



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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Thursday, January 5, 2023

9:00 AM

Remote

9:00 a.m. Hearings

Special Tax Assessments

- 1 RLH TA 23-18** Ratifying the Appealed Special Tax Assessment for property at 1302 CLEVELAND AVENUE SOUTH. (File No. CG2204A1, Assessment No. 220113)
- Sponsors: Tolbert
- Delete the assessment.*
- No one appeared*
- Moermond: we have a recommendation to delete. What is the reasoning?*
- Staff report by Clare Pillsbury: the property owner stated they were ill during the period in question and therefore fell behind on bills*
- Moermond: when people are in the hospital they fell behind on bills, that makes perfect sense. Recommend deletion.*
- Referred to the City Council due back on 3/8/2023**
- 2 RLH TA 23-17** Ratifying the Appealed Special Tax Assessment for property at 1231 FARRINGTON STREET (File No. CG2204A1, Assessment No. 220113)
- Sponsors: Brendmoen
- Reduce assessment from \$83.36 to \$39.49.*
- No one appeared*
- Moermond: you've talked with Ms. Suekut, what is going on?*
- Staff report by Clare Pillsbury: Property owner stated that they paid their Quarter 3, 2022 invoice. Hauler records do not show any payments made during Quarter 3, 2022. However, the itemized invoice did indicate that the property owner was being charged an additional \$32.01 for service for a 64-gallon cart from May 22 to June 30, 2022. Since haulers are unable to collect on delinquent accounts for previous service*

periods, staff recommends reducing the assessment to \$51.35.

Moermond: you talked with her and she agrees with that?

Pillsbury: yes.

Moermond: any late fees attached to the extra amount we should be considering?

Pillsbury: there are late fees attached.

Moermond: so the \$51 is inclusive of late fees, or those should be added?

Pillsbury: I believe so.

Moermond: we're making sure late fees are removed since a hauler can't collect on late fees from a previous quarter too, so that brings us down to \$39.49.

Referred to the City Council due back on 3/8/2023

3 RLH TA 23-16 Ratifying the Appealed Special Tax Assessment for property at 884 MOUND STREET. (File No. CG2204A1, Assessment No. 220113)

Sponsors: Prince

Approve the assessment.

Larry Hall, owner, appeared via phone

Moermond: this is Marcia Moermond the City Council's hearing officer. I also have Clare Pillsbury and Sarah Haas on the line--

Hall: I've been trying to get ahold of her but I couldn't get through her number. I wanted to talk to her personally—

Moermond: she'll be on the line in a moment. I know we've talked in the past [Moermond gives background of appeals process]

Hall: it shouldn't be just me and my wife, there are a lot of elderly mistreated on this.

Moermond: and it is great to get those comments on the record.

Hall: they did the same thing on our house, they threatened to take away our house too. You caught me in the middle of doing something that will take 5 mins. Can you give me 5 or 6 minutes to finish what is important, and then call me?

Moermond: we can indulge you in that request. It is 9:28. We'll call you back at 9:40.

[Hall is called back at 9:41]

Moermond: good morning again, this is Marcia Moermond. We left things off turning things over to Clare Pillsbury to give some background on this assessment.

Staff report by Clare Pillsbury: the property owner stated they don't use garbage service. Hauler records confirm that the property owner received service for a 35-gal cart with every other week pick during the time period in question. Therefore, staff

recommends approving the assessment.

Moermond: and to confirm this is for Quarter 3, 2022, originally billed in July. Mr. Hall, why are you appealing and what are you looking for?

Hall: it has to do with people who are elders. Basically, they go through a time in life where they are sick, they don't have what they had when they are younger and had jobs. Frankly, what they are doing is against rule of law. It isn't a legitimate law. For example, they have people in our ward that were told to create an ordinance that had to do with garbage and write it down. I know the people involved in it. That is against the law for citizens. Simple as you can say it. It is against the law for them to order a person to pay for garbage when there is no garbage for one thing. When you have no garbage you can't be charged for it, that is fraud. It is the wrong thing to be doing. People who are older are the ones who are your parents and paid for everything you got as a child. The lawyers are the ones doing this. You don't treat people like servants. They did this for 2 years with my wife. It killed her. Put her in the hospital 5 times.

