



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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Tuesday, April 18, 2023

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

- 1 **RLH TA 23-159** Ratifying the Appealed Special Tax Assessment for property at 1240 SAINT PAUL AVENUE. (File No. J2307A, Assessment No. 238517)

Sponsors: Tolbert

Delete the assessment.

No one appeared

Moermond: Mr. Yannarely and I have reviewed the file and noticed that entire street face on this block has been snow blown, likely someone volunteered to do the entire block, couple snow blower width wide. No one else on the block got orders, it also appears a good faith effort was made as we saw salt on the ice. No history at this property. I'm going to recommend the Council delete the assessment.

Referred to the City Council due back on 6/7/2023

10:00 a.m. Hearings

Special Tax Assessments

- 2 **RLH TA 23-143** Ratifying the Appealed Special Tax Assessment for property at 1840 IOWA AVENUE EAST. (File No. 2306T, Assessment No. 239005)

Sponsors: Yang

Approve the assessment and make payable over 10 years.

No one appeared

Moermond: the request from the property owner is to have the assessment spread over 10 years. Not a problem. Mai Vang will confirm with them that we are going with that recommendation.

Referred to the City Council due back on 5/17/2023

- 3 [RLH TA 23-153](#) Ratifying the Appealed Special Tax Assessment for property at 586

BURGESS STREET. (File No. J2307E, Assessment No. 238306)

Sponsors: Balenger

Layover to LH May 2, 2023 (PO unable to be reached).

No one appeared

Voicemail left at 9:44 am: this is Marcia Moermond from St. Paul City Council calling you about your appealed tax assessment for 586 Burgess. We will try you back in a few minutes.

Voicemail left at 10:23 am: this is Marcia Moermond from St. Paul City Council trying to reach you again about 586 Burgess. Since you aren't available this morning, I'm going to continue this to May 2 and we'll try to reach you then between 10 and 11 to discuss your appeal. We will send an email to confirm this.

Laid Over to the Legislative Hearings due back on 5/2/2023

4 RLH TA 23-154 Ratifying the Appealed Special Tax Assessment for property at 324 CLARENCE STREET. (File No. J2307E, Assessment No. 238306)

Sponsors: Prince

Delete the assessment.

Ramon Rosas, owner, appeared via phone

Anna Rosas, owner, appeared via phone

Sonia Romero interpreted

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: an order was issued October 7, 2022 to remove tree debris from boulevard. It was rechecked October 14, found in noncompliance. A work order was issued by parks to remove the debris and it was already removed when they went there October 26. Total proposed assessment of \$159.

Anna Rosas: when we purchased the property and there was this dried tree. We wanted it done before they moved in. Insurance told them they had to remove the tree because it was dangerous. At the same time, we were having issues with plumbing.

Moermond: did you get the order from the City about the tree?

Anna Rosas: no. We didn't see a notice from the City. When insurance came they decided it needed to be cut down. At the time there was a lot of construction in the neighborhood. Everything kind of happened at the same time.

Moermond: who removed the branches?

Anna Rosas: they told the people to remove the tree to take it with them, but they said they would come back in a week to pick it up. We chopped the tree into pieces so it fit in a fireplace. We did that and left it out thinking it would be picked up by someone who wanted firewood.

Moermond: it looks like the City sent a letter to a bunch of people, including Mr.

Rosas. I'm told we don't have any returned mail. It may have ended up in a pile of mail. They are brand new owners and the orders are in English.

Anna Rosas: no one was in the house so we weren't paying attention to the mail. We were only fixing it.

Moermond: when did you move into the house?

Anna Rosas: February, 2023. It needed a lot of work. We were surprised when we got the bill. We don't think it was that long of a time that passed. The person helping them sent them videos of them cleaning up everything.

Moermond: we just have a matter of a timing problem between when the City said it should be done and when the crew showed up. They missed the deadline but beat the crew, so this is the cost of the crew going out. We do have a history of orders here, but those were for the previous owner, not you. You were working with your contractors and making a good-faith effort and recommend this is deleted. In the future, please reach out to the inspector, and the City can absolutely have documents translated.

