

From: Goodpaster, Kenneth E. [<mailto:KEGOODPASTER@stthomas.edu>]
Sent: Monday, March 25, 2019 4:12 PM
To: #CI-StPaul_Ward2 <Ward2@ci.stpaul.mn.us>
Subject: Victoria Street Mill and Overlay Property Tax Assessment

TO: Rebecca Noecker
FROM: Ken and Harriet Goodpaster, 862 Fairmount Ave., St. Paul, 55105
DATE: March 25, 2019
RE: Opposition to Victoria Street Mill and Overlay Property Tax Assessment

Dear Councilmember Noecker:

We were SHOCKED by our January 2019 "INVOICE" for \$4927.00 that was going to be charged interest as of Feb. 1, 2019! We thought it must be a mistake, but when we called the city number, we were told simply that that is "just the way it is." And we were told that we must pay by February 1, 2019 or else incur interest.

We object to the *process* (it was not made clear that the assessment was not finalized) and to the *content* (the amount of the assessment was calculated for Victoria Street homeowners in an unfair way). We are retired and on a *fixed income* now and this charge was completely unbudgeted. We did not understand from the way the invoice was written that we could oppose this unfair charge! And we're MORTIFIED that we cannot attend the April 3 meeting, but we have an out-of-town commitment to be in Indianapolis that week. We have lived in St. Paul at this same address for 30 years. But with assessments like this one and escalating property taxes, we cannot for long afford to remain residents. This is so sad.

We hope you will support your Victoria Street constituents who are taking the initiative to oppose, with clear reasons and acceptable alternatives, this misguided assessment.

Ken and Harriet Goodpaster
862 Fairmount Avenue
St. Paul, MN 55105

From: Becky Erickson and Dan Sullivan [<mailto:danbecky70@comcast.net>]
Sent: Tuesday, March 26, 2019 9:38 PM
To: #CI-StPaul_Ward2 <Ward2@ci.stpaul.mn.us>
Subject: street assessment

Councilwoman Noecker,

I live on the corner of Lincoln and Victoria within Ward 2. I received a bill for street maintenance along Victoria Street. It was for 50% of the cost of mill and overlay on the street. Apparently because Victoria is a more major thoroughfare, a more substantial street maintenance is required. This is approximately 27 times more than the charge for seal coating on the other street frontage I have on Lincoln. While I understand the need to pay for services the city provides, this is blatantly unfair and frankly maddening. Victoria is a thoroughfare used extensively by vehicle traffic to support and patronize the businesses on

Grand avenue vital to the livelihood of a key St. Paul neighborhood. Additionally city vehicles, including rescue and fire routinely travel this route causing far more wear and tear than my personal use does. To imply that residents should bear half the substantially higher cost to maintain this road over "standard" residential roads is unfair and short sighted. You should know by now as an elected representative, few things anger constituents more than the sense of unfair taxes. Living in St. Paul, I have already grown accustomed to higher taxes than just about any surrounding area (except perhaps Minneapolis) for the privilege of living in a vibrant urban community. Being asked to shoulder a burden to provide better access for business on Grand Avenue and improved throughways for the city is too much. It may also be illegal as previous fees have been deemed. I would ask you to work to amend this policy. You risk creating further negative impacts, bad publicity, and increased incentive to move from this area with resultant downward pressure on home values and thus property tax revenue. I love St. Paul but there is a limit. The city is working to reach it.

Daniel Sullivan

From: Dan Sullivan and Becky Erickson [<mailto:danbecky70@comcast.net>]
Sent: Tuesday, March 26, 2019 9:09 PM
To: #CI-StPaul_Ward2 <Ward2@ci.stpaul.mn.us>
Subject: Victoria Street Assessment for Mill and Overlay

Dear Councilmember Noecker,

I am writing to you as my councilmember to express my opposition to the proposed assessment for mill and overlay work on Victoria Street (between Grand Avenue and St. Clair Avenue). I will be out of town on April 3, so cannot attend the public hearing.