Moermond: did she die in 2018?

Hall: September of last year.

Moermond: so it hasn't been that long, that's kind of recent.

Hall: for 2 years now.

Moermond: so September of 2020.

Hall: it was on the 17th and I found out on the 18th, actually. We have had problems here over the years. This house has a huge concrete type of wall and that has been going down for a number of years. Something has to be done about it. People who are on social security can't afford to pay \$50,000. We have got city complaints. They wanted us to take our garage down. What happened right after this I got a letter threatening they were going to take our house away from us. We've lived here not quite 50 years.

Moermond: when did you receive that letter?

Hall: a few months ago.

Moermond: a couple of comments. I did look up your property tax situation and it does appear your 2022 taxes went unpaid. I'd suggest you reach out to the County and there's way you can enter into a payment plan so you get out from under any threat of the property being taken since you're working with them. I suggest that strongly.

Hall: she is dead and it was caused by them and their threats for 2 years.

Moermond: you have to pay your property taxes, sir.

Hall: I'm talking about garbage.

Moermond: the property tax balance is due and owing for over \$3,000. That continues to accrue interest and penalties. You need to talk to the County about it.

Hall: I live on \$800. That takes away \$300 a month. You don't do that to people.

Moermond: you need to reach out to Ramsey County. I can't help with that, that isn't under my authority. You need to look for a person called a navigator. We can get you that information. Work with them before it is too late. With respect to the bill in front of me today. I am not under any law to discriminate between young and old and who owes bills. It is connected to the property. I'm sorry you are in a position where you aren't using the service. Under City law there is a requirement service be provided for all residential property with 1 to 4 units.

Hall: the point is, they are forcing people to do it that don't have it.

Moermond: that is right, everyone pays the same whether they use it or not. They have heard from people situated like you. We have a 5-year contract.

Hall: they can arrest me now then.

Moermond: I know you want to be dramatic, but the concern for today is the larger \$3,600 bill that may cause you to lose your property. I don't want to see anyone on a limited income, losing their home. I'm sorry I wasn't able to help with the tax assessment on this. Your Public Hearing is on March 8, you are welcome to talk to the Council on this. There is information on that in the letter that told you about today's hearing.

Hall: it killed my wife. She was in the hospital 5 times. Including the threat for the house. It was done to her.

Moermond: I'm sorry, I don't know how to manage your comment that this stress had that impact. We all face this kind of stress daily and I'm sorry you feel it had that impact and I'm sorry for the loss of your wife. I wish you well and I hope you talk to Ramsey County about getting on a payment plan for your taxes.

Hall: I'll be talking to lawyers.

Moermond: do that, because the process has started. You need to be in contact with them, either directly or through lawyers.

Referred to the City Council due back on 3/8/2023

4 [RLH TA 23-15](#)

Ratifying the Appealed Special Tax Assessment for property at 845 WINSLOW AVENUE. (File No. CG2204A1, Assessment No. 220113)

Sponsors: Noecker

Layover to January 19, 2023 at 9 am (unable to reach PO).

Voicemail left at 9:59 am: this is Marcia Moermond from St. Paul City Council calling you about appealed tax assessment for 845 Winslow. We will try you again in a few minutes.

Voicemail left at 10:07 am: this is Marcia Moermond from St. Paul City Council calling you again. We've been unable to reach you this morning to discuss the assessment. We'll put you on the schedule to be called between 9 and 10 on January 19.

Laid Over to the Legislative Hearings due back on 1/19/2023

10:00 a.m. Hearings

- 5 **RLH TA 23-20** Ratifying the Appealed Special Tax Assessment for property at 287 ATWATER STREET. (File No. CG2204A2, Assessment No. 220114)

Sponsors: Balenger

Delete the assessment.

