



# 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*

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Thursday, April 25, 2019

9:00 AM

Room 330 City Hall & Court House

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#### 9:00 a.m. Hearings

##### Special Tax Assessments

- 1 [RLH TA 19-259](#) Ratifying the Appealed Special Tax Assessment for property at 1863 AMES AVENUE. (File No. CG1901C1, Assessment No. 190053)  
  
**Sponsors:** Busuri  
  
*Approve; no show.*  
  
**Referred to the City Council due back on 5/22/2019**
  
- 2 [RLH TA 19-309](#) Ratifying the Appealed Special Tax Assessment for property at 2112 JESSAMINE AVENUE EAST. (File No. CG1901C1, Assessment No. 190053)  
  
**Sponsors:** Busuri  
  
*Approve; no show.*  
  
**Referred to the City Council due back on 5/22/2019**
  
- 3 [RLH TA 19-315](#) Deleting the Appealed Special Tax Assessment for property at 795 PEDERSEN STREET. (File No. CG1901C1, Assessment No. 190053)  
  
**Sponsors:** Prince  
  
*Delete assessment.*  
  

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*Gary Blair, property owner, appeared.*  
  
*Chris Swanson, Staff:*  
*The resident is here to dispute the special tax assessment for the property at 795 Pederson Street. The charge is for Quarter 4 2018 for \$110.49 for garbage service for a 64 gallon cart with three late fees. There's a \$2.50 service charge for a total assessment of \$112.99.*

*The reason for appeal is that the resident says the property was vacant during Quarter 4 2018. The property owner indicates that he did not receive invoices from the hauler or the mailings from the City Assessments office.*

*It appears the property was sold 1/22/2019. There is now a new owner on the list. I suspect we did send out a notice that that owner would have been the one who would have gotten that because the outstanding charges run with the property, not with the owner. Staff believes this assessment should stand because service was provided to that property. We have no record of any contact setting that up as a vacant unit during that time.*

*Moermond:*

*Mr. Blair, you are appealing this. Can you tell me what is going on and why you are looking for relief?*

*Gary Blair:*

*Mr. Swanson was pretty accurate in what he said there. We have never received a bill on the property, ever. The first we even knew about, we knew that the services were being offered through the City but we didn't know who the haulers were. We never received any information regarding who the haulers were to contact them. The City was aware of the fact that the place was vacant because one of the inspectors came out because he had a call or something on it. And he questioned me on the property and I said we have it up for sale. "Oh, OK, just keep me informed." And that was during that last quarter of last year. We tried to sell it on our own and weren't able to do so. So, come December, we put it up for sale and we sold it in January. I didn't know there was a procedure that you go through when you are selling a building that's vacant to notify the trash company.*

*Moermond:*

*It looks like it happened in the summertime. The Fire Certificate of Occupancy program talked to you in May. The note from April 3 by both Supervising Inspector Leanna Shaff and Inspector James Thomas says it's owner occupied per Water and Ramsey County. It wouldn't be subject to a Fire Certificate of Occupancy then.*

*Blair:*

*Could you explain that better. I'm not sure what it was. We have a Certification of Occupancy approval on that property at that time. I've never been denied one on that property.*

*Moermond:*

*I think, historically, you did. And I think they sent a letter to do an inspection and they were told it wasn't being used as a rental property. They have noted, explicitly, that it is owner-occupied. You must have told them you were living there.*

*Blair:*

*I did not.*

*Moermond:*

*They say you told them you were living there. And that's what Water said, too. You must have the water bills for this property sent to this property. It makes it look like you are an owner-occupant at the property.*

*Blair:*

*The bill for the Water Department comes to my home address. I never told them,*

ever, that I was living on the property or even made any indication that I was trying to fool somebody. I don't have the dates but I did have a representative from the City who came out and called me about it and I said I have it up for sale. I don't remember any discussion about the Certification coming due. I did have one a couple of years prior to that. They've always been no issue for that property. I explained that I had it up for sale. It wasn't 'til January that we actually got it sold but it was vacant during the entire time. He could see it was vacant when he was out there. Nobody was living in there. I have no idea why the comment was put on there that we said we were living in there. It's way too small for me. I wouldn't even begin to indicate that to anyone.

