



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

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, January 11, 2024

9:00 AM

Room 330 City Hall & Court House

Garbage Hauling Assessments

9:00 a.m. Hearings

Special Tax Assessments

- 1 RLH TA 24-13 Ratifying theAppealed Special Tax Assessment for property at 1288 EDGERTON STREET. (File No. CG2303A2, Assessment No. 230113)

Sponsors: Kim

Reduce assessment from \$133.87 to \$62.48.

*Almaz Kassa, owner, appeared via phone
Rahel Sekadu, owner's daughter, appeared via phone*

Daughter: I'll be translating for my mother into Amharic. She is right next to me.

Moermond: are you over 18?

Sekadu: yes.

[Moermond gives background of appeals process]

Moermond: looks like we have two assessments, one for the second quarter of 2023 and one for the third quarter of 2023. I'm going to ask we do them both at the same time, since they appear to be the same issue.

Staff report by Lydia Campbell: property owner is appealing because they did not call the hauler to set up service when they purchased the property on June 1, 2023. Previous property owner did not cancel their service. The property owner is contesting the charges because she states that she was not aware that garbage services were charged separately. Property owner did not receive Notices of Non-Payment from the hauler because they were still being sent to the address of the previous PO at a different address. City staff does not see this as a sufficient reason to waive the assessment. As the current property owner, they are responsible for assessments left by the previous owner. This also includes the assessment for delinquent garbage bills in Quarters 1 and 3 of 2023.

Moermond: it sounds like you have learned you have to sign up for the service. Ms. Campbell, does Waste Management now have the account in the right name?

Campbell: yes, we did get in touch with the hauler.

Moermond: two bills went to the old owner; your mom was in the property and using the service which is provided regardless. Tell me what you're looking for in this appeal?

Sekadu: she lived with us at Rosemount where you can shop around to get the best price and they deliver the container. We had no idea that you have the can and use it. Since she lives by herself and is mostly at work, she doesn't have much trash. I would just take it home with me. She didn't know there was a trash can under her name, or outside, or any of those things. That was the problem.

Moermond: does your mom read English?

Sekadu: no, but I come every week to collect her bills and help her, or she brings it if she visits me.

Moermond: but she doesn't, you help as best you can?

Sekadu: yes.

Moermond: when she bought the property, which is in her name, yes?

Sekadu: yes.

Moermond: was the paperwork at the closing in English and she relied on others to translate it?

Sekadu: yes.

Moermond: so, she signed paperwork all in English?

Sekadu: yes.

Moermond: I don't want to take a difficult situation and make it more difficult. I do have obligation to recoup costs for providing service. If she has little garbage, we do have an option to go with a small can that gets collected every other week. I'd like to get her signed up for that. We can do that with a couple of calls on our end. Is that something you'd like us to do?

Sekadu: yes, at the same time we did sign up once we found out and they did bring a smaller container that is taken out every week. The one you suggested would be great.

Moermond: does she have a dark gray container with a dark gray lid?

Sekadu: yes.

Moermond: the lid isn't pink/purple?

Sekadu: one is blue and the other is kind of black.

Moermond: Ms. Campbell, what would the cost of every other week service be for this household?

Campbell: in 2023 it would be \$62.48 quarterly.

Moermond: in consideration of your mom's language, she would have had difficulty navigating any paperwork in closing that may have dealt with this, as well as any mail that may have been received. I'm going to ask the Council to decrease this as low as I can. Each would go from \$133.87 to \$62.48. We'll get her into a container with purple lid.

Referred to the City Council due back on 3/13/2024

- 2 RLH TA 24-46** Ratifying the Appealed Special Tax Assessment for property at 195 GOODRICH AVENUE. (File No. CG2303A2, Assessment No. 230113)

Sponsors: Noecker

Delete the assessment.

No one appeared

Moermond: this has been in the Vacant Building program a while, and is now a Category 3, so it makes sense to delete both of these assessments. Quarter 2 and Quarter 3, 2023.

Referred to the City Council due back on 3/6/2024

- 3 RLH TA 24-47** Ratifying the Appealed Special Tax Assessment for property at 195 GOODRICH AVENUE. (File No. CG2304A1, Assessment No. 230114)

Sponsors: Noecker

Delete the assessment.

