



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
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651-266-8585

Thursday, April 4, 2024

9:00 AM

Room 330 City Hall & Court House/Remote

Garbage Hauling Assessments

9:00 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 24-155** Ratifying the Appealed Special Tax Assessment for property at 1125 HAGUE AVENUE. (File No. CG2401A1, Assessment No. 240111)

Sponsors: Bowie

Reduce assessment from \$208.52 to \$8.18.

No one appeared

Staff report by Lydia Campbell: property owner stated that Waste Management had made an error and property owner was confused about what is actually owed. In December 2021, Waste Management accidentally closed billing account at 1125 Hague Avenue while attempting to close a different account. The property owner continued to send automatic payments to Waste Management quarterly but did not notice that they were being returned to the account. In July 2023, the property owner called Waste Management about missed collections and the error was then realized. Once the account was reinstated, Waste Management invoiced property owner for \$725.62 in Quarter 4, 2023. This bill included service from November 7, 2021 thru December 31, 2023. Per contract, it is not permissible that haulers back-bill residents. For this reason, the bill was reduced by City staff before being sent to assessment in January 2024. This original reduction was to \$208.52.

That total was calculated to only include services from July 1, 2023 thru December 31, 2023 with no late fees. However this should not have included Quarter 2 and the property owner has now provided proof of payment to Waste Management for \$96.08 on October 11, 2023. Payment was received without return and applied toward the Quarter 4, 2023 bill. I therefore recommend that this assessment be reduced from \$208.52 to \$8.18.

Moermond: we won't revise the worksheet, it will stand with the previous recommendation. Reduce to \$8.18, noting there has been a clarification of the policy and you inherited a misinterpretation that is now on the right track.

Referred to the City Council due back on 5/15/2024

2 RLH TA 24-159 Ratifying the Appealed Special Tax Assessment for property at 311 RYAN AVENUE. (File No. CG2401A1, Assessment No. 240111)

Sponsors: Noecker

Reduce assessment from \$205.83 to \$62.48.

No one appeared

Staff report by Lydia Campbell: the property owner originally believed that she paid this invoice. However, she later agreed that it had not been paid. She believes that the assessment should be reduced because she attempted to pay over the phone but was unable to get through to a person at Waste Management, despite calling on numerous occasions.

The property owner purchased home in December 2022 and did not set up garbage service at that time. The property owner states that she was not receiving bills. Waste Management now has the correct address, so property owner received the Quarter 4 bill. The property owner states that she called Waste Management in September 2023 to change service levels and only then realized an account had not been set up. The property owner states that at that time she attempted to pay over the phone. Neither Waste Management nor property owner were able to provide record of that payment. The property owner states that she has attempted to call Waste Management multiple times since to remedy the situation, but she cannot get through the automated system to speak to a person to resolve the issue.

The Waste Management bill for Quarter 4, 2023 included service for Quarter 2 and Quarter 3 of 2023. Haulers are not allowed to back-bill, so I am recommending assessment be reduced to only include Quarter 4 charges with no late fees. Therefore I recommend a reduction from \$205.83 to \$62.48.

Moermond: and that includes late fees?

Campbell: no, and it is for a small every other week cart, which is what the property owner has had.

Referred to the City Council due back on 5/15/2024

3 RLH TA 24-107 Ratifying the Appealed Special Tax Assessment for property at 1110 WOODBRIDGE STREET. (File No. CG2303A2-1, Assessment No. 230118)

Sponsors: Kim

Reduce assessment from \$133.87 to \$116.40.

No one appeared

Staff report by Lydia Campbell: the property owner was confused by their bills. Property owner states that bills online don't match what they receive in the mail. Waste Management has been sending bills for this property to assessments since Quarter 3, 2022. The property owner paid all of those bills to the hauler; however, payments were being applied to the wrong account. Waste Management has acknowledged the issue and is refunding property owner \$929. However, the refund only covers original amount

that property owner paid to hauler, it does not include the late fees that were added onto the bills and then paid by property owner via assessments. City staff recommends waiving the late fee from the current pending/levied garbage assessments. This brings the Quarter 2, 2023 assessment total to \$116.40.

Moermond: \$133.87 to \$116.40, so recommended.

Referred to the City Council due back on 5/15/2024

- 4 RLH TA 24-108** Ratifying the Appealed Special Tax Assessment for property at 1110 WOODBRIDGE STREET. (File No. CG2304A1-2, Assessment No. 230117)

Sponsors: Kim

Reduce assessment from \$133.87 to \$116.40.