Moermond:

It looks like you received your most recent Certificate of Occupancy in 2015. You were a Class B building. The communication in 2018 would be to renew the certificate. The computer just generates the list when the time comes due. You are saying you didn't get this communication. What is the address for Mr. Blair in the computer system? It looks like you are on Reaney?

Swanson:

We don't have any notes in terms of change of address.

Moermond:

So, it's sold now and the new owner is saying...

Blair:

Actually he didn't call me, the Title Company called me and said "the owner has paperwork that says they're putting an assessment on the property. Can you check into it." I said yes, what's it all about?

Moermond:

It is looking like it is an assessment you would owe because the City wasn't notified. Or the hauler wasn't notified about this being unoccupied and that you were looking for an exception because of a vacancy on it.

Blair:

We didn't know who the hauler was. I called the City on more than one occasion but was never able to get to the right people. Got transferred around. To be honest, I didn't know the hauler on either one of these properties until I got the word from the City. Because I know who the hauler is, he picks up at my place of employment. And I would have had no problem talking to him, the company. I deal with them at work. I had no idea it was even them until just this last month when all this stuff started coming through here. Would have been a simple task if I had known who it was at that time. I could easily have called them and taken care of it.

Moermond:

Republic.

Swanson:

I have a Gary Blair at 1769 Reaney Avenue. That was in our list to the haulers.

Moermond:

Mr. Swanson, the summary sheet tells me invoice dates. The invoices are missing. Does that mean they weren't able to find them as they were looking for them in the conference room today because they didn't have access to the correct systems? Or does that mean the hauler didn't provide them to you?

Swanson:

*We have the list of invoices the haulers have sent over to us. Without digging deeper, I don't know why the notices of nonpayment aren't there. It may be because there was a change of ownership.*

Moermond:

*So they forward this for City collection but they didn't send the invoices that they were supposed to send in order for us to document it?*

Swanson:

*At this time, it does look like we do not have those...*

Moermond:

*I'm deleting it because Republic should not have sent it forward without the invoices.*

**Referred to the City Council due back on 5/22/2019**

- 4 [RLH TA 19-314](#) Deleting the Appealed Special Tax Assessment for property at 1820 STILLWATER AVENUE. (File No. CG1901C1, Assessment No.190053)

**Sponsors:** Prince

*Delete the assessment.*

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*Gary Blair, property owner, appeared.*

*Chris Swanson, Staff:*

*The resident is here to dispute the tax assessment for the property at 1820 Stillwater Avenue. The assessment is for Quarter 4 2018 for \$110.49 for garbage service for a 64 gallon cart with three late fees. There's a \$2.50 service charge for a total assessment of \$112.99.*

*The reason for appeal is that the resident says the hauler has no access to pick up the cart. They said alley pick up has no access.*

*All residential properties are required to be in this program. We got no contact from this resident before. On 3/1/2019, he did talk to someone of our Customer Service folks and asked why there was an assessment. And advised them the alley was not accessible from the house. She, at that time because it had been turned over to the City for collection, advised him about the dispute process. On 4/17/2019, it appears there's a voice message left on their trash line. We sent that to a customer service agent to follow up with Mr. Blair. Sounds like that may not have happened and I apologize if that is the case. The City still recommends to move forward with this assessment because service was provided to that property. We have no record of any contact setting that up as a vacancy unit during that time or that there was any sort of issue with collection issues. If the cart is inaccessible from the property or the alley, you should work with your hauler to get that addressed.*

Moermond:

*I want an aerial picture to see what is going on with the alley. Is this a rental property that you own?*

Gary Blair:

Yes. Residential rental.

Moermond:

Tell me about what was going on with this.

Blair:

When the program started, they dropped off the containers at the properties. On my property, there is no alley access. So, they actually threw it over the embankment and into the back yard.

