



Minutes - Final

Legislative Hearings

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Thursday, October 20, 2022

9:00 AM

Remote

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 22-341](#) Ratifying the Appealed Special Tax Assessment for property at 1016 IGLEHART AVENUE. (File No. CG2202A3-1, Assessment No. 220112)

Sponsors: Balenger

Layover to LH November 1, 2022 at 3 pm. Staff to prepare file to also appeal Q3, 2022 assessment.

Doug Coppess, owner, appeared via phone

Coppess: sorry, I saw an email, but I don't have my information prepared.

Moermond: and I'm running out of time for this. This was continued from July 7. It was continued two weeks when you didn't answer on October 6. I need to put this to bed. Today is October 20. We'll go with November 1 at 3 pm. That will be our last attempt to have this conversation. If we don't conclude then my recommendation can only be approval to the City Council.

Coppess: can you refresh me, is the trash bill over several years? Or one year?

Moermond: I have one appealed tax assessment for the first quarter of 2022. I don't have multiple years open. If you appealed previously it was already voted on by the City Council.

Coppess: there are my quarters over many years. We'll start with this one.

Moermond: and I have no authority to open up tax assessments already ratified. Unless you appealed in District Court, which is on the back of your invoice.

Pillsbury: the April through June invoice.

Moermond: I will assume you are appealing that second quarter invoice and should prepare that file?

Coppess: alright.

Moermond: we'll go ahead and do that on your behalf even though you didn't appeal it.

Laid Over to the Legislative Hearings due back on 11/1/2022

2 RLH TA 22-384 Ratifying the Appealed Special Tax Assessment for property at 779 CORTLAND PLACE. (File No. CG2203A3, Assessment No. 220111)

Sponsors: Brendmoen

Reduce assessment from \$232.85 to \$203.37.

Alberto Reynoso Arellano, owner, appeared

Sonia Romero translated

Moermond: we have two assessments in front of us today, they are for assessments for unpaid bills. Because it is being proposed as an assessment you are entitled to appeal.

[Moermond gives background of appeals process]

Staff report by Clare Pillsbury: for both properties the property owner stated they paid their Quarter 2, 2022 invoice in May of 2022. However, they spoke with Waste Management and the Customer Service Representative said no payment was received. Hauler records show that the initial payment was received May 19, 2022 at the current lock box address. It was returned to the property owner due to the lack of information necessary to apply the payment. The hauler was unable to provide specific information regarding what information was missing from the payment, the billing manager confirmed that I was most likely the account ID number that was not included. Staff recommends approving the assessment.

Moermond: Waste Management is the hauler? And it is for \$232.85 for this property?

Pillsbury: yes.

Moermond: you mentioned you paid the bill and it sounds like Waste Management agrees it was paid, but the question is where the money went after that. It sounds like they sent the money back to you. Why are you appealing?

Arellano: I pay my bills. I paid my bill. It took them until September to give me back the money. If the check was bad why did they take the money and then give it back to me again. I don't understand why I was charged and then it was returned again.

Moermond: and I was hearing they got the check and didn't know where to put it.

Arellano: one of them was returned and one wasn't. There were four payments.

Moermond: are we just talking about 779 Cortland when you say four payments, or both properties?

Arellano: both.

Moermond: Ms. Pillsbury, this is clearly a case where he tried to pay in a timely fashion and it was paid within a timeline where no late fees would have accrued because the check was sent. I'm wondering if this bureaucratic tangle he is in has any negative

consequences for him that aren't his fault in terms of late fees or extra charges?

Pillsbury: he paid in May of 2022 so he would have a late fee because he was a month late, but there wouldn't have been the two additional late fees if the payment had gone through.

Moermond: this fee includes the original bill plus two late fees. For this property, was this one returned to you?

Arellano: in September. One payment for 779 Cortland.