No one appeared

Moermond: this was a late appeal, from the previous quarter. And no appeal of Quarter 4 because we handled it in a timely fashion.

Staff report by Lydia Campbell: the property owner was confused by their bills. Property owner states that bills online don't match what they receive in the mail. Waste Management has been sending bills for this property to assessments since Quarter 3, 2022. Property owner paid all of those bills to the hauler; however, payments were being applied to the wrong account. Waste Management has acknowledged the issue and is refunding property owner \$929. However, the refund only covers original amount that property owner paid to hauler, it does not include the late fees that were added onto the bills and then paid by property owner via assessments. City staff recommends waiving the late fee from the current pending/levied garbage assessments. This brings the Quarter 2, 2023 assessment total to \$116.40.

Moermond: \$133.87 to \$116.40, so recommended.

Referred to the City Council due back on 5/15/2024

Special Tax Assessments

10:00 a.m. Hearings

- 5 RLH TA 24-157** Ratifying the Appealed Special Tax Assessment for property at 556 YORK AVENUE. (File No. CG2401A2, Assessment No. 240112)

Sponsors: Kim

Delete the assessment.

No one appeared

Staff report by Lydia Campbell: the property owner states that they paid their garbage bill in October 2023. They paid \$73.00, which they state is even more than what they owed. Property owner provided proof of payment to Waste Management of \$73.00 on October 2, 2023. Waste Management has confirmed that they received this payment.

The invoice for Quarter 4, 2023 was only \$62.48, so Waste Management also owes property owner a credit of \$10.52. I recommend removing the assessment.

Moermond: yes. Did Waste Management say why they messed this up? Seems like they got paid in a timely way. Is it because they got paid at the beginning of the quarter and not closer to the due date? This should be deleted.

Referred to the City Council due back on 5/15/2024

- 6 RLH TA 24-145** Ratifying the Appealed Special Tax Assessment for property at 1223 FARRINGTON STREET. (File No. CG2303A2-2, Assessment No. 230119)

Sponsors: Kim

Approve the assessment.

Carol Broos appeared by phone

Moermond: this is Marcia Moermond from St. Paul City Council trying to reach Carol or John Broos.

Carol Broos: I don't know who you are or why call but you people need to stop calling this number. You are disturbing the people that live here. This is your last warning. We're calling the Attorney General. Goodbye.

[hangs up]

Moermond: just reached out to Carol & John Broos to discuss the appealed tax assessments for 1223 Farrington. Documents indicating they didn't want to pay this assessment came into Public Works, the City Attorney's Office and the City Clerk's office. We processed them as appeals because they didn't want to pay them. We have three open appeals for Quarters 2, 3 and 4, 2023 that went to assessment.

Staff report by Lydia Campbell: property owner provided a notice stating that the assessment was, "Refused For Cause Without Dishonor, And Without Recourse To Me, As Per The Uniform Commercial Code". Waste Management states that there has been no change in garbage service at this property, so staff do not recommend removing or reducing the assessment.

Moermond: and that applies for all 3 of these. All for \$85.47.

Campbell: small, every week cart.

Moermond: lacking any discernible argument for recommending a decrease or elimination, I will recommend its ratification.

Referred to the City Council due back on 5/15/2024

- 7 RLH TA 24-146** Ratifying the Appealed Special Tax Assessment for property at 1223 FARRINGTON STREET. (File No. CG2304A1-1, Assessment No. 230116)

Sponsors: Kim

Approve the assessment.

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Campbell: small, every week cart.

Moermond: lacking any discernible argument for recommending a decrease or elimination, I will recommend its ratification.

Referred to the City Council due back on 5/15/2024

- 8 RLH TA 24-153** Ratifying the Appealed Special Tax Assessment for property at 1223 FARRINGTON STREET. (File No. CG2401A1, Assessment No. 240111)

Sponsors: Kim

Approve the assessment.

Carol Broos appeared by phone

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Special Tax Assessments-Rolls

- 9 RLH AR 24-32** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during October to December 2023. (File No. CG2401A1, Assessment No. 240111)

Sponsors: Jalali

Referred to the City Council due back on 5/15/2024

- 10 RLH AR 24-33** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during October to December 2023. (File No. CG2401A2, Assessment No. 240112)

Sponsors: Jalali

Referred to the City Council due back on 5/15/2024