



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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Thursday, October 6, 2022

9:00 AM

Remote

9:00 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 22-357** Ratifying the Appealed Special Tax Assessment for property at 1233 ARKWRIGHT STREET. (File No. CG2203A1, Assessment No. 220109)

Sponsors: Brendmoen

Approve the assessment.

Celesta Curran, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Clare Pillsbury: the property owner stated they purchased it on April 9, 2022 and had no carts at the property when they moved in. They didn't set up service until August 18, 2022. Hauler records show neither current nor previous property owner contacted them to cancel during that time period (April - June 2022). They also stated that the 96-gallon cart that was at the property before the sale should have still been there as the previous property never requested that it be removed. In addition, hauler records show that they received a call from the current property owner on August 18, 2022 to request that the 96-gallon cart on site be switched out for a 64-gallon cart. Our recommendation is to approve this assessment.

Moermond: Ms. Pillsbury summarized your argument about purchasing the property and not having a cart but the hauler said they switched out a cart for you later. Why are you appealing?

Curran: when I moved in it was a Vacant Building for like a year. I had an apartment at the time too, so I didn't set it up until August 18. They didn't say anything about a cart being there, I just asked for a 64 gallon. They dropped it off at the neighbor's house and I had to go find it. That was 2 weeks more I didn't have service.

Moermond: did the person you bought this from disclose this pending bill? It looks like it was DeLisle.

Curran: they did not.

Moermond: they should have. Part of your agreement with them on your closing would have been that they told you about all pending assessments and bills. Did you purchase this outright or contract for deed?

Curran: outright.

Moermond: I'm sure if you look at your closing statement you'd find that. Did you have a realtor?

Curran: yes.

Moermond: I'd reach out to them. We can share the information we have and your realtor should be able to reach out to DeLisle about them not disclosing this. They owe you this amount. If you closed April 29, you owe for like two-thirds of Quarter 2. May and June. You could even reach out to them yourself. Do you have contact information?

Curran: I probably have something.

Moermond: I am stuck with saying the assessment goes with the property. If it was empty he should have taken responsibility for stopping service. They own a lot of property in the City and know how things operate. They should know to call to say when to stop service. Look for them to pick up at least one-third of this since you weren't informed it existed. If you need additional information for that request to them let us know and we can get that to you.

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

2 RLH TA 22-342 Ratifying the Appealed Special Tax Assessment for property at 1933 BERKELEY AVENUE. (File No. CG2203A1, Assessment No. 220109)

Sponsors: Tolbert

Reduce assessment from \$218.28 to \$189.81.

No one appeared

Staff report by Clare Pillsbury: the property owner said their quarterly bill is usually only around \$69. They received an Invoice and Final Notice from the City stating that they owed \$218.28 for Quarter 2, 2022. When she called Republic, they said there was an "adjustment" but could not give her an answer as to why her bill was so high. Since the resident didn't receive proper notice regarding the late fees we recommend removing them and reducing the assessment to \$189.81.

Moermond: the person isn't attending. Why?

Pillsbury: they agree with the recommended reduction.

Moermond: recommend reduction from \$218.28 to \$189.81.

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

3 RLH TA 22-348 Ratifying the Appealed Special Tax Assessment for property at 205 GEORGE STREET WEST. (File No. CG2203A1, Assessment No. 220111)

Sponsors: Noecker

Approve the assessment.

No one appeared

Staff report by Clare Pillsbury: property owner says they purchased this property June 20, 2022. This bill is not mine as the seller still owned this property during its delinquent payments. Hauler records show that service was provided for one 64-gallon cart during Quarter 2, 2022. The reason that the invoiced amount was less than the base cost of a 64-gallon cart was due to a credit being applied to the account for a service hold during Quarter 1, 2022 for one of the residential units. Since the current property owner is responsible for all currently pending assessments on the property, staff recommends approving the assessment.

Moermond: so recommended.

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

- 4 RLH TA 22-343** Ratifying the Appealed Special Tax Assessment for property at 473 HOWELL STREET SOUTH. (File No. CG2203A1, Assessment No. 220109)

Sponsors: Tolbert

Reduce assessment from \$321.24 to \$279.36.

No one appeared

Staff report by Clare Pillsbury: the property owner stated that they made multiple efforts with Waste Management to pay their Quarter 2, 2022 bill. They initially tried to pay their bill online, but the system was down. They then called the customer service line to try to pay bill and a customer service agent was supposed to call them back within 24 hours to assist them. They never received a call back. Due to their good faith effort to pay their Quarter 2, 2022 bill, the property owner does not feel that they should have to pay any assessed late fees. Hauler records show that the property owner did call Waste Management on June 2, 2022 to pay their invoice. Notes on the call indicate the customer service representative had approved waiving the late charge but that the phone call ended before they could follow through on the request. Staff recommends removing the late fees of \$41.88 and reducing the assessment to \$279.36.

Moermond: because the Customer Service Representative indicated they were waiving the late fees this will be charged back to Waste Management?