Moermond: what I don't want to see happen is bureaucratic confusion is that you are in any way penalized financially for the payment not being applied in a timely fashion. You made a payment, it wasn't applied, you got late fees, it was sent to the City as an assessment. There is no charge for it being sent to the City. The sole impact would be it shows on next year's taxes if you don't pay the invoice. I get they should have treated this in a timelier fashion. What most people in Customer Service would do was call you and ask what your account number is, where should it be applied?

Arellano: I called them. They told me who to give the check to and now I'm wasting my time.

Moermond: I'm sorry about that. What would the charge be for this level of service? What size containers are here.

Pillsbury: I would have to double check with the hauler but it looks like a 64 and 96-gallon cart. Without late fees that is \$203.37.

Moermond: does it sound accurate the containers at this property one is the same size as the recycling container and one is larger?

Arellano: yes.

Moermond: knowing the money was returned to you, which is good. I will delete all late fees associated with this since they shouldn't have been imposed. That doesn't get your time back again.

Arellano: for 779 Cortland there were two payments, one was the one they sent out and they put into his account and I don't know what happened to the other one. They charged one of the checks for \$203.

Moermond: we can check now and see if they sent it to the City for assessment, because if they didn't cash the check we would have it on a list that has been assessed. That would be for July through September.

Pillsbury: it did get sent as assessment.

Moermond: did the check clear in your account?

Arellano: they took the check but never returned it.

Moermond: they received it, haven't applied it, and it hasn't been returned. It looks like the same thing happened with that as the one today.

Arellano: am I going to have to come back?

Moermond: I can put a note in our system to check in and see if you get that check back from them before we in any way approve an assessment. We for sure would want to remove the late fees. Ms. Pillsbury, Ms. Haas, if you could reach out to Waste Management and investigate that third quarter check that hasn't cleared or been returned. Then we will know how to treat that Quarter 3 assessment.

Arellano: they're just giving me trouble. I'm paying. No one ever calls me. I don't like it. It is like someone coming and telling me I have to eat specific food. I have to pay. I paid. Why am I here?

Moermond: I want to let you know what good we can do with the information you are sharing. You aren't the first person to have concerns about this hauler or the way business is being done. Several years ago, the City put the organized garbage hauling program to provide service. It was a 5-year contract and we have just a bit of time left, so the comments you are sharing can help us for how we do the next contract and move beyond this. I'm going to ask Ms. Haas how your input is having an impact on the program moving forward.

Haas: this past year the Public Works department held an advisory committee with residents to provide input. Their recommendations went to the Council in September. Public Works has developed staff recommendations based on resident feedback, the committee's report, and experience with other programs. This report goes to Council in the next six weeks and we are asking them to make significant changes to the program to make it more resident friendly.

Moermond: is what Mr. Arellano consistent with the kind of information other citizens have shared in that group?

Haas: it is. One of their recommendations of the advisory group is the City take on billing. The customer service as well.

Moermond: this goes to Council November 16. They would be able to see the notes from this hearing and his experience when they see those on November 16. Is that timing consistent with the report?

Haas: we are hoping to present by end of November, yes.

Moermond: as an official of the City, I would ask for some grace since it is the first time the City has tried to do this organized hauling. I know you're frustrated. I am personally sorry you've experienced the flaws in the system. I can get this bill down to the amount it would have been with no late fees. You wouldn't be sending your money to Waste Management. It would be paid to the City or put on next year's taxes.

[long discussion about how to pay tax assessments]

Referred to the City Council due back on 11/16/2022

- 3 RLH TA 22-379** Ratifying the Appealed Special Tax Assessment for property at 679 MARYLAND AVENUE EAST. (File No. CG2203A1, Assessment No. 220109)

Sponsors: Yang

Reduce assessment from \$111.04 to \$95.

Alberto Reynoso Arellano, owner, appeared
Sonia Romero translated

Staff report by Clare Pillsbury: for both properties the property owner stated they paid their Quarter 2, 2022 invoice in May of 2022. However, they spoke with Waste Management and the Customer Service Representative said no payment was received. Hauler records show that the initial payment was received May 19, 2022 at the current lock box address. It was returned to the property owner due to the lack of information necessary to apply the payment. The hauler was unable to provide specific information regarding what information was missing from the payment, the billing manager confirmed that I was most likely the account ID number that was not included. Staff recommends approving the assessment.

