



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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Thursday, January 25, 2024

9:00 AM

Room 330 City Hall & Court House/Remote

Garbage Hauling/Clean-Up Assessments

9:00 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 24-55** Ratifying the Appealed Special Tax Assessment for property at 790 GERANIUM AVENUE EAST. (File No. CG2304A2, Assessment No. 230115)

Sponsors: Yang

Approve the assessment.

Franciso Ochoa, property owner, appeared by phone and communicated through a Spanish interpreter

[Moermond reviewed hearing process]

Staff report by Garbage Specialist Lydia Campbell: The property owner stated that they had 3 recent surgeries prevented their ability to pay their garbage bills, because they don't have any income. They are over 70 years old, and their Social Security check is being detained because they're waiting for permanent residency to renew. He wants the assessments disputed because of his medical situation. Garbage service was used during this quarter at this address.

Ochoa: I don't have any income. I'm waiting for my green card. Immigration is backed up. I don't know when I will receive it.

Moermond: Are you caught up on property taxes?

Ochoa: No. I did not pay from last year. I applied fo a program to defer the payment until I sell the house and then take the money out of that.

Moermond: That program may have been for a special assessment. Looking on the Ramsey County website right now, it looks like last year was paid. I don't know how or by who.

Ochoa: My daughters and savings helped me. Right now, I don't have any money though.

Moermond: So, the program you worked with to take care of bills from 2023, will that help with 2024 bills? Was that just your daughters helping? I'm trying to understand the situation.

Ochoa: They took away the help. I don't want to ask my daughters for help, with prices going up.

Moermond: I'm asking because I want you to understand the implications for not paying taxes. It looks like the proposed property taxes for this upcoming year are going to be around \$2,950.

Ochoa: Okay.

Moermond: As an owner occupant, that does impact how nonpayment affects you with tax law. The \$119 won't be as big a problem as the whole property tax bill, if you don't have any income. I wanted to talk about when that could result in you losing the home, which could still be far away.

Ochoa: I'm not leaving my property.

Moermond: I want to assure you that there is time to work out the problems. If this goes unpaid, it goes on your 2025 property taxes. If you can't pay your 2024 taxes, it won't be another 5 years before forfeiture of the property is even discussed. You can work with Ramsey County on payment plans. Our system is elastic and can help you in the long run.

Ochoa: I filled out an application through property taxes that would help me because of my age. Whatever isn't paid on my property taxes will be taken out of the final sale price of house.

Moermond: I want to give you the contact info for your Ramsey County Commissioner, Trista Martinson (formerly Matascastillo). Her phone number is 651-266-8360. You can contact her if you need assistance. You are also a Ward 6 constituent, and the contact there is Councilmember Nelsie Yang, 651-266-8660. I have to recommend approval because the service was provided, but it won't show up on property taxes until next year. I hope the program your referred to for deferral on taxes until point of sale still exists. I think your elected officials should be able to help with any problems that arise.

Ochoa: I have no income. I have problems with feet. I can't work. I don't have money.

Moermond: I am sympathetic, but I don't have a choice. For garbage, would walk-up service be helpful for garbage service given your health issues?

Ochoa: I would like the walk-up service.

Moermond: Do you keep the garbage by the garage, just so we can tell the hauler where to walk to?

Ochoa: In the alley by the garage.

Moermond: This is available for recycling, so we will put this in place for both. Sorry I can't be more helpful.

Solid Waste Services Manager Sarah Haas: If the cart is currently in the alley, we may want to move it somewhere more convenient. We will send someone out who speaks Spanish to talk about this, which could take a week since our staffer who speaks Spanish is out of town. They will call ahead.

Ochoa: It isn't far away from the house. It's convenient for me right now.

Moermond: Do you want to talk with a staff person, just to confirm?

Ochoa: Yes.

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

2 RLH TA 24-63

Ratifying the Appealed Special Tax Assessment for property at 2078 HAWTHORNE AVENUE EAST. (File No. CG2304A1, Assessment No. 230114)

Sponsors: Yang

Delete the assessment.

Moermond: It looks like staff recommends deletion here. What's the situation?