Moermond:

How is it that there is no alley access? Do you have a picture? Looking at the aerial photo, it looks like there is alley access.

Blair:

I thought you might want one, so I swung by there yesterday. May I approach?

Moermond:

Sure.

Blair:

My property is right up here where there's no container. This is the alley right here. This is the back of my house. This parking platform is actually for that house but it is 8 feet below the alley. There's no reason to put stairs because there's no parking there.

Moermond:

Have you talked to them about doing the collection in the front?

Blair:

We got the notice that they were going to do it in the alley. We called the paperwork. It must have been the City and explained there was no access.

Moermond:

You didn't fill that out in the initial paperwork? When you asked what size container you want?

Blair:

I don't remember.

Moermond:

I have a similar situation at my house where I have a driveway and it's one of those blocks with an "L" alley that doesn't service my parcel. I had to explain where to pick up the can. There was a spot on the form to specify that. It sounds like you weren't able to fill out the form that way.

Blair:

I guess not. This property went up for sale at the same time. It's being completed and we haven't sold this one yet but this one has been vacant as well. We haven't had any usage of the dumpsters. When I was out in the other room, they filled out a vacancy notice for the trash company, but I didn't know there was such a thing or I could have filled out both of them immediately. Tried to get information. It was very difficult. Mr. Swanson, I didn't see any bills on this one at all.

Moermond:

*I have copies of two bills right here.*

Blair:

*Does it show in there when it was sent out? What's the date of the bill?*

Moermond:

*They are notices of non-payment. I have one from November 30 and another from December 31.*

Blair:

*I got the notice of nonpayment on the 31st. But I never got any billing for the pickup or anything.*

Moermond:

*These are the documents the hauler has to provide the City in order for the City to collect on this. I am seeing you have gotten these in the mail.*

Blair:

*This was dated the 31st of last month, two weeks ago.*

Moermond:

*We are looking at different documents. Mr. Swanson, can you share those two pages.*

Seanson:

*This is the notice of nonpayment you would have received last year about the outstanding bill.*

Blair:

*I got this one dated 3/31. I didn't see the other one from 12/31. But I never got any bills either. Do they show any bills ever being sent?*

Swanson:

*The haulers would have used the same billing address as the original bills as they used for the notice on non-payments.*

Blair:

*If I had received them, I would have acted on it earlier. I can't tell you how many phone calls I have made to get this thing right. From the time that I've been aware of it. When it first came out, I called several times to find out who the trash haulers were, what was going on, and then, I never got bills for anything. OK. The property's empty. They are not picking up. They are not billing me. And then I got this one here on the 31st of March. The first one you showed me, I don't recall getting it. I would have acted on it at that point. I called to find out about Pedersen when I got the notice about Stillwater. I didn't get anything on Pedersen. It's been a mess. The service is provided on Stillwater. I'm the only one without access to the alley.*

Moermond:

*I understand. Mr. Swanson, can you tell me why the notices of nonpayment were sent to the Stillwater address as opposed to the Reaney address?*

Swanson:

*We did use the address we had on file. I can't tell you why the hauler sent it to the Stillwater address. That has to do with the hauler's system.*

Moermond:

Both tax statements from 2018 and 2019 indicate the Reaney address so database the City would have been approving would have had the correct address in it.

Swanson:

Yes. The database we provided the hauler did have the 1769 Reaney address listed as the primary tax address.

Moermond:

Republic did not properly provide these notifications to the party, at the correct address.

Swanson:

It would appear Republic sent these to the property address instead of to the property tax address.

Moermond:

I'm going to recommend deletion.