Moermond: we have a bill of \$111.04. I'll recommend this is also decreased to eliminate the late fees since he made more than a good-faith effort to pay in a timely fashion. Do we have the same situation where you made a payment, it hasn't been applied, and you haven't gotten it back yet?

Arellano: yes.

Moermond: Ms. Pillsbury, you will investigate? And could you also look into the Zelle system to see if it can be modified to make it work more smoothly for him?

Pillsbury: of course.

Referred to the City Council due back on 11/16/2022

4 RLH TA 22-383 Ratifying the Appealed Special Tax Assessment for property at 783 HAGUE AVENUE. (File No. CG2203A1, Assessment No. 220109)

Sponsors: Balenger

Approve the assessment.

No one appeared

Staff report by Clare Pillsbury: the property owner stated that the 783 Hague Ave property should be paid by the Avon Row Condo Association and the bill should be sent to 781 Hague Ave. However, the property owner is getting billed at 783 Hague Ave. Property owner has called Republic Services to resolve the issue and has not been able to get this issue resolved. Hauler records show that the mailing address for 783 Hague Ave was updated to 781 Hague Ave starting in Quarter 2 2022. Currently the account is set up for electronic billing and all invoices are being sent to the following email address: gary@garydavidkeast.com. In addition, staff verified that the notices of nonpayment for Quarter 2 2022 were sent to the following address: Avon Row Assn, 781 Hague Ave, Saint Paul, MN 55104. Therefore, staff recommends approval of the assessment. It should be noted that hauler records show that the mailing address for 781 Ave Hague is currently listed as 783 Hague, which may have caused confusion.

Moermond: recommend approval of the assessment. The issue of who is on the bills is a private matter between the condo association and the owner.

Referred to the City Council due back on 11/16/2022

- 5 **RLH TA 22-373** Ratifying the Appealed Special Tax Assessment for property at 775 HAWTHORNE AVENUE EAST. (File No. CG2203A1, Assessment No. 220109)

Sponsors: Brendmoen

Reduce assessment from \$222.11 to \$193.16.

No one appeared

Staff report by Clare Pillsbury: the property owner contacted us and stated that Waste Management failed to mail the invoice to the correct address. The invoice for garbage services was sent to 841 Rose Avenue in St Paul which was their mailing address almost three years ago. When the mailing address changed to 15185 15th St N, Stillwater MN 55082, the property owner called Waste Management, who was the assigned hauler at the time, to update it on the account. The mailing address for the property has also been updated with Ramsey County. Therefore, the invoice should have never been sent to 841 Rose Ave. On July 25, 2022 the property owner called Waste Management and spoke with a Nicole, a customer service representative, who stated that it was Waste Management's fault that the invoices were sent to the wrong address. The property owner stated that they should not have to pay any assessed late fees. Hauler records confirm that the invoices and notices of nonpayment were being sent to the wrong mailing address. Staff confirmed that they did send an update to the hauler in April 2020 informing them of the change in mailing address. However, the mailing address was never updated. Therefore, staff recommends eliminating the total late fees of \$28.95 and reducing the assessment to \$193.16.

Moermond: so recommend, reduce to \$193.16. Is the Quarter 3 bill affected? Is there an assessment on that?

Pillsbury: there is not.

Referred to the City Council due back on 11/16/2022

- 6 **RLH TA 22-376** Ratifying the Appealed Special Tax Assessment for property at 75 MARYLAND AVENUE EAST. (File No. CG2203A1, Assessment No. 220109)

Sponsors: Brendmoen

Reduce assessment from \$333.12 to \$96.56.

No one appeared

Moermond: we have a Quagga, LLC, as the owner. Do we have a human?

Haas: Michael Cassidy.