No one appeared

Moermond: this has been in the Vacant Building program a while, and is now a Category 3, so it makes sense to delete both of these assessments. Quarter 2 and Quarter 3, 2023.

Referred to the City Council due back on 3/6/2024

- 4 RLH TA 24-15** Ratifying the Appealed Special Tax Assessment for property at 1740 IGLEHART AVENUE. (File No. CG2303A2, Assessment No. 230113)

Sponsors: Jalali

Delete the assessment.

No one appeared

Staff report by Lydia Campbell: the resident states she has been paying the bill and she has payment verification to prove it. Property owner provided proof of electronic payment for every quarter dating back through 2020. The garbage bill for Quarter 2, 2023 was already paid to Waste Management, so staff recommends full removal of the assessment.

Moermond: sounds good. I agree.

Referred to the City Council due back on 3/13/2024

- 5 **RLH TA 24-12** Ratifying theAppealed Special Tax Assessment for property at 749 SCHEFFER AVENUE (File No. CG2303A2, Assessment No. 230113)

Sponsors: Noecker

Delete the assessment.

No one appeared

Staff report by Lydia Campbell: the property owner states that they already paid the garbage bills for both Quarters 1 and 2, 2023. Waste Management confirmed that payments for both Quarters 1 and 2, 2023 were received for 749 Scheffer Ave. The payments had been applied to the wrong account. Staff therefore recommends removal of the full Quarter 2, assessment.

Moermond: recommend deletion. What I'm struggling with is we have a fair number of bills that Waste Management has sent to assessment that Pos have come forward with proof the bill was paid or went to the wrong place. Are these owners reaching out to Waste Management before the City and what sort of experience they're having. Maybe they didn't call, do you know?

Haas: a majority of residents do contact the hauler. It is a result of poor customer service. That's why we are taking over billing in 2025.

Referred to the City Council due back on 3/13/2024

10:00 a.m. Hearings

Special Tax Assessments

- 6 **RLH TA 24-8** Ratifying theAppealed Special Tax Assessment for property at 1319 ARLINGTON AVENUE EAST. (File No. CG2304A1, Assessment No. 230114)

Sponsors: Yang

Delete the assessment.

No one appeared

Staff report by Lydia Campbell: the property owner states that they already paid this bill. The property owner shared a copy of their checking account showing that this payment was made. Aspen confirmed that the assessment was sent in error and asked that we remove it.

Moermond: so recommended.

Referred to the City Council due back on 3/13/2024

- 7 **RLH TA 24-11** Ratifying theAppealed Special Tax Assessment for property at 1256 DANFORTH STREET. (File No. CG2304A1, Assessment No. 230114)

Sponsors: Kim

Delete the assessment.

No one appeared

Staff report by Lydia Campbell: the property owner died last year and the brother, property representative, says they should not be charged for service that they did not use. The property owner passed away December of 2022 and brother of the deceased was handling the account/home. Requesting that the Quarter 3, 2023 assessment be removed as a courtesy. Hauler had evidence of service use first 2 quarters, so City staff is only requesting that Quarter 3 assessment be removed.

Moermond: and it is squared away that they don't need to be collected there?

Campbell: yes, it an Unoccupied Dwelling Registration Form is in and service is on hold.

Moermond: so, recommend deletion.

Referred to the City Council due back on 3/13/2024

- 8 RLH TA 24-10 Ratifying theAppealed Special Tax Assessment for property at 1288 EDGERTON STREET. (File No. CG2304A1, Assessment No. 230114)

Sponsors: Kim

Reduce assessment from \$133.87 to \$62.48.

Almaz Kassa, owner, appeared via phone
Rahel Sekadu, owner's daughter, appeared via phone

Daughter: I'll be translating for my mother into Amharic. She is right next to me.

Moermond: are you over 18?

Sekadu: yes.

[Moermond gives background of appeals process]

Moermond: looks like we have two assessments, one for the second quarter of 2023 and one for the third quarter of 2023. I'm going to ask we do them both at the same time, since they appear to be the same issue.