Additionally Blue Ox was hired to work on the property, they pulled four permits, and they haven't been inspected work. It was the air conditioner, furnace replacement, some electrical work for the furnace and AC. You need to have those permits inspected and finalized. We can email you that contact information.

Referred to the City Council due back on 5/17/2023

5 RLH TA 23-155 Ratifying the Appealed Special Tax Assessment for property at 874 CONCORDIA AVENUE. (File No. J2318A, Assessment No. 238518)

Sponsors: Balenger

Reduce assessment from \$322 to \$100.

Steffon Harris, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: Summary Abatement Order to remove snow and ice from sidewalk was issued January 9, 2023 compliance of 24 hours. Rechecked January 12 and found in noncompliance. Parks did the abatement January 26. Total assessment of \$322.

Moermond: when the inspector went there on the 12th it appeared to be a shovel width, but between then and when the crew showed up it looked like about 2 snow blower widths had been cleared. Not quite full width, but something.

Yannarely: yes, I would confirm that.

Moermond: tell me why you are appealing, Mr. Harris?

Harris: it was a lot of snow, it blows, it comes back again and it looks like you've done nothing. This was a hard winter for everyone. I feel something should be assessed since it wasn't done to the measure it should have been, but I don't agree with \$322.

Moermond: there is not full width, there was a lot of time between the orders were

written and work occurs. Blowing it was a good faith effort and it was a long time. Another 4 or 5" fell between orders and crew going out. It looked to me in the non-shoveled part it was still pretty deep. I think you did some work; the City did some, and I'm inclined to recommend this is reduced to \$100. It is ok if you aren't ok with that and want to talk to Council. There is information on the letter you received telling you about today's hearing on how to do that.

Harris: I appreciate that.

Referred to the City Council due back on 6/7/2023

- 6 RLH TA 23-148** Ratifying the Appealed Special Tax Assessment for property at 1826 SHERWOOD AVENUE. (File No. J2307E, Assessment No. 238306)

Sponsors: Yang

Delete the assessment.

No one appeared

Moermond: discussed the written appeal received for this, owner cannot attend. Joe Yannarely and I have discussed this, however there were numerous communications about extensions, phone calls not returned, and we also had the owner reaching out to the hauler for a pickup, which was confirmed. Breakdown in communication and recommend deletion of assessment.

Referred to the City Council due back on 5/17/2023

- 7 RLH TA 23-158** Ratifying the Appealed Special Tax Assessment for property at 1401 UNIVERSITY AVENUE WEST. (File No. J2318A, Assessment No. 238518)

Sponsors: Jalali

Delete the assessment.

Tried calling x8028 at 10:41 am: call dropped, unable to leave message.

Tried calling x8028 10:43 am: call dropped, unable to leave message

Moermond: just had a chance to review photos and videos for the work the crew did and Mr. Yannarely and I agree that the property was in compliance with the order at the time the crew arrived. The problem arose because of the snowplows throwing snow bank into the sidewalk area. One of the areas cleared was beyond the sidewalk and into the street which is not the property owner's responsibility. Recommend deletion.

Referred to the City Council due back on 6/7/2023

- 8 RLH TA 23-156** Ratifying the Appealed Special Tax Assessment for property at 1910 UNIVERSITY AVENUE WEST, ALSO 1908 UNIVERSITY AVENUE WEST. (File No. J2318A, Assessment No. 238518)

Sponsors: Jalali

Reduce assessment from \$604 to \$322.

Artis Hafdahl, Halverson & Blaiser, appeared via phone

Moermond: Joe Yannarely and I have reviewed the file and come to the conclusion this should be one parcel and it should be decreased to \$322, which is the cost of the work plus the service charges. If you want to discuss anything further we certainly can.