Staff report by Clare Pillsbury: Hauler requested that the assessment be reduced due to the fact that there are three accounts set up for the property. Therefore, the property is getting triple billed. Staff recommends reducing the assessment to the cost of service for a single account. Since all the accounts are currently charging the property owner for a single 64-gallon cart, staff recommends reducing the assessment to \$96.56.

Moermond: triple billing, so reduced to a bit less than a third of the amount. So recommended.

Referred to the City Council due back on 11/16/2022

- 7 **RLH TA 22-387** Ratifying the Appealed Special Tax Assessment for property at 461 OSCEOLA AVENUE SOUTH. (File No. CG2203A1, Assessment No. 220109)

Sponsors: Noecker

Delete the assessment. Staff to delete pending Q3, 2022 assessment as well.

Cole Cobb, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Clare Pillsbury: Property owner contacted the Legislative Hearing office that they had been in the vacant building program since June 29, 2022. Since their property was vacant during this time period, they don't believe that they should have to pay their assessment. Staff records show that there was no unoccupied dwelling registration form submitted before or during the time period in question. Therefore, staff recommends approving the assessment. The property owner also has a pending assessment for Quarter 3, 2022.

Moermond: Mr. Cobb, tell me what is going on?

Cobb: I spoke with Joanna because I had two tenants in the property and they cut the wires and it destroyed the plumbing so I had to do an insurance claim. That set me back a lot for a huge amount, so it was vacant likely before June. It is still vacant now, but I do have a potential business partner.

Moermond: Mr. Cobb, I'm seeing your address as 461 Osceola. Can you expand on that since you are out of state?

Cobb: I used to live there, but then I got a job in Houston, TX. I rented my unit out to someone. I thought I had a good relationship with the tenants. I eventually had to evict them.

Moermond: do you own other investment properties in St. Paul?

Cobb: no, it was my first property I ever bought. I had no intention to leave MN, but there was no upward mobility here. The intent wasn't to accumulate investment properties.

Moermond: I get that. I'm asking because if you have multiple properties my expectations are different about the base of knowledge you would have. It is more reasonable to say in your difficult circumstances you wouldn't have known about the Vacant Building program or filing an Unoccupied Dwelling Registration Form. Given those circumstances I'm comfortable recommending this assessment will be deleted. We'll also get that next quarter deleted as well.

Cobb: I'm in Wisconsin right now with my dad since he has dementia. I'm hoping to sell to cash buyer soon. I want to make sure my ducks are in a row.

Moermond: I'm not your title company but you'll have about \$440 in these pending assessments. I would make sure it is put in escrow so that it isn't inadvertently paid. We can email the findings of today's hearing so you can share that with your title people.

Referred to the City Council due back on 11/16/2022

10:00 a.m. Hearings

Special Tax Assessments

- 8 RLH TA 22-375** Ratifying the Appealed Special Tax Assessment for property at 1198 BURR STREET. (File No. CG2203A2, Assessment No. 220110)

Sponsors: Brendmoen

Delete the assessment.

No one appeared

Staff report by Clare Pillsbury: this is for \$111.04 for quarter 2, 2022. This was requested to be removed by Waste Management because there were two accounts set up for the property so the property owner was being double billed.

Moermond: so recommended.

Referred to the City Council due back on 11/16/2022

- 9 RLH TA 22-372** Ratifying the Appealed Special Tax Assessment for property at 1019 EDGERTON STREET. (File No. CG2203A2, Assessment No. 220110)

Sponsors: Brendmoen

Reduce assessment from \$344.92 to \$299.95.

No one appeared

Staff report by Clare Pillsbury: this is for \$344.92 for Quarter 2, 2022. Property owner states that Waste Management didn't mail the invoice to the correct address. It went to 841 Rose Avenue, which was their address three years ago. When the mailing address changed to 15185 15th St N, Stillwater MN 55082, the property owner called Waste Management, who was the assigned hauler at the time, to update it on the account. The mailing address for the property has also been updated with Ramsey County. Therefore, the invoice should have never been sent to 841 Rose Ave. On July 25, 2022 the property owner called Waste Management and spoke with a Nicole, a customer service representative, who stated that it was Waste Management's fault that the invoices were sent to the wrong address. The property owner stated that they should not have to pay any assessed late fees. Staff confirmed that they did send an update to the hauler in March 2020 informing them of the change in mailing address. However, the mailing address was never updated. Therefore, staff recommends eliminating the total late fees of \$44.97 and reducing the assessment to \$299.95.

