeal form. As to whether the Council makes a decision immediately or continues the matter is at their discretion.

As you are aware, I am, unfortunately, not going to recommend that your appeal is granted. Although I usually do oral staff reports on these matters, I will draft a memo to the Council to explain a little more deeply where my concerns lie. This is a link to the Council Calendar: <https://stpaul.legistar.com/Calendar.aspx>

Sincerely, Marcia Moermond

From: Will Anderson [mailto:willanderson32@comcast.net]
Sent: Friday, July 31, 2015 10:33 AM
To: Moermond, Marcia (CI-StPaul)
Cc: Niver, Tim; kjohnson@johnsonconsultingspecialists.com
Subject: Re: Rescheduled Public Hearing Regarding 374-376-378 Maria

Hi Marcia:

I still have not heard anything on this meeting and it is set for next week.

Kris Johnson, the consultant we retained, put together a very thorough response to the concerns about the building. I have sent that response and no one has replied. Again, I am confused.

Are we discussing this on the 5th?

Is it a "public hearing"?

Will there be a ruling?

What will the process look like?

I am totally new to this, so any assistance or even a legal notice would be greatly appreciated. It is very hard to be thorough and prepared when I don't know what I am going in to.

THANKS

Will

From: "Will Anderson" <willanderson32@comcast.net>
To: "Marcia Moermond (CI-StPaul)" <marcia.moermond@ci.stpaul.mn.us>
Cc: "Tim Niver" <tlcniver@msn.com>, jdfraztke@gmail.com, "Katie Foss (CI-StPaul)" <katie.foss@ci.stpaul.mn.us>, "Kathryn Burger (CI-StPaul)" <kathryn.burger@ci.stpaul.mn.us>
Sent: Friday, July 24, 2015 2:46:41 PM
Subject: Re: Rescheduled Public Hearing Regarding 374-376-378 Maria

Marcia:

I am told that I should receive legal notice of this hearing and it should explain the process. I have not, therefore I am slightly confused. Can you please explain the process/format to me?

THANKS

Will

From: "Marcia Moermond (CI-StPaul)" <marcia.moermond@ci.stpaul.mn.us>
To: "Will Anderson (willanderson32@comcast.net)" <willanderson32@comcast.net>, tlcniver@msn.com, jdfraztke@gmail.com
Cc: "Katie Foss (CI-StPaul)" <katie.foss@ci.stpaul.mn.us>, "Kathryn Burger (CI-StPaul)" <kathryn.burger@ci.stpaul.mn.us>
Sent: Monday, July 13, 2015 5:00:34 PM
Subject: Rescheduled Public Hearing Regarding 374-376-378 Maria

NOTICE

Councilmember has developed a conflict for the July 15, 2015 5:30 public hearing. This hearing will be rescheduled to August 5, 2015 at 5:30. The hearing will be in the same location: Council Chambers (Rm 300), Saint Paul City Hall, 15 West Kellogg Blvd.

Marcia Moermond

Saint Paul City Council Legislative Hearing Officer