Staff report by Garbage Specialist Lydia Campbell: The property owner is stating that the house was vacant due to a home fire. City staff confirmed that a house fire had occurred at the property on April 27, 2023. As of May 2, 2023 the house was deemed uninhabitable and went into a vacant building status. The property owner filed for mail forwarding with the post office, but some of that mail was missed. So, until the most recent notice, they didn't know that they were still being billed for garbage. Staff recommends full removal of this assessment for Quarter 3 of 2023.

Moermond: I can see how that would make it difficult to get those notices, even if you were able to stay completely on top of your business affairs after a fire. I recommend deletion.

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

3 RLH TA 24-61

Ratifying the Appealed Special Tax Assessment for property at 602 ORANGE AVENUE EAST. (File No. CG2304A1, Assessment No. 230114)

Sponsors: Kim

Delete the assessment.

Moermond: I see staff is recommending deletion of this assessment.

Staff report by Garbage Specialist Lydia Campbell: This recommendation came from the hauler, Waste Management. They contacted the City stating that we needed to pull the Quarter 3, 2023 assessment amount of \$119.89 off our tax rolls. This is a duplex and they had two separate accounts for the property. At one time, it was considered single family, then went back to a duplex. The property owner hadn't realized until now that they still had one account that was never cancelled back in May of 2023. Due to the request from the hauler, solid waste staff recommend full removal of the assessment.

Moermond: Was any other quarter affected?

Campbell: Yes. Quarter 4 was affected, but solid waste staff got that information in time to not even send it to the tax roll.

Moermond: I recommend deletion.

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

- 4 RLH TA 24-62** Ratifying the Appealed Special Tax Assessment for property at 1332 SARGENT AVENUE. (File No. CG2303A2, Assessment No. 230113)

Sponsors: Jost

Reduce from \$551.89 to \$116.40.

Moermond: This is for a reduction recommended by staff?

Staff report by Garbage Specialist Lydia Campbell: The property owner here states that in 2022 their garbage collection was stopped by the hauler. The property owner had not requested this, nor was he contacted by Waste Management about it. When he finally straightened it out, the property owner received a bill for six total quarters of service. The property owner states that the automatic complaint service at Waste Management said he had no active account. He agrees that he might owe something but doesn't think he should pay for a full 1.5 years. Because back billing for garbage service is not allowed per our coordinated collection contract, staff recommend reducing the Quarter 2 bill to only include service from January 1-June 30. The property had a 96 gallon cart for two quarters. After our conversation yesterday, I believe we are now reducing that to just include the one quarter. The reduction is to \$116.40

Moermond: Originally it was a reduction to \$338.37, but then after a conversation about how the contract would impact previous quarter billing, we went with the lower figure of \$116.40. That wouldn't include late fees. That probably shouldn't include late fees, even though it wasn't paid on time because there was an ongoing discussion between the hauler and the customer about what the right bill should have been. I recommend a reduction to \$116.40.

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

- 5 RLH TA 24-60** Ratifying the Appealed Special Tax Assessment for property at 900 WESTMINSTER STREET. (File No. CG2304A2, Assessment No. 230115)

Sponsors: Kim

Delete the assessment.

Staff report by Garbage Specialist Lydia Campbell: The owner purchased the property on April 26, 2023. The Quarter 3 invoice from Waste Management showed that she was billed for prorated Quarter 2 service starting on May 14th, 2023, pick up of two large appliances, and Quarter 3 service. The property owner states that she had already paid that bill so she should not owe the assessment. She showed proof of payment to Waste Management on July 25, 2023 for \$187.52. However, her quarter three invoice was for \$217.82. The charge sent to the City for assessment by Waste Management was for \$133.87. The owner then paid \$4.78 of that assessment to the City. Waste Management is unable to account for the difference in the assessment they sent versus the amount paid by the property owner. After deliberating over the issue with the City for about a week, Waste Management declined to answer any more

questions about the matter and asked that the case be closed. For this reason, we are recommending a full removal of the assessment.

Moermond: What that translates to is that if you're not talking to us, we are in no position to assess on your behalf to collect this bill. When this gets deleted, that would be a part of the money that Waste Management would have been expecting the City to include in its check to them. It won't get this amount in that check, correct?

Campbell: Correct.

Moermond. I recommend deletion.