Staff report by Lydia Campbell: property owner is appealing because they did not call the hauler to set up service when they purchased the property on June 1, 2023. Previous property owner did not cancel their service. The property owner is contesting the charges because she states that she was not aware that garbage services were charged separately. Property owner did not receive Notices of Non-Payment from the hauler because they were still being sent to the address of the previous PO at a different address. City staff does not see this as a sufficient reason to waive the assessment. As the current property owner, they are responsible for assessments left by the previous owner. This also includes the assessment for delinquent garbage bills in Quarters 1 and 3 of 2023.

Moermond: it sounds like you have learned you have to sign up for the service. Ms. Campbell, does Waste Management now have the account in the right name?

Campbell: yes, we did get in touch with the hauler.

Moermond: two bills went to the old owner; your mom was in the property and using the service which is provided regardless. Tell me what you're looking for in this appeal?

Sekadu: she lived with us at Rosemount where you can shop around to get the best price and they deliver the container. We had no idea that you have the can and use it. Since she lives by herself and is mostly at work, she doesn't have much trash. I would just take it home with me. She didn't know there was a trash can under her name, or outside, or any of those things .That was the problem.

Moermond: does your mom read English?

Sekadu: no, but I come every week to collect her bills and help her, or she brings it if she visits me.

Moermond: but she doesn't, you help as best you can?

Sekadu: yes.

Moermond: when she bought the property, which is in her name, yes?

Sekadu: yes.

Moermond: was the paperwork at the closing in English and she relied on others to translate it?

Sekadu: yes.

Moermond: so, she signed paperwork all in English?

Sekadu: yes.

Moermond: I don't want to take a difficult situation and make it more difficult. I do have obligation to recoup costs for providing service. If she has little garbage, we do have an option to go with a small can that gets collected every other week. I'd like to get her signed up for that. We can do that with a couple of calls on our end. Is that something you'd like us to do?

Sekadu: yes, at the same time we did sign up once we found out and they did bring a smaller container that is taken out every week. The one you suggested would be great.

Moermond: does she have a dark gray container with a dark gray lid?

Sekadu: yes.

Moermond: the lid isn't pink/purple?

Sekadu: one is blue and the other is kind of black.

Moermond: Ms. Campbell, what would the cost of every other week service be for this household?

Campbell: in 2023 it would be \$62.48 quarterly.

Moermond: in consideration of your mom's language, she would have had difficulty

navigating any paperwork in closing that may have dealt with this, as well as any mail that may have been received. I'm going to ask the Council to decrease this as low as I can. Each would go from \$133.87 to \$62.48. We'll get her into a container with purple lid.

Referred to the City Council due back on 3/13/2024

- 9 RLH TA 24-14** Ratifying theAppealed Special Tax Assessment for property at 1716 HYACINTH AVENUE EAST. (File No. CG2304A1, Assessment No. 230114)

Sponsors: Yang

Delete the assessment.

No one appeared

Staff report by Lydia Campbell: the property owner states they paid the Quarter 3 bill to Waste Management. The property owner has shown adequate evidence in the form of bank statements showing that this bill was paid in July 2023. Waste Management confirmed that they received the payment and applied it to the wrong account. City staff acknowledges that property owner made payment July 31, 2023 which is past the due date. City staff is still recommending full removal (including late fees) because Waste Management doesn't apply their late fees until the last day of the month as indicated on all residential account billing copies that they have shared.

Moermond: so recommended. What I'm struggling with is we have a fair number of bills that Waste Management has sent to assessment that Pos have come forward with proof the bill was paid or went to the wrong place. Are these owners reaching out to Waste Management before the City and what sort of experience they're having. Maybe they didn't call, do you know?

Haas: a majority of residents do contact the hauler. It is a result of poor customer service. That's why we are taking over billing in 2025.

Referred to the City Council due back on 3/13/2024

- 10 RLH TA 24-49** Ratifying theAppealed Special Tax Assessment for property at 759 MARYLAND AVENUE EAST. (File No. CG2304A1, Assessment No. 230114)

Sponsors: Yang

Delete the assessment.

No one appeared

Staff report by Lydia Campbell: the property owner states that they already paid this bill and that they never received an overdue bill notice from Waste Management and assessed anyway. Waste Management has no proof that a Notice of Non-payment was sent. Waste Management found that the assessment was for a different parcel. The property owner provided proof of payment from July 25, 2023. City solid waste staff recommends full removal of assessment totaling \$119.89.

