



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
*Mai Vang, Hearing Coordinator*  
*Joanna Zimny, Executive Assistant*  
*legislativehearings@ci.stpaul.mn.us*  
*651-266-8585*

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Thursday, October 14, 2021

9:00 AM

Hearings are conducted virtually

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#### Special Tax Assessments

#### 9:00 a.m. Hearings

- 1     **RLH TA 21-405**     Ratifying the Appealed Special Tax Assessment for property at 914 COOK AVENUE EAST. (File No. CG2103A3, Assessment No. 210112)

Sponsors:     Yang

*Delete the assessment.*

*No one appeared*

*Staff report by Clare Pillsbury: staff was notified the property has been vacant since August 11, 2020 due to a fire. The Legislative Hearing Officer recommended the assessment be removed.*

*Moermond: we dealt with this before. Not only a fire, also a deceased owner. Recommend deletion.*

**Referred to the City Council due back on 11/17/2021**

- 2     **RLH TA 21-431**     Ratifying the Appealed Special Tax Assessment for property at 1501 ELEANOR AVENUE. (File No. CG2103A1, Assessment No. 210110)

Sponsors:     Tolbert

*Reduce assessment from \$217.58 to \$101.20.*

*No one appeared*

*Staff report by Clare Pillsbury: the property owner purchased the property in January of 2021. They had been trying to access their account online to set up billing, however needed different information to do so, including account number, the website, and an invoice and they never received any of these numbers from Advanced. They stated they called numerous times to get the numbers, but each time a Customer Service Rep provided numbers that didn't work to access the account online. They also have not received an invoice since they purchased the property. They did try to pay their Quarter 2, 2021 invoice in May but it wasn't taken out of their account so they feel as though they should not have to pay late fees for an invoice they never received.*

Moermond: we have a situation where Advanced sent an assessment for Quarters 1 and 2, which were combined. They should have only sent forward Quarter 2, so all Quarter 1 charges and Quarter 2 late fees are being deleted? So from \$217.58 to \$116.38.

Pillsbury: actually that is with late fees, so it should be \$101.20.

Moermond: noting that is a change from staff comments.

**Referred to the City Council due back on 11/17/2021**

- 3**      **RLH TA 21-424**      Ratifying the Appealed Special Tax Assessment for property at 1707 ROSE AVENUE EAST. (File No. CG2103A3, Assessment No. 210112)

**Sponsors:**      Yang

*Delete the assessment.*

*No one appeared*

*Staff report by Clare Pillsbury: the resident stated they paid their bill in July and had verification of payment. We reached out to hauler, despite the fact the bill was paid in July, they recommended removing the assessment.*

*Moermond: \$2.96 deleted, absolutely.*

**Referred to the City Council due back on 11/17/2021**

- 4**      [RLH TA 21-425](#)      Ratifying the Appealed Special Tax Assessment for property at 843 SELBY AVENUE. (File No. CG2103A1, Assessment No. 210110)

**Sponsors:**      Thao

*Layover to LH October 21, 2021 at 9 am (unable to reach PO).*

*Voicemail left at 9:23 am: this is Marcia Moermond calling about your appealed special tax assessment for garbage service at 843 Selby Avenue. We will try calling back in about 15 minutes.*

*Voicemail left at 9:50 am: this is Marcia Moermond trying to reach you again. Since we've been unable to reach you, we'll try next Thursday morning October 21 between 9 and 10 am to discuss.*

**Laid Over to the Legislative Hearings due back on 10/21/2021**

- 5**      [RLH TA 21-428](#)      Ratifying the Appealed Special Tax Assessment for property at 1706 SIMS AVENUE. (File No. CG2103A3, Assessment No. 210112)

**Sponsors:**      Yang

*Layover to LH October 21, 2021 at 9 am (unable to reach PO).*

*[Translator from Language Line interpreted Messages in Karen]*

*Voicemail left at 9:17 am: this is Marcia Moermond calling about your appealed special*

assessment for 1706 Sims Avenue. We will try calling back in 15 minutes to discuss your appeal of the assessment for the garbage hauling bill.

Voicemail left at 9:45 am: this is Marcia Moermond calling a second time to discuss your appealed special assessment. Since you are unavailable this morning, I'm going to continue it to next Tuesday morning at 9 am and try to reach you then on October 21.