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

10:00 a.m. Hearings

Special Tax Assessments

- 6 RLH TA 24-50** Ratifying the Appealed Special Tax Assessment for property at 384 LAWSON AVENUE EAST. (File No. J2411A, Assessment No. 248510)

Sponsors: Kim

Recommendation forthcoming.

Update 2/23/24: no photos were received by Lifei Ye Morrison.

[Lifei Ye Morrison was called, said she was unable to attend in-person, and agreed to have the hearing by phone]

Lifei Ye Morrison appeared by phone and communicated through a Mandarin interpreter

Moermond: You have the packet from Mai Vang?

Lifei Ye Morrison: Yes. I don't live there though because there is no water or electricity.

[Moermond reviewed the hearing process]

Lifei Ye Morrison: I'm not here to listen to your judgment.

Moermond: It's my recommendation, and it's my job.

Lifei Ye Morrison: I thought this is my chance to make my statement.

Moermond: You can, but I need to establish a record before you can speak. You need to let me finish my introductory comments.

Lifei Ye Morrison: You don't know anything.

Moermond: I need to finish my comments. If you continue to interrupt, I will conclude the hearing.

Lifei Ye Morrison: You don't know anything. The materials you have are wrong.

Moermond: I need to finish my comments. This is to protect you legally.

Lifei Ye Morrison: You don't know anything. This is a kangaroo court.

Moermond: I need to finish my comments, or I need to conclude this hearing. What I need to say is legally important for you and me. One last chance, I'm going to turn it over to staff.

Lifei Ye Morrison: Maybe it's better to go to court, because here you have violated my rights. I will sue the City.

Moermond: Even in court, they would need to hear both sides. Today, we can hear what you have to say, but I need to let staff speak and make a complete record.

Lifei Ye Morrison: I already sent my email this morning and sacrificed sleep. Usually, I can't get up that early. What I said in that email was that I haven't lived there for 5 years. How could I have generated garbage during that time?

Moermond: I need to get a staff report. Am I to understand that you want me to only consider your written statement as your argument?

Lifei Ye Morrison: No. I want you to hear from me.

Moermond: I legally need to hear from everyone. I need to hear from staff and then from you. If won't let me do that, I will proceed with what has been provided in writing.

Lifei Ye Morrison: You already made a judgment. How can you listen to other departments? They are all lying.

Moermond: I have not listened to them yet. I am going to mute you while I listen to a staff report. I will then give you a chance to speak, if you are still on the line then.

Staff report from Vacant Building Inspector James Huffman: There was a complaint about tall grass and weeds to the Department of Safety and Inspection (DSI) on September 15, where I sent a summary abatement order for that, with a reinspection date of September 22. The grass and weeds were not cut, so I sent a work order to the Parks Department.

Moermond: The work was done 4 weeks later, on October 13?

Huffman: Yes.

Moermond: We also have a video of the cleanup, which was also sent to you. After reviewing that, I will listen to your testimony.

[Moermond played videos of before and after work was done]

Moermond: What I saw was tall grass and weeds exceeding 2 feet, which was cleaned up. I will now take your testimony.

Lifei Ye Morrison: It was long in the beginning. How could I get a special assessment? I'm going to sue the government. You didn't do anything to secure the area and the property was burglarized.

Moermond: What are you looking for in the assessment regarding the lawn?

Lifei Ye Morrison: I'm not going to pay. It's not just that. All the garbage bills, electric bills, water bills, and property taxes. They all have issues and big mistakes.

Moermond: We have 3 assessments we are talking about today. The first is about tall grass and weeds, and then two garbage assessments after that. Right now, let's focus comments on the tall grass.

Lifei Ye Morrison: I haven't lived there 5 years. This is absurd. What you received are photos showing the wrong things. Since 2018, I have been collecting photos that you have never seen. I never had a chance to show them to you. It's your fault the house got robbed. I was not able to live there. I had to live in other places and spend lots of money to do that. I should be reimbursed for all the money I spent because of that.

Moermond: My authority today is to talk about the 3 assessments before us today. I hear you talking about other assessments and reimbursements. I don't have authority to talk about those today.