Moermond: recommend deletion. What I'm struggling with is we have a fair number of bills that Waste Management has sent to assessment that Pos have come forward with proof the bill was paid or went to the wrong place. Are these owners reaching out

to Waste Management before the City and what sort of experience they're having. Maybe they didn't call, do you know?

Haas: a majority of residents do contact the hauler. It is a result of poor customer service. That's why we are taking over billing in 2025.

Referred to the City Council due back on 3/13/2024

11:00 a.m. Hearings

Special Tax Assessments

- 11 RLH TA 24-48** Ratifying theAppealed Special Tax Assessment for property at 658 EDMUND AVENUE. (File No. CG2304A2, Assessment No. 230115)

Sponsors: Bowie

Approve the assessment.

Hattie Ward, owner, appeared via phone

[Moermond gives background of appeals process]

Moermond: are you M&D Heavenly properties, LLC?

Ward: yes.

Staff report by Lydia Campbell: the property owner is appealing because they state that no extras bags were set next to their garbage containers during Quarter 2, so they should not owe the extra charges that were applied to the Quarter 3 bill. This overdue bill is from Quarter 3, 2024. The property owner agrees that the garbage bill was not paid. The baseline overdue garbage bill for service alone is \$267.66, which covers two 96 gallon containers (duplex), plus late fees. The contested charge is for extra bags that property owner allegedly set out next to, and overflowing from, their trash carts the quarter prior (Quarter 2). It is acceptable for the hauler to add charges for extras from the previous quarter onto the bill. The disagreement is about the number of bags.

The property owner is stating that no extra bags were set out for collection in Quarter 2. Property owner rents the property and agrees that there was a litter issue at the property. They rented a dumpster to clean it up. The property owner is stating that all extra garbage bags and litter were put in the dumpster and none were picked up by Republic. Republic Services provided a week-by-week list with a count of bags that they recorded for each of those extras. The total they said they had was 70, however in the photos they provided only 54 bags were visible during that quarter. One note of concern I want to make is that I had given Hattie an initial suggestion that I was thinking I would remove the bag charges for the difference but upon further inspection I said I wouldn't be able to make that recommendation and leave it up to the Legislative Hearing Officer.

Moermond: one thing early in your report you said was that the owner put these bags out, but I'm understanding this is a rental property so it would have been tenants putting them out.

Campbell: yes, correct.

Moermond: just to clarify the record. I have M and D Heavenly Properties, LLC in Compton, California. Is that right?

Ward: yes.

Moermond: so, you're in Compton?

Ward: there were no excess bags. I did get a dumpster, I removed them. I paid for it myself. I made sure it was gone. If they would have had proof, a picture, I know I removed them.

Moermond: I have a pile of paperwork including a lot of photographs.

Ward: that was from previous ones.

Moermond: what do you mean by previous?

Ward: that was the month before, and I paid that. After that because the City inspector was on me, I had to go do it myself and paid for the dumpster.

Moermond: when did you do that?

Ward: July I think.

Moermond: I think I understand the problem.

Ward: I had my tenant pay for a dumpster, and I did too. We both had. I made sure they got it all up.

Moermond: I'm not sure if you received an invoice from the hauler and I know how the billing works and I think it's the billing that's tripping us up. I am definitely seeing the same thing as you, a July bill for the third quarter, July 3 through September 30th. The thing is you're being charged for is from the second quarter. It didn't happen in the third quarter. What makes it complicated is you pay a garbage bill prospectively, so your July 5 bill covers July, August and September and they don't know if there will be extra bags since you're billed at the beginning of the quarter. The same thing happened the second quarter, April 5 bill. They didn't know there would be extra bags between April 1 and July 1. If there are, that would be the next bill. So, you are paying for something happening the quarter before since they can't know.

Ward: it wasn't even the quarter before. They moved the end of July.

Moermond: I have a photo from June 30, June 16, June 9,

Ward: and all those photos are when she got a dumpster, the one she paid for.

Moermond: I see the garbage hauler picked up on those days the extra bags.

Ward: no, no, no.

Moermond: you're saying they left them on the ground?

Ward: they were in the garage. I made them take them out of the garage and get a dumpster.