Pillsbury: yes.

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

- 5 RLH TA 22-350** Ratifying the Appealed Special Tax Assessment for property at 690 HOYT AVENUE EAST. (File No. CG2203A1, Assessment No. 220109)

Sponsors: Yang

Delete the assessment.

No one appeared

Staff report by Clare Pillsbury: property owner stated that his credit card expired and payment didn't go through. He called the hauler and updated the card and was told there would be no late fee.

The hauler requested that assessment be removed so staff recommends removing the assessment.

Moermond: \$4.66 deleted.

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

- 6 RLH TA 22-346** Ratifying the Appealed Special Tax Assessment for property at 750 STEWART AVENUE. (File No. CG2203A1, Assessment No. 220109)

Sponsors: Noecker

Delete the assessment.

No one appeared

Staff report by Clare Pillsbury: the hauler requested the assessment be removed due to death of previous property owner.

Moermond: we have a practice of removing assessment with death of owner. The City has been eating costs on that. Here the Hauler said to remove. Is there a policy of how that gets paid for? I think it is the right thing to do, but who pays it? Public or Hauler?

Haas: the public.

Moermond: so recommended. That is our policy in the past.

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

10:00 a.m. Hearings

- 7 RLH TA 22-351** Ratifying the Appealed Special Tax Assessment for property at 741 FLANDRAU STREET. (File No. CG2203A2, Assessment No. 220110)

Sponsors: Prince

Delete the assessment. (Process assessment to delete Q1, 2022 as well)

No one appeared

Staff report by Clare Pillsbury: the property owner has multiple outstanding assessments for garbage service. He inherited the property following the death of a family member. As a courtesy staff recommends removing the assessment per the policy.

Moermond: recommend deletion. Are there other assessments in play here?

Pillsbury: Quarter 1, 2022 assessment we are recommending removal of. I'll email Mai about it today.

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

- 8 RLH TA 22-359** Ratifying the Appealed Special Tax Assessment for property at 732 JENKS AVENUE. (File No. CG2203A2, Assessment No. 220110)

Sponsors: Yang

Delete the assessment.

No one appeared

Staff report by Clare Pillsbury: property owner stated that the former owner passed away in September 2021. During that time, the previous property owner's brother was living in the home refusing entry to other family members and claiming, "squatting rights." He was not paying the garbage invoices during that time. No one is currently living in the property. Due to the death of the previous property, as well as the circumstances following their death, staff recommends removing the assessment as a courtesy.

Moermond: let's go ahead and delete this assessment.

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

- 9 RLH TA 22-347** Ratifying the Appealed Special Tax Assessment for property at 984 MILTON STREET NORTH. (File No. CG2203A2, Assessment No. 220110)

Sponsors: Brendmoen

Delete the assessment.

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

- 10 RLH TA 22-360** Ratifying the Appealed Special Tax Assessment for property at 2079 REANEY AVENUE. (File No. CG2203A2, Assessment No. 220110)

Sponsors: Prince

Approve the assessment.

Deborah Brown, owner appeared via phone

[Moermond gives background of appeals process]

Staff report by Clare Pillsbury: property owner stated that she did not own the property during the time period in question. Property owners in St Paul are responsible for any pending assessments on their property. Since service was provided during this time period, staff recommends approving the assessment. Staff does want to note that the previous property owner did make a payment on August 5, 2022 in the amount of \$224.30 that will be refunded to them. It is unclear whether the payment was intended to be applied to the Quarter 2, 2022 or the Quarter 3, 2022 invoice.

Moermond: the assessment we are talking about is for second quarter 2022, April through June. The property owner, Ms. Brown, purchased it July 7. The previous owner made a payment to the hauler on August 5, but that would have been after the second

quarter. That's confusing why they would pay the hauler at that point. I'm not sure what is going on there. It sounds like Ms. Brown wasn't told about the pending bill, or amount wasn't covered in closing. Ms. Brown, why are you appealing?

Brown: the previous owner didn't tell me anything. I never spoke with them directly. I purchased it July 8. The title company and the mortgage company were supposed to take care of any previous costs, assessments, charges. That's their role. They assured me before I purchased they did that. I did my own research before closing and found out about other assessments. They assured me those assessments would be taken care of. I don't believe I should pay for something the previous owner incurred. I am learning a lot as a new homeowner. I'm still trying to understand my own hauler bill I put immediately in my name. There is no confusion about who this bill belongs too. It doesn't belong to me. AS a new homeowner I shouldn't have to pay for something that was incurred before I owned it. I think it should be removed.

Moermond: I'm not disagreeing with you. I don't think that someone in your position should be responsible for services provided to the previous property owner. The question is then who is responsible? The responsible party is the previous owner. Lashanda McGee is the previous owner. She would have had that bill in her hands April 5, another notice May 5, and another June 5. She had that pile of bills when she told. When you are closing on the property the person selling it is initialing documents saying they told you about everything like this. They didn't tell you about this. It is that person who is responsible, not taxpayers at large. I'd like to make it as simple as possible to recoup those costs but those are owed to you by the previous owner, not the taxpayers. We can get you a copy of the bills and late notices for you to send your title company or realtor. Assessments go with the property not the person. We can't go after the previous owner. I can't change the assessment itself. But we can get you paperwork that will be helpful when talking to your title company and realtor. The seller totally knew this existed.