Moermond: so recommended

Referred to the City Council due back on 11/16/2022

- 10 RLH TA 22-374 Ratifying the Appealed Special Tax Assessment for property at 615 LAWSON AVENUE EAST. (File No.CG2203A2, Assessment No. 220110)

Sponsors: Yang

Reduce assessment from \$122.78 to \$61.09.

Braden Shelton, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Clare Pillsbury: the property owner says they paid a prorated service for the property. Hauler records show that the current property owner called in mid-May to set up the account. However, the previous property owner's account was not closed. Therefore, the current assessed amount is the Quarter 2 2022 invoice for the previous property owner's account. Since the current property owner had already paid for service provided from May 16 to June 30, 2022 on their Quarter 3 2022 invoice, the hauler recommended reducing the assessment to reflect the service period of April 1 to May 15, 2022 for a 96-gal cart. Staff recommends reducing the assessment to \$61.09, which is half of the assessed amount. Since the current property owner is responsible for any and all pending assessments on their property, it is their responsibility to ensure that the assessment is paid.

Moermond: so the hauler is recommending it is cut down to size, and this is the difference. Have you had a chance to talk this over with Ms. Pillsbury? Where are you at with this?

Shelton: I did talk to her. I'm still waiting to hear from my title company. They are checking into it and taking their time getting back to me. When I purchased it showed all assessments were paid, so they are still trying to figure out what is going on and talking to the City. That's as much as I know.

Moermond: the hauler would have sent the bills to the previous owner, and those bills would indicate if they went unpaid they will turn into an assessment. They had full knowledge there was a bill on the property that would turn into an assessment. It wasn't an assessment yet, so it is reasonable the title company wouldn't find it. The seller should have disclosed this. They are required to do that at closing. I'm sure if you review your closing documents they would have initialed a box saying they told you everything. They did not do that. Right now, it is a question of them paying you the amount they should have told you was owed. It is small, so hopefully it will take one phone call. Hopefully it works out that way. You do assume the debt of the property when you purchase. I can cut it down to that \$61.09. Do you have background information from the City? The bills the previous owner would have received.? He can have that to take to his title people.

Pillsbury: I can do that.

Moermond: that will hopefully facilitate that conversation.

Referred to the City Council due back on 11/16/2022

11 **RLH TA 22-378** Ratifying the Appealed Special Tax Assessment for property at 833 MARSHALL AVENUE. (File No. CG2203A3, Assessment No. 220111)

Sponsors: Balenger

Approve the assessment.

Austin Altenburg, owner, appeared

Staff report by Clare Pillsbury: the property owner stated they didn't own the property during this time period so they feel they shouldn't have to pay the assessment. Staff confirmed that service was being provided during that time period for a 64-gal cart, plus late fees. Since the current property owner is responsible for all pending assessment on the property, staff recommends approving the assessment.

Moermond: when did you close on the property?

Altenburg: July 31, 2022 I think.

Moermond: when did this become a pending assessment?

Pillsbury: July 15, 2022.

Moermond: so that should have been disclosed at the closing in the normal course of events?

Pillsbury: yes.

Moermond: and you weren't provided that information?

Altenburg: yes, we weren't.

Moermond: that's kind of on your title company. That was pending for 2 weeks at the point you closed. I would follow-up with your title company and tell them they missed it and need to pay it or facilitate the previous owner paying it. Unfortunately, the City isn't going to step into a private real estate transaction. We can't really assist. The property itself gets the assessment and it is up to you track down the responsible party. We can get you those past bills for you to show the title company.

Referred to the City Council due back on 11/16/2022