The amount assessed, \$65.26 per linear foot, is significantly more expensive than the typical seal coating assessment for regular residential streets. The assessment is especially steep for corner lots (\$4,894.50 for our house). The more expensive mill and overlay work is necessary because Victoria Street is a "major collector" and experiences much higher and heavier traffic volumes than typical residential streets. The homeowners on Victoria Street should not have to pay for the higher wear and tear costs that are not related to typical residential use.

Victoria Street has much heavier traffic than a typical neighborhood street for several reasons. In addition to regular neighborhood use, many people from other areas visit the Grand Avenue businesses and restaurants. Large and heavy trucks make deliveries to the Grand Avenue businesses at the Grand and Victoria intersection and blocks. Because of the businesses at the intersection and on these adjoining blocks, there are more frequent visits from heavy recycling and garbage trucks. Additionally, the fire trucks and emergency vehicles from the nearby fire station use Victoria Street a lot more than a typical neighborhood street. All of this vehicle traffic puts significant wear and tear on Victoria, much more than a typical neighborhood street receives, which is why it needs mill and overlay work every 10 years, rather than simple sealcoating every 8 or so years. While we enjoy the vibrancy of the neighborhood and Grand Avenue businesses, the homeowners along Victoria Street should not have to pay for 50% of the high cost mill and overlay work needed to upkeep this heavily used street. Many more people benefit than the 30 or so homeowners along Victoria between Grand Avenue and St. Clair Avenue.

I respectfully request that the current assessment be adjusted to match the equivalent cost of seal coating work (i.e. \$4.71 per linear foot of frontage), and the remainder met out of general funds.

Sincerely,
Becky Erickson
857 Lincoln Avenue

From: Mary Porter [<mailto:porte001@umn.edu>]
Sent: Thursday, March 28, 2019 7:04 AM
To: Thao, Kayla (CI-StPaul) <kayla.thao@ci.stpaul.mn.us>
Cc: Mary Porter <porte001@umn.edu>; Tom Hays <haysx001@umn.edu>; oppose@victoriastreetassessment.com
Subject: Re: Victoria Street Assessment

Dear Kayla,
Many thanks for explaining how the assessment process works. As residents of 865 Fairmount Ave, we understand that we are responsible to pay for routine maintenance for residential streets. However, this situation is VERY different. Victoria is a major thoroughfare through the city of Saint Paul, not a residential street like Fairmount Ave. The wear and tear on Victoria is much greater given its usage as a major road. It is simply not fair to put all of the maintenance costs on those residents whose property happens to border this road. We are paying 27x more than residents on other streets! Do you really think this is fair?
Sincerely,
Mary Porter

On 3/26/19 3:47 PM, Thao, Kayla (CI-StPaul) wrote:
Dear Mary:

Thank you for contacting the Ward 2 office.

We appreciate your writing and expressing your perspective on Victoria Street Assessment. I have shared your message with Councilmember Noecker.

I'd just like to elaborate that this is for a mill and overlay project, which is covered under the Street Maintenance Service Program. Here is a brief description of the work and process for collecting the fee.

The original invoice was mailed on December 31, 2018 and stated a due date of February 1, 2019. If unpaid the fee becomes an assessment and will be payable over 10 years through property taxes. The scope of work may include:

- Mill and Overlay - Removal of the top layer (usually 1 ½ - 2 inches) of a street by a milling machine, applying a new layer of bituminous/asphalt pavement in its place. Includes pedestrian ramp improvements for Americans

with Disabilities Act (ADA) compliance, installation of traffic signal loops and pavement re-striping. Applies mostly to commercial/arterial streets, some residential streets.

For all properties receiving mill and overlay services the City charges 50% of the total service cost. Residential properties 1-4 units with multiple street or alley frontages do not receive a further reduction. More information is available at www.stpaul.gov/departments/financial-services/street-maintenance-service-program.

I hope this helps. Thank you again for getting in touch.