Hafdahl: we were thinking along the same lines, its owned by the same and one sidewalk. I don't even know who those orders were sent too.

Moermond: that is the owner of record with Ramsey County, if that is incorrect it should be updated with them because that's where the City pulls their information.

Hafdahl: we had a letter sent January 10 to occupant 2024 third street east about removing snow and ice. The bottom also says William E Boyd. It should say GV Investments.

Moermond: there's a whole pile of letters that went to GV investments and Occupant. We can pull the records, but that's what I see. Not sure what to tell you. Ms. Vang would have sent that to you.

Hafdahl: she sent a lot, 1,053.

Moermond: oh, I think she sent the wrong document. We can send again with the right one.

Hafdahl: I have no problem with paying, but we were clearing. The City comes through and it gets put back on the sidewalk. We never got this one, I never told this one. They said they didn't get it. I'm fine with the \$322. It would have taken my guys that long to do it anyway.

Referred to the City Council due back on 6/7/2023

Special Tax Assessments-ROLLS

- 9 RLH AR 23-40** Ratifying the assessments for Property Clean Up services during January 3 to 13, 2023. (File No. J2317A, Assessment No. 238517)

Sponsors: Brendmoen

Referred to the City Council due back on 6/7/2023

- 10 RLH AR 23-41** Ratifying the assessments for Property Clean Up services during January 18 to 30, 2023. (File No. J2318A, Assessment No. 238518)

Sponsors: Brendmoen

Referred to the City Council due back on 6/7/2023

- 11 RLH AR 23-42** Ratifying the assessments for Equipment and Labor for Clean Up services during October to November 2022. (File No. J2319A, Assessment No. 238519)

Sponsors: Brendmoen

Referred to the City Council due back on 6/7/2023

1:30 p.m. Hearings

Orders To Vacate - Fire Certificate of Occupancy

- 12 **RLH VO 23-18** Appeal of Lauren L. Ross, HouseCalls, on behalf of Deanna Dorsey, tenant, to a Re-Inspection Fire Certificate of Occupancy With Deficiencies (which includes condemnation) at 2236 GLENRIDGE AVENUE.

Sponsors: Prince

Grant the appeal noting the matter is resolved.

Moermond: we had an appeal filed on this. The appeal was filed on a condemnation and order to vacate. After that was issued April 3, the Department of Safety and Inspections reviewed the file and lifted the condemnation and order to vacate. Upon that action, the appeal was withdrawn. This matter should go to Council indicating that the matter has been resolved.

Referred to the City Council due back on 5/3/2023

2:00 p.m. Hearings

Fire Certificates of Occupancy

3:00 p.m. Hearings

Special Tax Assessments-Garbage

- 13 **RLH TA 23-124** Ratifying the Appealed Special Tax Assessment for property at 884 MOUND STREET. (File No. CG2301A1, Assessment No. 230105)

Sponsors: Prince

Approve the assessment.

No one appeared

Voicemail left at x1965 at 3:06 pm: this is Marcia Moermond from St. Paul City Council calling about your appealed assessment for garbage hauling services at 884 Mound. We couldn't reach you April 6 or today. I'll recommend the City Council approve this at their Council Public Hearing May 24. Should you wish to contest this recommendation the instructions for doing so are in the letter that told you about today's hearing.

Referred to the City Council due back on 5/24/2023

- 14 **RLH TA 23-161** Ratifying the Appealed Special Tax Assessment for property at 505 BEAUMONT STREET. (File No. CG2301A3; Assessment No. 230107)

Sponsors: Noecker

Approve the assessment.

Mitchell Fiebiger, owner, appeared via phone

Fiebiger: I bought the place a couple of months ago and didn't set it up until a couple of weeks ago.

[Moermond gives background of appeals process]

Staff report by Lydia Campbell: the property owner stated they didn't receive service October through December 2022. Staff notes there is no temporary service holds or Unoccupied Dwelling Registration Forms submitted during this time, staff recommends approving the assessment. Waste Management did confirm service during this period.