No one appeared

Moermond: sounds like you spoke with the owner?

Staff report by Clare Pillsbury: they stated they already paid their Quarter 3, 2023 invoice. Hauler records show the current property owner called April 1 to set up a new account and the old account was never cancelled. the hauler requested that the Quarter 2 and Quarter 3, 2022 assessments be removed. Therefore, staff recommends removing the assessment.

Moermond: so recommend deletion.

Referred to the City Council due back on 3/8/2023

11:00 a.m. Hearings

- 6 **RLH TA 23-19** Ratifying the Appealed Special Tax Assessment for property at 1153 CENTRAL AVENUE WEST. (File No. CG2204A3, Assessment No. 220115)

Sponsors: Balenger

Approve the assessment.

Viviane Vaaj (Vang), Certificate of Occupancy Responsible Party and Contract for Deed holder, appeared via phone

[Moermond gives background of appeals process]

Staff report by Clare Pillsbury: Property owner stated that they have a commercial dumpster for the property therefore they should not have to pay for the City's garbage service. As a residential property, it is required to be part of the coordinated collection program with the City of St Paul. The property owner cannot cancel their residential account. Therefore, staff recommends approving the assessment.

Moermond: so we have a commercial dumpster present in this general time-period. Ms. Vang, why are you appealing?

Vang: when I purchased the zoning is for commercial and I'm being taxed as a commercial owner. Because zoning is for commercial. That has been an issue since I purchased. I asked Clare why I have two bills, one for commercial and one for residential. I called another company and they said they can't get commercial access for me, but Waste Management allowed it. There wasn't anything that tenants or owner have to notify about vacancy. There was nothing about how haulers couldn't be

dispatched. There's nothing from the hauler confirming delivery. The service for residential doesn't work for me, that's why I did the commercial. You have the container in one location, you don't have to move it back and forth. It is more than what some people need, but I think it is necessary.

Moermond: the zoning is T-3, which is traditional neighborhood three, and a four-plex is allowed. The reference you are making to Ramsey County taxation is they consider it an investment property therefore classifying it as commercial. That classification is separate from the City zoning. That's all beside the point, the determination of whether it falls under the residential hauling program is made based on the number of units of the building. Four units or less within the building you are covered by the policy that requires you to be a part of the garbage hauling program and pay that bill. If you so choose, you could have a commercial dumpster in addition to that. Some people do that during construction. That doesn't exclude that property from needing to have residential service under the current contract. I understand from staff you have subsequently filed Unoccupied Dwelling Registration Form forms. I do think that is on the website. I've referred people there before. I'm apologizing now that you can't be exempt from the program based on your preference for commercial hauling service, but the key for this is the number of residential dwelling units. County considered this income-generating property rather than you homesteading it.

Vang: because it is homesteaded. Again, I'm responsible for the trash.

Moermond: I don't think it can be homesteaded because it is owned by an LLC.

Vang: it isn't a homestead.

Moermond: you just said it was.

Vang: it isn't, I just want to say it is commercial and why can't you grant me a commercial bin? Can you forward me to Council? I don't want to deal with you.

Moermond: absolutely, your Council Public Hearing is March 8.

Referred to the City Council due back on 3/8/2023

7 RLH TA 23-13 Ratifying the Appealed Special Tax Assessment for property at 1771 DAYTON AVENUE. (File No. CG2204A3, Assessment No. 220115)

Sponsors: Jalali

Reduce the assessment from \$353.01 to \$231.23.

No one appeared

Moermond: a reduction that doesn't necessitate a call to owner because it is a hauler request?

Staff report by Clare Pillsbury: correct. There were 2 accounts set up for the property. This led to two invoices being generated for Quarter 3, 2022. The first was for \$213.23 and the second was for \$121.78. Since the invoice of \$231.23 was for the initial account, the hauler is requested that we reduce the assessment to this amount. Staff recommends approving the assessment to \$231.23.

Moermond: so recommend the reduction.