[note: second voicemail should have said Thursday, but October 21 was correct date]

**Laid Over to the Legislative Hearings due back on 10/21/2021**

- 6 RLH TA 21-429** Ratifying the Appealed Special Tax Assessment for property at 1343 STILLWATER AVENUE. (File No. CG2103A3, Assessment No. 210112)

Sponsors: Yang

Delete the assessment.

No one appeared

Staff report by Clare Pillsbury: this is for the special tax assessment. The resident stated they believed they paid in full and the assessment was sent in error. They said they had documentation of a \$63 payment on May 11 and another payment of \$93.07 on July 14, 2021. They have never received an actual bill, only final notices. They state they contacted Advanced multiple times about this billing issues since moving into the property in January of 2021. We spoke with the hauler and they confirmed the May 11 payment and requested that we remove the assessment. They also followed up with the resident to make sure it is set up correctly. Staff recommends the assessment be deleted.

Moermond: so recommended.

**Referred to the City Council due back on 11/17/2021**

### 10:00 a.m. Hearings

- 7 RLH TA 21-426** Ratifying the Appealed Special Tax Assessment for property at 2211 BENSON AVENUE. (File No. CG2103A2, Assessment No. 210111)

Sponsors: Tolbert

Delete the assessment.

Richard Anderson, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Clare Pillsbury: the property owner stated they sent the company a request for a service hold for January 1 through June 30, 2021. They state there was no one at the property during this time period. Therefore they believe they should not have to pay the assessment. We contacted the hauler whose records show that the property owner never filed a service hold. The property owner did call the hauler after the time period in question and complain about the charge and request a credit. Due to the fact that the request was not submitted in time, staff recommends approving the

assessment.

Moermond: so Waste Management said he called after the end of the second quarter?

Pillsbury: correct.

Moermond: why are you appealing? What's going on?

Anderson: I came down to the Public Works place and got a hold of the paper and mailed it to the hauler like the lady at Public Works said to. I guess it got lost, I mailed it December 15. I came to St. Paul and parked in the Lowry building and got the form St. Paul, they had it printed. I mailed it to them. I was out of state so I wanted to put my service on hold.

Moermond: have you had a service hold before?

Anderson: no

Moermond: so only this one time?

Anderson: yes.

Moermond: what do your records show?

Pillsbury: the hauler said they did put his account on vacation from January 1, 2020 through June 30, 2020.

Moermond: so there is a record of a hold in place, it was for the previous year?

Pillsbury: yes.

Moermond: presumably he wasn't billed for the first and second quarter of 2020, but there wasn't a second one. Is there a chance that could be what's going on here Mr. Anderson?

Anderson: no, I sent them a hold paper. I mailed it December of 2020, so they would have it by January 1 of 2021.

Moermond: ok. You indicated a moment ago you only have done one service hold.

Anderson: I made a mistake there, I did file one the previous year. I apologize for that. I go out of town every winter and put a hold on my service.

Moermond: hmmm. Bit of a conundrum for me. Can you describe for me, Ms. Pillsbury, any record of communication as follow-up from the hauler?

Pillsbury: they have record of Richard calling June 22, 2020. He asked the agent to put in a credit for that time period. They did put in the credit but it was denied by a supervisor since they didn't get a call or a form in December. They said they called July 8, 2021 and again July 12, when he called to see what he owed and they explained what his bill was for.

Moermond: Mr. Anderson, you're catching me on a sympathetic morning. I'm going to give you credit for making a good faith effort for this second quarter of 2021 and

*recommend Council deletes the assessment. The first quarter already went through and that will continue to be approved. So we're splitting the difference. We're going to go with deleting the one in front of me today.*

*Anderson: thank you ma'am.*

**Referred to the City Council due back on 11/17/2021**

**8 RLH TA 21-408** Ratifying the Appealed Special Tax Assessment for property at 822 EDMUND AVENUE. (File No. CG2103A4, Assessment No. 210113)

**Sponsors:** Thao

*Reduce assessment from \$244.47 to \$94.15.*

*No one appeared*

*Staff report by Clare Pillsbury: the property owner stated they purchased the property April 28, 2021 and they called Republic Services May 7 to inform them of the change of ownership. However they didn't receive an invoice until Quarter 3, 2021 in September 2021. This invoice includes the entire Quarter 2 bill. However the property owner stated they already paid the entire Quarter 2, 2021 assessment of \$244.47 and feel paying this assessment would be double paying. The hauler confirmed the Quarter 3, 2021 invoice included May 7, plus regular charges from Quarter 3 2021. They recommend we reduce the Quarter 2, 2021 invoice to \$94.15 to reflect service provided to the previous property owner.*

