



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

Thursday, July 22, 2021

9:00 AM

Remote Hearing

Special Tax Assessments

9:00 a.m. Hearings

- 1 **RLH TA 21-314** Ratifying the Appealed Special Tax Assessment for property at 696 CONCORD STREET. (File No. CG2102A1, Assessment No. 210106)

Sponsors: Noecker

Layover to LH July 29, 2021 at 10 am (unable to reach PO).

No one appeared

Moermond: we had a number for Mr. Turner, which we tried to call last week unsuccessfully. Joanna you connected with him?

Zimny: I emailed him and he indicated he no longer has a phone. I explained he can either submit additional testimony to be considered at the Legislative Hearing or conduct the hearing in person. I have not heard back from him.

Moermond: this goes to Council August 25. We'll lay this over one more time in case we hear from him. If we don't we'll do the appeal based on what he's already sent in to Public Works staff.

Laid Over to the Legislative Hearings due back on 7/29/2021

- 2 **RLH TA 21-343** Ratifying the Appealed Special Tax Assessment for property at 1058 JESSIE STREET. (File No. CG2102A3, Assessment No. 210108)

Sponsors: Brendmoen

Delete the assessment.

No one appeared

Moermond: it looks like a substantial assessment but what is going on?

Staff report by Clare Pillsbury: the property owner's daughter reached out saying there was a fire December 1, 2020 and has been vacant since then. They requested the assessment be removed. We recommend approving as a courtesy. We have also

removed the Quarter 1, 2021 bill. They have submitted the Unoccupied Dwelling Registration form.

Moermond: this was sent to the Vacant Building program December 2 from Fire. Recommend deletion, it was empty the entire first quarter.

Referred to the City Council due back on 8/25/2021

- 3 [RLH TA 21-342](#) Ratifying the Appealed Special Tax Assessment for property at 2127 NORTONIA AVENUE. (File No. CG2102A3, Assessment No. 210108)

Sponsors: Prince

Layover to LH July 29, 2021 at 9 am (staff to mail PO for contact info).

No one appeared

Moermond: we have a note and no number was found. Let's talk about what's going on.

Clare Pillsbury: we received a letter from the property owner with a couple reasons she's contesting. First she thinks she is being double charged for service. She also is inferring that she does go away for the winter so isn't receiving services. She is also contesting based on the price of the actual service. Our response is first, regarding the price, all residential properties are required to have service. She does not have the lowest level of service. We are going to send her a letter about her options there. We've also reached out to the hauler to get her billing history and to see if she ever requested a service hold.

Moermond: and you're going to send her the service hold form?

Pillsbury: yes.

Moermond: without a number or email, you'll send a letter copying us for the record. Hopefully we will hear back from her. We'll lay this over for one week to give her a chance to share additional information with us.

Laid Over to the Legislative Hearings due back on 7/29/2021

- 4 [RLH TA 21-330](#) Ratifying the Appealed Special Tax Assessment for property at 1563 YORK AVENUE. (File No. CG2102A3, Assessment No. 210108)

Sponsors: Thao

Delete the assessment.

No one appeared

Staff report by Clare Pillsbury: the property owner stated that their bill indicated the resident needed to accept the new hauling rates so they short paid the invoice, meaning they paid the previous year's rates. They believe they shouldn't be charged the difference. We did confirm Advanced's 2021 invoice did indicate if they paid the bill they were accepting the new increased rates. We recommend deleting.

Moermond: so that wording was unique to the way Advanced's billing operations. They are at fault so are eating the cost.

Chris Swanson: we let them know our displeasure. They are the only one who did this.

Moermond: this is a lot of staff time for \$1.66. How much are they paid to do the billing?

Swanson: \$1.99 a month.

Moermond: so they have used that up. Plus staff time, ridiculous.

Referred to the City Council due back on 8/25/2021

10:00 a.m. Hearings

- 5 **RLH TA 21-336** Ratifying the Appealed Special Tax Assessment for property at 794 AURORA AVENUE. (File No. CG2102A4, Assessment No. 210109)

Sponsors: Thao

Layover to LH July 29, 2021 at 10 am (unable to reach PO).