Moermond: you were saying you just acquired it?

Fiebiger: I just bought this a couple of months ago. I set up service with Waste Management a few weeks ago, got the account and app downloaded. I wasn't using service during this period. It wasn't going to the street at all. That's where I'm at with this.

Moermond: the assessment in front of me is for the 4th quarter of 2022. The property was closed on December 14, 2022. All of the fourth quarter, less a couple of weeks, the previous owner was responsible. The time period you are talking about, the first quarter, does Public Works have

Campbell: they are receiving a credit for the time when they submitted the Service hold.

Pisslbury: you got a credit for January 28 through March 31, 2023, taking into account you weren't using the service once you called them.

Moermond: there's one month in the first quarter billed out, the other two were credited. The fourth quarter bill was something the previous owner didn't pay, nor apparently disclose at closing this was an outstanding bill on the property.

Fiebiger: that is correct. I was unaware.

Moermond: and we hear this more often than I would like, bills on a property where they don't tell the buyer. We can get you copies of the notices that go out saying there is an unpaid bill so you can take that to your realtor or previous owner. I agree morally you shouldn't be hung with this assessment, but you are left holding the bag because you have the title to the property and the assessment goes with the property. We can put together our records and email those to you for your communications. It seems worth an email for a few hundred dollars. Would that be helpful?

Fiebiger: yes, definitely. I'm being charged for 2 quarters?

Moermond: this is for the fourth quarter of 2022, October, November, and December of last year. Sounds like you are not being billed for 2 months of the first quarter, did any of that come forward as an assessment, or is that communication between Mr. Fiebiger and Waste Management.

Campbell: part of it went forward as an assessment and part is a credit.

Moermond: so the part with the assessment he may have just received?

Campbell: yes.

Fiebiger: yes, it did.

Moermond: if you just got that, \$107?

Fiebiger: \$448.

Moermond: could it have been 441?

Fiebiger: no, its in my hand. It is \$448. It is from Waste Management.

Moermond: that is an extraordinary amount. How many carts do you have, what size are they? That is a lot of money.

Fiebiger: 3 54-gallon cart service. 2 garbage cans and a recycling bin.

Moermond: if you just got that bill, are they charging you for the first quarter? Is there a \$107 charge as well?

Fiebiger: I don't see \$107.

Moermond: there is no way 3 carts, no matter the size, would add up to \$448.

Fiebiger: that's what I'm saying.

Moermond: that is strange. That should be for quarter 2, 2023. April through June. Ms. Campbell can you do some follow up with Waste Management on what is going on here?

Campbell: yes.

Moermond: do we have your email address, Mr. Fiebiger?

[Fiebiger gives email address]

Moermond: we are going to send you the documents for quarter 4, 2022. The notices that went to the previous owner about late payments. Documentation the previous owner had notice they had a bill they ignored. Also, I am going to have to recommend approval of that assessment. But we are going to find out with the invoice you just got because that is a high invoice. We don't think it looks right, especially in the context since you just received a proposed assessment for \$107 for the first quarter of 2023. That would be the one month before you filed the service hold paperwork. We can talk about that down the line when the hearing is scheduled. I'm concerned that somehow that is getting mixed up with your second quarter bill, or something else strange is happening. Ms. Campbell, can your team send those out and copy our office?

Campbell: yes.

Moermond: given the confusion I would definitely be looking at deleting any late fees

on Quarter 1.

Fiebiger: the first quarter 2023 and the fourth quarter of 2022 are the two I'm being billed for?

Moermond: I'm not sure the bill in your hand, but what I am looking at today as assessment is 4th quarter. An di know Waste management sent the first quarter balance as an assessment because it wasn't paid.

Referred to the City Council due back on 5/24/2023

15 [RLH TA 23-160](#)

Ratifying the Appealed Special Tax Assessment for property at 114 SNELLING AVENUE NORTH. (File No. CG2301A2, Assessment No. 230106)

Sponsors: Balenger

Layover to LH May 2, 2023 at 3 pm. Staff to review UDRF and temp vacancy forms and previous appeal.