Sarah Haas, Manager of Solid Waste Program: the confusion with the dates from Hattie and the garbage was there was also a Summary Abatement Order on the property in August, and that was where the dumpster came in. There were a large number of bags collected by the hauler but also an abatement order to clean up.

[Moermond reviews Summary Abatement Order and photos]

Ward: I was aware the freezer was out there.

Moermond: it was after this stuff, so it makes sense you were taking care of business.

Ward: I paid \$638 and sent a receipt, because I know I paid.

Moermond: we can send these photos from the second quarter of what the garbage people picked up.

Ward: I paid them 638

Moermond: I'm not sure what that is from, the assessment lookup isn't giving any clues either.

Ward: I have the photos. I'm a very honest woman, honey. I can't stress that enough. The inspector and I were very acquainted. I paid for all of that. I'm just ready for you to make your decision and tell me what I have to do.

Moermond: I'm going to recommend approval. [Moermond gives appeals process again] the Council Public Hearing is March 13th. That's the next place to talk to someone about it.

Ward: you aren't seeing record of me paying \$638?

Moermond: what is visible to me online are the pending assessments. They clear their books on December 1. I have current information. I'd need to call the assessment office to find out what was going on with that payment. It isn't on the computer I can see.

Additional comments after hearing:

Moermond: it sounds like she has had some other bills. She seems confused as to what they were. Maybe we should check the 2023 records and see any other pending bills or assessments that were paid during 2023 that we should have as part of the record that may explain some of this confusion.

Referred to the City Council due back on 3/13/2024

12 RLH TA 24-6

Ratifying theAppealed Special Tax Assessment for property at 1128 FOURTH STREET EAST. (File No. CG2304A2, Assessment No. 230115)

Sponsors: Johnson

Delete the assessment.

No one appeared

Staff report by Lydia Campbell: the property owner states that they already paid their

bill and provided proof of the payment. The property owner stated that they already paid the bill and provided proof with a bank statement. The hauler, Aspen, then confirmed that this bill was sent to the City in error.

Moermond: recommend deletion. What I'm struggling with is we have a fair number of bills that Waste Management has sent to assessment that Pos have come forward with proof the bill was paid or went to the wrong place. Are these owners reaching out to Waste Management before the City and what sort of experience they're having. Maybe they didn't call, do you know?

Haas: a majority of residents do contact the hauler. It is a result of poor customer service. That's why we are taking over billing in 2025.

Referred to the City Council due back on 3/13/2024

- 13 RLH TA 24-7** Ratifying theAppealed Special Tax Assessment for property at 1964 MINNEHAHA AVENUE EAST. (File No. CG2304A2, Assessment No. 230115)

Sponsors: Johnson

Delete the assessment.

No one appeared

Staff report by Lydia Campbell: the property owner stated they paid this bill already in full to the hauler on July 24, 2023. The property owner provided proof of payment in full for amount of bill. Republic Services confirmed that the delinquent bill was sent to the City in error and should be removed.

Moermond: what I'm struggling with is we have a fair number of bills that Waste Management has sent to assessment that Pos have come forward with proof the bill was paid or went to the wrong place. Are these owners reaching out to Waste Management before the City and what sort of experience they're having. Maybe they didn't call, do you know?

Haas: a majority of residents do contact the hauler. It is a result of poor customer service. That's why we are taking over billing in 2025.

Referred to the City Council due back on 3/13/2024

- 14 RLH TA 24-9** Ratifying theAppealed Special Tax Assessment for property at 651 WELLS STREET. (File No. CG2304A2, Assessment No. 230115)

Sponsors: Yang

Delete the assessment.

No one appeared

Moermond: two people being billed Waste Management says it was a mistake. Recommend deletion.

Referred to the City Council due back on 3/13/2024

Special Tax Assessments-Rolls

- 15 RLH AR 23-107** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2023. (File No. CG2303A2, Assessment No.230113)

Sponsors: Brendmoen

Referred to the City Council due back on 3/13/2024

- 16 RLH AR 23-108** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2023. (File No. CG2304A1, Assessment No. 230114)

Sponsors: Brendmoen

Referred to the City Council due back on 3/13/2024

- 17 RLH AR 23-109** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2023. (File No. CG2304A2, Assessment No. 230115)

Sponsors: Brendmoen

Referred to the City Council due back on 3/13/2024