Lifei Ye Morrison: So, today's hearing is just to listen to your judgment. That's why I sent you that email about my rights.

Moermond: I'm not hearing anything related to you being told to clean up the tall grass in your yard, and why you shouldn't have to pay this particular assessment.

Lifei Ye Morrison: My house is a mess now. You didn't do anything. They took my things away and caused trouble.

Moermond: I don't think that what you're talking about is connected to the fact that the City said the yard needed to be taken care of and it wasn't. Your comments sound related to a burglary. What I would need to hear from you is that the City didn't perform the service and incur the costs.

Lifei Ye Morrison: When I came back on October 2023, all the City did was mow the grass. The grass is still too tall. I had to pull the weeds by myself. Do you have pictures after the cleanup?

Moermond: Yes. We have video from after the cleanup and that was sent to you by Mai Vang.

Lifei Ye Morrison: I didn't receive anything. I don't live there. How could I? You should have evidence after cleaning up a yard.

Moermond: I understand that you may not have gotten the order because you weren't living there, but that was the address of record with Ramsey County for property taxes. It is your responsibility to make sure that your mailing address is accurate. Secondly, you would have gotten an email from Mai Vang on January 22 that included videos taken before and after the cleanup. I know you got it because you replied twice. You indicated on January 23 that you got it and said you would talk to Ramsey County about the bills.

Lifei Ye Morrison: Yes, I got the emails, but it was too late because my house had heating problems. My realtor was with me, which is why I was in the house. Some emails I received I got too late to react. Besides, I was unable to read the email

because of the language barrier.

Moermond: I'm reading an articulate English email that you sent us at 4:00 AM this morning.

Lifei Ye Morrison: Thank you for the compliment. I saved all my emails and used Google Translator. I have another application to help me with translation also.

Moermond: Anything to add about the tall grass assessment?

Lifei Ye Morrison: I refuse to pay for the yard cleaning. You haven't sent me anything about what you have done. I refuse to pay all \$4,000 in taxes. I demand evidence of the cleanup.

Moermond: It was emailed to you and replied to that email saying you had it.

Lifei Ye Morrison: I never received it.

Moermond: Then why did you reply to the email the next day saying you had it?

Lifei Ye Morrison: Because I had the letter. I can show you my email. You said you did something. I am a resident. I need your help and your protection. You are responsible for that as a government. If you don't have evidence, it's nonsense and fraud.

Moermond: My job is to hear the appeal and if you should have to pay. This is a proposed assessment. I am not here to make you pay. I agree that the government is responsible for protecting people. At the same time, people need to be protected from one another, and that could mean taking care of properties and making sure they're secure, that criminals don't come in and threaten neighbors. These kinds of things are a private property owner's responsibility. Together, it is the individual and the community's responsibility.

Lifei Ye Morrison: You're right about how both government and individuals are responsible. But I have thousands of pictures to show that government did nothing and that's why I got robbed.

Moermond: We aren't talking about the burglary. I invite you to send us any photos you have. We have documents from you, but I don't see any photos.

Lifei Ye Morrison: Thank you. I have thousands.

Moermond: I only want photos dealing with this particular assessment related to September and October 2023.

Lifei Ye Morrison: I wasn't there then. I came back on October 23, 2023.

Moermond: You are responsible for maintaining your property, even when you aren't there. If you are going to be out of town, you need to make arrangements to take care of the property while you are gone.

Lifei Ye Morrison: I know. It can be a nuisance to the neighborhood.

Moermond: I will withhold my recommendation until I see the photos you send.

Lifei Ye Morrison: I'm not going to send pictures, but I can send you information about the property value before I obtained this property.

Moermond: How does that relate to this instance?

Lifei Ye Morrison: I'm going to talk about 3 things: electricity, water, and the street improvement assessments for thousands of dollars.

Moermond: I won't be dealing with electricity, water, or street improvements today.

[Conversation continued on garbage assessments under RLH TA 24-51 and RLH TA 24-56]

Moermond: Please submit any additional photos you have regarding the tall grass and weeds. I will look at those on Tues, Feb 6 and make sure they are considered as part of my recommendation on that.

