

## Mai Vang

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**From:** CouncilHearing (CI-StPaul)  
**Sent:** Tuesday, July 9, 2024 10:36 AM  
**To:** Dan Witucki; \*CI-StPaul\_LegislativeHearings  
**Subject:** RE: 695 Ohio partial assessment dispute:

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Dan,

I'm connecting you with our Legislative Hearing staff, who can help with arranging your appeal hearing.

Thanks,

Greg Weiner  
Executive Assistant – City Council  
Saint Paul City Council  
[Greg.Weiner@ci.stpaul.mn.us](mailto:Greg.Weiner@ci.stpaul.mn.us)  
651-266-8512  
He/him/his

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**From:** Dan Witucki <danproperty2000@aol.com>  
**Sent:** Tuesday, July 9, 2024 9:42 AM  
**To:** CouncilHearing (CI-StPaul) <CouncilHearing@ci.stpaul.mn.us>  
**Subject:** 695 Ohio partial assessment dispute:

Dear City Council Members,

I am partially contesting an assessment for tree removal on the basis that I had an arborist scheduled to remove the trees in question for a lower cost than the contractor hired by the the City. I communicated with the City via Karl Mueller regarding this and neither he nor the contractor contacted me or notified me before entering my land to remove trees as was required per the city's own policies and procedures.

Specifically:

1. The first communication I received from the City of St. Paul was on October 16, 2023 when a tenant living at that residence (4 plex) texted me a copy of a notice that was found of the front step.
2. Within that week I contacted an arborist (Matt Molinaro - Molinaro Tree Company) who has done my tree removal and trimming for the last 15 years. He said he was busy like all tree trimmers in the late fall but he would get to the property to give me an estimate.
3. Nov 7, 2023 the arborist performed a site visit and we worked out a removal plan (which was complicated since he needed to have power disconnected from 2 neighbors power lines that went through a big tree in the rear of the property.
4. My partner (Jean Youness) called Mr. Mueller after that in November 2023 to discuss and notified him that we contracted with an arborist for removal. I was also present in the office

when she spoke with him on the phone. She indicated that the arborist would remove the trees at his first opportunity but was at the mercy of Xcel energy when they could disconnect and reconnect the neighbors power. Mr. Mueller did not have any objection to that plan.

5. On December 13 the street in front of the property was blocked off and tenants were notified to have cars out of parking area for the arborist's crew the following morning.
6. On December 14, 2023 the arborist met Xcel at the property and for some reason the disconnect was more complicated between Xcel and the cable and telephone provider so they needed to reschedule.
7. Before the arborist and Xcel could set a new date, I drove by the property and the trees were cut. I never received any communication, warning, deadline, or otherwise from anyone at the city or the contractor hired by the city, as is required.

The reason I am only partially disputing the assessment is because my arborist was going to cut down 6 trees on the property for \$6,000. The city's contractor removed essentially half of them and would like to charge me over \$4,000. The trees that the city's contractor removed would have cost me about \$3,000 to remove. I understand value was created and I am willing to pay what it would have cost me with my arborist but not any more than that since this situation was created by the city's employees and contractor.

The City of St. Paul has a lot of authority to tax and assess. As such, its employees and contractors have a duty to homeowners and tenants to notify us and give reasonable timeframes to complete complex work. The communication was inadequate (one flier lying on the steps), and the City, through its employee Mr. Mueller, was aware that the work was in progress and never indicated a problem with the timeframe, or that there was a specific deadline.

Finally, the city's contractor was supposed to contact/notify me and my tenants that they were going to enter the property and remove trees. They never did that required step which would have also prevented this problem.

Respectfully,  
Dan Witucki