No one appeared

Voicemail at 10:08 am: this is Marcia Moermond with St. Paul City Council. You appealed a special tax assessment for garbage hauling. We're doing a telephone hearing on the matter. We'll try back in about 15 minutes to see if we can discuss this.

Voicemail at 10:27 am: good morning this is Marcia Moermond again calling about your appealed garbage hauling assessment. We will try to reach you again next Thursday morning between 10 and 10:30 to discuss this assessment.

Laid Over to the Legislative Hearings due back on 7/29/2021

- 6 [RLH TA 21-346](#) Ratifying the Appealed Special Tax Assessment for property at 303 CLARENCE STREET. (File No. CG2102A4, Assessment No. 210109)

Sponsors: Prince

Layover to LH July 29, 2021 at 10 am (unable to reach PO).

No one appeared

Voicemail at 10:09 am x5598: this is Marcia Moermond from St. Paul City Council. Trying to reach you about your appealed special tax assessment at 303 Clarence. We'll try back in 15 minutes or so.

Voicemail at 10:29 am x5598: this is Marcia Moermond calling again to discuss your appealed special tax assessment at 303 Clarence. We will try you back next Thursday am between 10 and 10:30 am to discuss with you then.

Laid Over to the Legislative Hearings due back on 7/29/2021

- 7 **RLH TA 21-329** Ratifying the Appealed Special Tax Assessment for property at 2053 IGLEHART AVENUE. (File No. CG2102A4, Assessment No. 210109)

Sponsors: Jalali

Delete the assessment.

No one appeared

Staff report by Clare Pillsbury: essentially the property owner said they put their service on hold January 25 onwards because she was temporarily living with her brother while she underwent cancer treatments. We weren't able to confirm with the hauler there was a hold, but we were able to confirm this was vacant at the time. We are going to recommend removing the assessment

Moermond: do we know where this is at now? Do we have a hold in place?

Pillsbury: I'm not sure on that. I can reach out to the property owner. I'm not sure if it is still vacant but we can check on that.

Referred to the City Council due back on 8/25/2021

- 8 RLH TA 21-339** Ratifying the Appealed Special Tax Assessment for property at 47 ORANGE AVENUE WEST. (File No. CG2102A2, Assessment No. 210107)

Sponsors: Brendmoen

Approve this assessment.

James Castillo, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Clare Pillsbury: the property owner reached out to say they haven't used the service since the program began. They say the bin has been in the garage and never been used. Our response is that all residential properties in the City are required to have garbage service. Currently there is no option to opt out. We do note that the property owner has the lowest level of service.

Moermond: when you say that service was provided, and he says he isn't putting his cart out, what you mean exactly is what?

Pillsbury: the account is active with Waste Management and they are passing by every week looking for a cart to pick up.

Moermond: so they are going by to provide the service whether or not the cart is there to be emptied. And this is every other week?

Pillsbury: yes.

Moermond: why are you appealing?

Castillo: I appealed before. There was a bunch of people a couple years ago. I said I have owned this house for 40 years. I have never had a trash hauler since I've been living here myself over 20 years. I recycle as much as I can, most of it can go into compost. I told them then I don't need the hauler and I won't ever use it. They just kind of brushed me off at that time. I don't know what their thinking was and why would you

mandate a person who doesn't have any trash have to pay Waste Management for not picking anything up. It is ridiculous. Putting an empty cart out is stupid. I don't know anyone who would pay any hauler when there isn't anything in the cart. I don't think anyone in that room would pay someone to pick nothing up. Does the law state I have to have trash? Of course not, I don't have any trash.

Moermond: the law does say you have to have service. There was a ballot referendum.

Castillo: I'm not saying service. I'm saying trash. Why would I pay to pick nothing up? You wouldn't do that.