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

7 RLH TA 24-51

Ratiofing the Appealed Special Tax Assessment for property at 384 LAWSON AVENUE EAST. (File No. CG2303A2, Assessment No. 230113)

Sponsors: Kim

Approve the assessment.

Lifei Ye Morrison appeared by phone and communicated through a Mandarin interpreter

Staff report from Garbage Specialist Lydia Campbell: The owner believes she cancelled or put a hold on garbage for her property a long time ago. However, she did not realize that the process was only temporary. She also states that she's been living in China the last year and has only recently returned home, so she was not aware of the situation.

Lifei Ye Morrison: I went through lots of difficulties. It was hard for me to put the garbage on hold.

Moermond: I want to give grace here.

Lifei Ye Morrison: Why is it a nightmare to deal with garbage cancellations and holds?

Moermond: I'm sorry you've experienced it as a nightmare.

Lifei Ye Morrison: It's so hard. I had to email and call and fill out forms and make sure my address is correct and send the forms back to the City.

Moermond: That sounds like everything I have to deal with relating to bills.

Lifei Ye Morrison: It's a digital age. Why are we doing things using the post office. Why aren't we using electronic tools?

Moermond: So, you are appealing because you didn't get an email and couldn't manage this electronically?

Lifei Ye Morrison: Please don't misunderstand me. I got your email but was in China.

What could I do since I was over there? They were automatic emails and sent by a machine about how my bill wasn't paid. It's not necessary to talk about things like this because I was living in China. You should not generate garbage bills for me while I'm over there. It's fraud.

Moermond: Can staff tell me how long a temporary hold can last, and what a property owner should do if the time period will be longer than that?

Solid Waste Services Manager Sarah Haas: Temporary service holds can last up to 26 weeks per year. We also have a service hold that can go on indefinitely through an Unoccupied Dwelling Registration Form, which we have shared with the resident and is available online.

Moermond: When was that form shared with the property owner?

Lifei Ye Morrison: I'm not talking about temporary service holds. I'm talking about the process. I was rushing back to China. Both my parents were in the ICU. I had to spare time to go through this application. That's what was a nightmare. That's what I want to talk about.

Moermond: Your argument is that the paperwork aspect was too difficult to navigate?

Lifei Ye Morrison: MN law requires you to be on the property once a year to investigate and correct anything wrong. You shouldn't just sit in your office and listen to nonsense, keeping your eyes shut.

Moermond: It looks like inspectors have been out to the property consistently from 2020 to the present.

Lifei Ye Morrison: How could you be there? If an inspector went there, they would know there isn't any garbage.

Moermond: If you have a state law you want me to consider, please forward that to me. I am unaware of any requirement for a property to be inspected on an annual basis. Focusing on the garbage hauling assessments, unless you provide additional information, my recommendation for the March 13 City Council public hearing will be to approve both assessments (RLH TA 24-51 and RLH TA 24-56). Please submit any additional photos you have regarding the tall grass and weeds. I will look at those on Tues, Feb 6 and make sure they are considered as part of my recommendation on that. The public hearing on the garbage assessments will be March 13, 2024.

Lifei Ye Morrison: I don't want to attend that public hearing anymore. You haven't been listening to me.

Moermond: I've been with you for an hour and a half now. I am going to conclude this hearing. You can submit any additional information for the Council to consider. They can look at it differently than I do. We will attach any additional testimony to the record.

Lifei Ye Morrison: I refuse to go to that hearing.

Moermond: You can refuse if you like.

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

8 **RLH TA 24-56** Ratifying the Appealed Special Tax Assessment for property at 384 LAWSON AVENUE EAST. (File No. CG2304A2, Assessment No. 230115)

Sponsors: Kim

Approve the assessment.

Lifei Ye Morrison appeared by phone and communicated through a Mandarin interpreter

Staff report from Garbage Specialist Lydia Campbell: The owner believes she cancelled or put a hold on garbage for her property a long time ago. However, she did not realize that the process was only temporary. She also states that she's been living in China the last year and has only recently returned home, so she was not aware of the situation.

Lifei Ye Morrison: I went through lots of difficulties. It was hard for me to put the garbage on hold.

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Moermond: I'm sorry you've experienced it as a nightmare.

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Moermond: So, you are appealing because you didn't get an email and couldn't manage this electronically?

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