*Moermond: so a reduction to \$94.15. Under the contract it states the two private property owners are to make arrangements in closing about how the bill is handled. That didn't happen there. The hauler is working with the new owner on their behalf. Kind of doing a courtesy?*

*Pillsbury: the time period from April 1—*

*Moermond: yes, that's what I'm saying, it should have been a private matter with the old owner.*

*Pillsbury: they took ownership after April 26, they would be responsible for—*

*Moermond: they're responsible for any assessment on the property. Evidently this pending bill didn't happen. Good on Republic for covering that situation out of their pocket, unless they get the money from the old owner.*

*Pillsbury: they aren't absorbing any costs. They double charged them for the period from May 7 to July. When the property owner called in, the hauler said we'll add this time period, because the previous owner should have paid the whole quarter up front.*

*Moermond: so all the hauler gets is month 3. Months 1 and 2 no one paid?*

*Pillsbury: the property owner paid Quarter 2 and 3, no one paid Quarter 1. So they aren't double paying the 2 months of May and June.*

*Moermond:: no one has paid it so it isn't double paying anything. Set quarter 1 aside. If the acquisition is April 28, then the months of April, May, and June are in the bill. They are saying \$94 goes to new owner and the amount prior to the new owner acquiring gets*

*paid by whom? It's a black hole right now if it gets reduced.*

*Pillsbury: it would be the responsibility of the current owner technically.*

*Moermond: and Republic is saying as a courtesy we won't make you pay that. So good on Republic. There was no double billing is what I'm looking for, bottom line. It isn't on the City or Republic, it is on the private property transaction.*

*Supervisor Sarah Haas: they are only charging from April 28 to June 30. Who paid April 1 to April 28?*

*Pillsbury: basically the hauler added the time period of May and June to the 3rd quarter bill of the new owner. So when they paid the third quarter they paid for July, August and September, and also May and June. So 2 months of the Quarter 2 bill was on the quarter 3 bill.*

*Moermond: the unpaid portion of the quarter 2 bill was added to the quarter 3 bill?*

*Pillsbury: when there is a change in property in the middle of service period, the hauler usually says the previous property owner should have paid the bill in full.*

*Moermond: we're cleaning up their mess up in the billing. If they were lacking that money they should have sent it to assessment.*

*Haas: per contract.*

*Pillsbury: so they add May and June to the quarter 3 bill. If the current property owner has paid, we will credit them back for that time period. If the previous property owner hasn't paid, we'll cut their bill to what they were responsible for. So in this instance the hauler failed to do is, they did add May and June to current property owner. But they forgot to cut the bill down for April to the previous property owner. They were still owed for April. They are acknowledging they were double billed.*

*Haas: they charged the old owner for Quarter 2? New owner for month 2 and 3?*

*Moermond: did the previous owner pay?*

*Haas: it says they didn't. They aren't allowed to apply a previous quarter's bill to the next quarter. I'll follow up because that shouldn't be happening.*

*Moermond: no question it should be deleted. But we needed to have this conversation. We are in a place where the hauler is asking for this to be reduced, and bottom line is they made an error in how they handled the billing in this transaction and this should clean up the error they made.*

*Pillsbury: yes.*

*Moermond: and \$94.15 is the new amount.*

**Referred to the City Council due back on 11/17/2021**

**9**      [RLH TA 21-432](#)

Ratifying the Appealed Special Tax Assessment for property at 1769 MARSHALL AVENUE. (File No. CG2103A4, Assessment No. 210113)

**Sponsors:**      Jalali

*Layover to LH October 21, 2021 at 10 am.*

*No one appeared*

*Moermond: we are laying over Marshall to the 21st.*

**Laid Over to the Legislative Hearings due back on 10/21/2021**

### **Special Tax Assessments**

#### **Special Tax Assessments-ROLLS**

- 10 RLH AR 21-99** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2021. (File No. CG2103A3, Assessment No.210112)
- Sponsors: Brendmoen
- Referred to the City Council due back on 11/17/2021**
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- 11 RLH AR 21-100** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2021. (File No. CG2103A4, Assessment No.210113)
- Sponsors: Brendmoen
- Referred to the City Council due back on 11/17/2021**