John Hageman, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Clare Pillsbury: the property owner stated the upstairs unit has been vacant since 2021. We reached out to the hauler and the records show the property owner submitted a service hold 2/19/2022 - 8/14/2022. When the property owner called again on 10/19/2022 about the Quarter 4 2022 invoice, they were told by the Waste Management customer service representative that they were unable to do another temporary service hold and then directed to call the City for assistance. Since the City has no records of the property owner calling for assistance following their conversation with Waste Management, staff recommends approving the assessment since there was no temporary service hold or vacancy applied to the account during that time.

Moermond: I'm struggling because in the emails, did the owner call around February 7, 2022.

Pillsbury: yes.

Moermond: and at that time staff heard about the situation and referred him to waste management?

Pillsbury: John contacted the city regarding the hold and we forwarded that to Waste Management on February 7th.

Moermond: but we did have a chance to talk to him about his situation so we could get the right form at the right time.

Pillsbury: correct.

Moermond: what is going on, Mr. Hageman?

Hageman: the upstairs, 116 north Snelling has been vacant. It is off campus student housing. They had me fill out the temporary hold, it doesn't address a vacancy on the form. No one was on vacation; it was vacant and it remained vacant. I continued to pay

hauling for the lower unit, 114. I can't understand why I am being charged for something that they weren't doing and I didn't need. Summer of 2020 I went through the same process, all the way through the Council. They voted in my favor. I don't understand why I'm going through the same thing again. I don't mind paying when it is occupied and generating trash, but when no one is there.

Moermond: tell me why no one was there?

Hageman: we had it rented, and then due to their financial situation they wanted to be let out of the lease prior to moving it. I used that time to repaint everything. I left it vacant until the students replied. It will be rented again June 1, 2023 again. I did call Waste Management about stopping service in 2021 and they said I had to talk to the City. I called several times, on hold for 10 minutes and I won't hold any longer. Then I finally got ahold of them. That took almost 27 minutes.

Moermond: I was curious about circumstances in February 2022 when you reached out to the City since you didn't have renters. When you had that conversation were you envisioning renters in June, or August or September?

Hageman: I had no idea. We just went in to fix it up, I kept the ad going, but it is off campus student housing. The school year had already started. I did try to stop it at Waste Management, and also at the City, but I never got through until a couple of weeks ago. I gave up.

Moermond: you did get through last February, 15 months ago. Staff, if Mr. Hageman was calling in February and describing his circumstances of how he wasn't sure when it would be rented again, is this where you would say this is temporary or talk to him about an Unoccupied Dwelling Registration Form? What is the protocol?

Pillsbury: normally our protocol would be if someone is calling about a vacancy, our first ask is how long it will be unoccupied. If it is 4 weeks to six months we recommend a temporary service hold, if it is longer than that we recommend a vacancy request. He must have spoken with Sue Anderson, since we do have a ticket with the application, however I don't see records of phone calls between them at the time. I'm not sure if she got it in the mail or had a brief call.

Hageman: I talked to someone and they said I could only do one in the calendar year. The vacancy form was never mentioned. I never knew that wasn't an option. I wasn't trying to get out of anything, I'm just trying to not pay for something I didn't need and wasn't getting.

Moermond: I understand. I'm going to ask Public Works staff if I can get copies of those two forms for the records so I have a better idea of what those forms contain. Any information that goes out from your office or garbage hauler that confirms the length of the service hold so I have that to refer to, then I will have better information to conclude this conversation with Mr. Hageman

Pillsbury: absolutely.

Moermond: I'm going to get that, look at the old record for any appeals you've had. They are case specific, so no promises. This goes to Council May 24, so I will put this on our agenda for May 2 at 3 pm. Does that work?

Hageman: sure.

Laid Over to the Legislative Hearings due back on 5/2/2023