Best regards,

Kayla Thao
Executive Assistant to
Councilmember Rebecca Noecker
Office of City Council-Ward 2
15 West Kellogg Blvd. Suite 310B
Saint Paul, MN 55102
Office: 651-266-8620
Direct: 651-266-8623
Fax: 651-266-8574
kayla.thao@ci.stpaul.mn.us

Making Saint Paul the Most Livable City in America

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-----Original Message-----

From: Mary Porter [<mailto:porte001@umn.edu>]
Sent: Tuesday, March 26, 2019 9:08 AM
To: #CI-StPaul_Ward2 <Ward2@ci.stpaul.mn.us>
Cc: Mary Porter <porte001@umn.edu>
Subject: Victoria Street Assessment

Dear Ms Noecker,

My husbands are residents of Saint Paul. Our home sits at the NW corner of Victoria and Fairmount. We recently received notice of a new street assessment for work that the city performed last summer on Victoria of over \$4000. Aside from the sticker shock, this is much, much higher (27 times higher!) than the standard street assessment that is charged to my other neighbors on Fairmount. Victoria is a MAJOR city thoroughfare used by fire trucks, police, commercial traffic, etc., etc., not just by local residents. It is unfair to charge those of us who happen

to own homes that abut Victoria for the total cost of its maintenance.

I hope that you will advocate for us for a more fair assessment.

Sincerely,

Mary E. Porter

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Mary E. Porter
865 Fairmount Ave.
Saint Paul, MN 55105

From: Kevin Fenelon [<mailto:kfenelon99@gmail.com>]
Sent: Tuesday, April 2, 2019 5:18 PM
To: #CI-StPaul_Ward2 <Ward2@ci.stpaul.mn.us>
Cc: oppose@victoriastreetassessment.com
Subject: Victoria Street Assessment

For: Rebecca Noecker

Hello,

I'm Kevin Fenelon at 859 Linwood Avenue. My wife and I strongly oppose the assessment for the Mill and Overlay work on Victoria. It seems that everyone uses that thoroughfare, but we who live on the street are being charged an outrageous amount. This is completely unfair. The cost of this maintenance work should be shared evenly among all city residents.

Thank you.

Kevin Fenelon
859 Linwood Avenue

From: Dan Sullivan and Becky Erickson [<mailto:danbecky70@comcast.net>]
Sent: Sunday, April 7, 2019 9:39 PM
To: #CI-StPaul_Ward2 <Ward2@ci.stpaul.mn.us>
Subject: Mill and Overlay Project on Victoria

Dear Councilmember Noecker,

I am following up on the email I sent last week regarding the mill and overlay fee assessed on property owners on Victoria Street between St. Clair and Grand. I live at the corner of Victoria and Lincoln Avenue. I understand the issue was held over until this week. In addition to the fairness of assessing property owners 50% of the cost of mill and overlay projects on arterial streets, the fee assessed to residential corner property owners also needs to be addressed. It does not appear that residential corner property owners were given any reduction of the general rate assessed.

According to Saint Paul's website, street maintenance fees are calculated based on the property's street frontage at a per-foot rate. This rate is intended to recover the actual cost of providing the service – with two exceptions. The first exception is that mill and overlay project fees are reduced to recover only 50% of the actual cost. The second exception is that for residential properties with multiple street frontages, such as corner properties, “the fee to property owners is reduced to recover only 50% of the actual cost of all street and alley maintenance services.” The second exception clearly is intended to reduce the burden on residential corner property owners by assessing those properties at half the rate other property owners are assessed.