Moermond: I hear what you are saying. Mr. Swanson, we are in the middle of a 5-year contract and in this contract it is set up that all single-family homes through fourplexes have to pay for a cart for each housing unit. If you have four units you have to pay for 4 carts. That is true across the City, paying their fair share. How many more years, and is that something the City is looking at for the future for situations like this?

Swanson: this goes to October 1, 2023. That's coming up soon. I can tell you one of the biggest things we heard was the frustration from zero wasters like yourself of having to pay for an empty cart. As well as looking at the next contract and what is in it, one of the highest priorities is being able to have low waste generators be able to choose not to have a cart all the tied at the property. Not opting out. But I want you to know we've heard you on this and it is a high priority as we move forward on the next contract

Moermond: but for the time being, the law supporting the contract is that every single-family home through fourplex is responsible for their fair share of service, whether or not they put their cart out. The billing is done through the hauler instead of directly to the City, but it is a City contract. Would it feel different to you Mr. Castillo if it was to the City versus the hauler?

Castillo: with their own trucks? I remember when the City got out of the hauler business. I remember it well. It isn't going to make a difference who picked it up. The fact I don't have trash is the issue. I don't own that cart. I'm never going to. I don't use it. I never will. You can't expect me to store that cart for nothing on my property. You wouldn't store it if you wouldn't use it, would you? Of course you wouldn't. I'm storing this in my garage, it doesn't belong to me, it belongs to the City. I'm not going to store it for nothing and not use it. I'm never going to pay Waste Management to pick nothing up. It is ludicrous. I don't understand how they came to this decision. They have to know there are a lot of people like me who don't have things to put in. Why make Waste Management richer than they already are for picking nothing up? It is not a tax it is a bill, why is it on my property taxes?

Moermond: if the bill goes unpaid, the City asks for payment and if they don't get it, then it is processed as an assessment, which is how we are here today. That's how that goes.

Castillo: I don't think there's anyone in your meeting room that would send Waste Management what they're asking to not pick anything up. Its ridiculous. I don't get it. And you can't expect me to store that cart on my property for nothing. It is brand new.

Moermond: Mr. Swanson any comments on that?

Swanson: I don't think we have much to add. I want you to know we have heard

comments from residents on this. I'm hearing you now, this goes to the Council as a record. It is a high priority for us in a future contract.

Moermond: I think this will end the same place as before which I know is frustrating for you. I'm bound by the existing law and contract, that is that you are in the same position as others who own single-family homes who has to pay for the minimal level of service whether or not you put garbage into the container. I'm sorry it is frustrating and we hear your frustration. The elected officials hear it loud and clear as well. It is getting through this 5-year contract so it can be dealt with in the next round. I'm sorry I don't have a better answer than recommending approval because that's what the law says. You can contest that recommendation if you would like. We've been taking notes on what you've said and respect your opinion on that. Thank you for your time and thoughtfulness in sharing your opinion today. It is helpful for making change in the future.

Castillo: ok.

Referred to the City Council due back on 8/25/2021

- 9 RLH TA 21-335** Ratifying the Appealed Special Tax Assessment for property at 1677 THOMAS AVENUE. (File No. CG2102A4, Assessment No. 210109)

Sponsors: Jalali

Delete the assessment.

No one appeared

Staff report by Clare Pillsbury: this is a case where the property owner stated they were promised by the "head of the department of billing" at Advanced that a \$5 mistake in billing would be fixed. We reached out to the hauler who confirmed there were no call records with the property owner regarding a \$5 billing error. However, they requested staff remove the assessment.

Moermond: basically the hauler is saying we don't think we talked to them about this, but please delete it. Got it.

Referred to the City Council due back on 8/25/2021

Special Tax Assessments-ROLLS

- 10 RLH AR 21-70** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2021. (File No. CG2102A3, Assessment No. 210108)

Sponsors: Brendmoen

Referred to the City Council due back on 8/25/2021

- 11 RLH AR 21-71** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2021. (File No. CG2102A4, Assessment No. 210109)

Sponsors: Brendmoen

Referred to the City Council due back on 8/25/2021