Referred to the City Council due back on 3/8/2023

8 RLH TA 22-445 Ratifying the Appealed Special Tax Assessment for property at 802 MOUND STREET (File No. CG2203A3-1, Assessment No. 220116)

Sponsors: Prince

Approve the assessment.

Sadek Tahirou, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Clare Pillsbury: Property owner stated that they were not the owner of the property during this time period. Staff confirmed that service was being provided during that time period for a 64-gallon cart, plus late fees. Since the current property owner is responsible for all pending assessment on the property, staff recommends approving the assessment.

Moermond: Mr. Tahirou, why are you appealing and what are you looking for today?

Tahirou: I wasn't the owner of the property, and that wasn't told to me by the title company. I found out after when I was trying to refinance about the assessments. How am I responsible for a service provided when I didn't own it? I wasn't aware of it either as I closed on the property. It did now because it was added to the taxes when they did pull title action. That's why I'm asking how can I work with the City to find common ground on this?

Moermond: from the City's perspective I will say when you buy the property you buy the pending debts, assessments, and so on. It is on the seller to disclose to the buyer to disclose pending assessments, but also any existing orders or bills that could go to the taxes. Those assessments do attach to the property, not the person. That is something that is a private matter between buyer and seller to resolve rather than interjecting the City into that title transfer. Why would the City subsidize that transaction by having the taxpayers at large pay for it? It should have been disclosed by your seller and that's something you should follow up with them about.

Tahirou: the seller was someone under the influence of drugs. As we did the transaction I was able to talk to the seller and they abandoned the house. I believe the house was under control of the City before we bought it. It was boarded and all that. That's where it gets sticky. I don't mind, but how do I do this? How do we settle on something? I'm trying to look for answers on this. I get what you said we own it and it comes with all those things, but this wasn't disclosed to me.

Moermond: first, your seller being compromised by substances, that isn't something that would be legal for me to consider but rather how you and your representatives decided how to proceed based on their ability. That is again a private matter. The City didn't take control. It may have been condemned and boarded, but the city never took title. This was quite a nuisance property, hence all those assessments. Hopefully the price you paid reflected the fact it was in this condition. I can't look to the balance of the taxpayers in the City to pay for this. The Council may look at this differently. For my part, I can't take that into account. I can only look at this as a private real estate transaction to which the City wasn't a party.

Tahirou: I understand. From here it goes to the City Council?

Moermond: yes, on the letter informing you of this hearing there in information about the Council Public Hearing on March 8.

Tahirou: where did that go?

Zimny: 5455 Smetana Dr Unit 1110, Minnetonka, Minnesota.

Tahirou: I no longer live there, I live at—

Moermond: and we can't do anything about that here. You successfully filed this appeal which means on its face you received notice. You can call 651-266-2000.

Tahirou: I didn't get that letter if it was sent to that address.

Moermond: and again, I will say that you successfully filing this appeal is indicative that you did get notice.

Referred to the City Council due back on 3/8/2023

- 9 RLH TA 23-14** Ratifying the Appealed Special Tax Assessment for property at 995 THIRD STREET EAST. (File No. CG2204A3, Assessment No. 220115)

Sponsors: Prince

Delete the assessment.

No one appeared

Staff report by Clare Pillsbury: the hauler, Aspen, requested the assessment be removed. The unpaid balance was sent to the City in error.

Moermond: so recommended.

Referred to the City Council due back on 3/8/2023

Special Tax Assessments-ROLLS

- 10 RLH AR 23-11** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during July to September 2022. (File No. CG2204A3, Assessment No. 220115)

Sponsors: Brendmoen

Referred to the City Council due back on 3/8/2023

- 11 RLH AR 23-12** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during July to September 2022. (File No. CG2204A2, Assessment No. 220114)

Sponsors: Brendmoen

Referred to the City Council due back on 3/8/2023

12 RLH AR 23-13 Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during July to September 2022. (File No. CG2204A1, Assessment No. 220113)

Sponsors: Brendmoen

Referred to the City Council due back on 3/8/2023