My invoice suggests that our corner property was assessed at 50% of the actual cost, per the first exception, but the actual cost of the project is not stated on the invoice. (A copy of my invoice is attached to this email.) The assessment calculation is 150 feet of street frontage x \$32.63 per foot for a total of \$4,894.50. Assuming \$32.63 is 50% of the actual cost, then another 50% reduction for residential corner properties should have been applied, which would reduce the assessment to \$2,448.00 (\$16.32 x 150 feet for a total of \$2,448.00). It's not clear why the invoice identifies Victoria as a residential street. My understanding is that Victoria it is an arterial street, since the website describes the current mill and overlay projects as those on arterials streets, see <https://www.stpaul.gov/departments/public-works/street-maintenance/mill-overlay>. It's also not clear if the project cost was less (or more) than expected or how the rate of \$32.63 was determined. Saint Paul's website indicates the expected cost for property owners was \$44.37 per foot (50% of the actual cost).

Whatever the rate assessed to property owners for mill and overlay projects is, residential corner lot owners should be assessed at 50% of that rate. However, the issue of fairness in assessing property owners along arterial streets 50% of the cost of mill and overlay work is still the overriding issue. Residential property owners on arterial streets should be assessed the same amount for street work as residential streets. People living on arterial streets have not contributed to the additional wear and tear on those streets any more than property owners on regular residential streets contribute to the wear and tear on their streets. Saint Paul's website acknowledges that arterial streets are milled and overlaid, rather than seal-coated, “[b]ecause of the heavier loads and higher traffic volume” on arterial roads (<https://www.stpaul.gov/departments/public-works/street-maintenance/seal-coating-program>). These heavier loads and volume are not related to the adjacent property owners, but to others who also use the arterial streets. The extra cost burden of milling and overlaying arterial streets should be fairly shared by all.

Thank you for your attention to this matter.

Sincerely,
Becky Erickson
857 Lincoln Avenue



City of Saint Paul INVOICE

OWNER OR TAXPAYER

Daniel J Sullivan
Becky L Erickson
857 Lincoln Ave
St Paul MN 55105-3350

Property Address: 857 LINCOLN AVE
Property ID Number: 02-28-23-42-0167
Project Number: 185505
AMOUNT DUE: \$ 4,894.50

PROPERTY TAX DESCRIPTION

SUMMIT-PARK ADDITION TO ST. PAUL IN RAMSEY COUNTY, MINNESOTA W 50 FT OF LOT-15 BLK 17

FEE FOR WORK PERFORMED Mill and Overlay: Victoria Street from Summit to Saint Clair (2018)

ASSESSMENT CALCULATION Mill and Overlay - Residential Street 150.00 X ⁹⁷\$32.63 / foot = \$4,894.50

FEE AUTHORIZATION The City of Saint Paul is authorized under Chapter 429 of the Minnesota State Statutes and Chapters 62 and 64 of the Saint Paul Administrative Code to charge fees to property owners for various services provided through its Street Maintenance Service Program. Those services include Mill and Overlay and Sealcoating projects.

PAYMENT INFORMATION You may pay the full amount of your fee or a portion of it by **2/1/2019** without interest. Please enclose the lower portion of this invoice with your payment.

If you do not pay the fee by **2/1/2019**, the amount due will become an assessment on your property. Each year an installment will be sent to Ramsey County for collection with your property taxes. Any unpaid amount will be charged interest at **2.50%** per year, plus an annual **\$1.30** flat fee per city ordinance to cover administrative costs related to the assessment.

Per city ordinance you will be allowed **10** years to pay the assessment. If you wish to shorten the term of the assessment, the City will accept additional payments each year until **NOVEMBER 15th**.

Returned checks are subject to a \$30.00 returned item fee.
(Continued on reverse side.)

(Return this portion with your payment)

OWNER OR TAXPAYER

Daniel J Sullivan
Becky L Erickson
857 Lincoln Ave
St Paul MN 55105-3350

Property Address: 857 LINCOLN AVE
Property ID Number: 02-28-23-42-0167
Project Number: 185505
AMOUNT DUE: \$ 4,894.50

Make checks payable to the **CITY OF SAINT PAUL** and mail to:

Office of Financial Services - Assessments
700 City Hall
15 West Kellogg Boulevard
Saint Paul MN 55102 - 1658