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

11:00 a.m. Hearings

- 11 [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 October 20, 2022 at 9 am (unable to reach PO).

Voicemail at 11:03 a.m.: this is Marcia Moermond from St. Paul City Council calling you about your appealed tax assessment for 1016 Inglehart for garbage services. We'll try you back in about 10 minutes.

Voicemail at 11:35 – Mailbox full; unable to leave Voicemail.

Moermond: layover to October 20 between 9 and 10 am.

Laid Over to the Legislative Hearings due back on 10/20/2022

- 12 [RLH TA 22-358](#) Ratifying the Appealed Special Tax Assessment for property at 778 SIXTH STREET EAST. (File No. CG2203A3, Assessment No. 220111)

Sponsors: Prince

Reduce assessment from \$124.88 to \$59.30.

Patrick Lee, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Clare Pillsbury:

Moermond: tell me about your situation Mr. Lee.

Lee: to my surprise they took the carts I had away and left a small cart in my driveway. I don't know who did that. I saw this little cart and my big carts were gone.

Moermond: tell me more about what you are looking for service-wise?

Lee: you can call this a duplex but it isn't really because there is only one owner and one level. When I tried to explain this last time they said I have a duplex and have to have two carts. Rather than argue about it I let it go. I don't have any money. I live on Social Security Income. That's all I have.

Moermond: what size cart do you want?

Lee: small as possible.

Moermond: I wanted to make sure what you had is what you wanted to have.

Lee: Ms. Pillsbury, I thank you. Maybe you can straighten this out. I have a prosthetic leg. We won't go into that.

Moermond: are you on a payment plan with the County? I see they aren't paid for the first half of the year.

Lee: no

Moermond: so soon you'll owe for the second half too. Are you the only one who lives here? You and your immediate family. Do you rent it at all?

Lee: no ma'am. Downstairs is my art gallery. I live on the second floor. I've never rented to anyone.

Moermond: this is making more sense now. Have you ever tried to talk to the City before about your bills? Or you've just been paying and only now questioning it.

Lee: yes, now. It caught up with me. My income is so low. That's all I have. I can't pay my taxes.

Moermond: Ms. Pillsbury you indicated you did an Unoccupied Dwelling Registration Form for this. Was it because it is being used as a single-family home versus a duplex? What was indicated?

Pillsbury: that is correct, that it is being used as a single-family home.

Moermond: so that fee won't come back into play because of the use of the property?

Pillsbury: yes.

Moermond: and the bill for a 35-gallon cart is what?

Pillsbury: without late fees it is \$59.30.

Moermond: most people in your circumstances realized earlier on in the program and we cleared that up. This is the first time we've talked to you so I'd like to do something similar to what we did for people a couple years ago. That's give you a bill that reflects a smaller level of service. That means today we decrease this from \$124.88 to \$59.30 for this bill. That gets you down to the lowest level we can do. There are no other assessments we can decrease for you. We'll get this one decreased to as if you only had the small cart the entire quarter.

Lee: but I still can't pay my taxes.

Moermond: please call 266-2000 to speak with Ramsey County and ask for a property tax navigator. Also ask them about property tax deferral.

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

- 13 RLH TA 22-349** Ratifying the Appealed Special Tax Assessment for property at 1081 THOMAS AVENUE. (File No. CG2203A3, Assessment No. 220111)

Sponsors: Balenger

Delete the assessment.

No one appeared

Staff report by Clare Pillsbury: property owner stated that they purchased this house on May 17th and are being charged for April and half of May's garbage bill. They called Waste Management in May 2022 to inform them that they closed on the property on May 17, 2022. During that call, the customer service representative told them not to pay the Quarter 2, 2022 invoice and that it will be assessed to the previous property owner. Hauler records confirm that the property owner did call on May 31, 2022 to set up their account. There is currently no saved recording of the call and the only call notes state that the property owner called to set up the account in their name. Since the hauler can neither confirm nor deny that the property owner was told not to pay their Quarter 2, 2022 invoice staff recommends removing the assessment as a courtesy.

Moermond: if we remove this assessment, Republic was wrong in what they stated to property owner. They need to be financially responsible for dealing with this if we delete it off the roll.

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

Special Tax Assessments-ROLLS

- 14 RLH AR 22-94** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2022. (File No. CG2203A1, Assessment No. 220109)

Sponsors: Brendmoen

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

- 15 RLH AR 22-95** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2022. (File No. CG2203A2, Assessment No. 220110)

Sponsors: Brendmoen

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

- 16 RLH AR 22-96** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2022. (File No. CG2203A3, Assessment No. 220111)

Sponsors: Brendmoen

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