**Referred to the City Council due back on 5/22/2019**

### 10:30 a.m. Hearings

- 5 [RLH TA 19-282](#) Ratifying the Appealed Special Tax Assessment for property at 816 ALBERT STREET NORTH. (File No. CG1901C2, Assessment No. 190061) (Continue public hearing to August 28, 2019)

**Sponsors:** Jalali Nelson

*Recommendation is forthcoming.*

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*Janice Lindstrom appeared.*

*Chris Swanson, Staff:*

*The resident is here to appeal the special tax assessment for the property at 816 Albert Street North. The cost of the service provided for Quarter 4 2018 is \$150.73 for a medium cart and a yard waste service. There's a service fee of \$2.50 for a total assessment of \$153.23.*

*The reason for appeal is that 816 ALbert Street North is a Group Residential Housing facility on contract with Ramsey County and part of the 806 North Albert Street property.*

*The City does have this listed as a residential exempt single family dwelling. Under the City contract, all residential units in the City of Saint Paul are required to have contract through the City service or City contract. There is no way to opt out of the service. We believe these charges should stand.*

Moermond:

What exactly is "residential exempt single family dwelling"?

Swanson:

*Basically, it is owned by a non-profit that does not pay taxes but it still can be used as a single family dwelling.*

*Moermond:  
Property tax exempt.*

*Swanson:  
Yes.*

*Moermond:  
Tell me what is going on.*

*Janice Lindstrom:  
We own this little strip of property: 804, 806, and 816. 816 is a house but it has never been used as a residential property since we have owned it. And I've been with Jewel Fairbanks for 16 years and they owned it prior to that. We have a contract with Ramsey County. For the past 14, 15 years it's been used as a group residential housing for homeless individuals. Jewel Fairbanks is a treatment center, a four bed treatment center in 806. 816 is attached to that. When they finish the 90 day treatment, they go into 816 for longer addiction services. I brought everything so you can see it. I have copies of all the licenses for board and lodge of 816 also.*

*Moermond:  
I will look at that after I look up one thing in the computer. You currently contract with Waste Management for garbage and recycling for that building.*

*Lindstrom:  
We have on-site a 2 yard dumpster for recycling and an 8 yard dumpster for garbage. We've never had a separate garbage service for 816. We pay \$12,000 a year to Waste Management for these services. I have never seen Aspen ever come, since they dropped off their container. We did pay the last bill we received. It was \$110. Dated 4/4/2019.*

*Moermond:  
I am struggling with this, that's why I am not producing an answer for you. This is classified as a single family home. It's use is providing congregate living facility for eight women. And so the reasonable accommodation phrase that you are using has to do with how a single family home could be used by more than four unrelated adults. In this case, it's for congregate living for these women in recovery, receiving treatment.*

*Lindstrom:  
Men.*

*Moermond:  
That's the distinction that is being drawn. You have facilities next door, serviced by Waste Management. I don't know that I can give you an answer right now on this. I think that I need to read a little more about the use on it. The underlying condition is that it is a single family home. Can I treat it differently because, at this moment, it is being used for congregate living and these circumstances. That's what I need to research. I apologize; you are one of those rare cases where I need to do more work.*

*Lindstrom:  
I can leave all this stuff. I have copies at the office if you need them.*



*Moermond:*

*I trust you have the licensing and I have the Certificate of Occupancy. I'm going to focus on the building and the zoning and see if I can work with the use.*

*Swanson:*

*We did have discussions in the initial rollout. It was the City Attorney who said they would still be included in the program and that they would still need to be billed as any other single family house.*

*Moermond:*

*I would be happy to speak with her about her opinion on that. In the meantime, I am going to hold off on making a recommendation. I will get back to you on that.*

*Lindstrom:*

*I have talked to so many people in the City, trying to get this resolved. How do I change this, remove it from a residential dwelling?*

*Moermond:*

*You won't be able to. I have a guy on the east side with a 3 plex next to a 6 plex. The new plan says he can do what he wants with his 6 plex but the 3 plex has to have a car for each unit. I need to figure out how you are different from that landlord.*

*FOLLOW-UP 4/30/19: Legislative Hearing staff are following up with Janice Lindstrom to indicate that in order to be released from the requirement for garbage hauling service at a single-family home, she would need to file a request for accommodation with the Department of Public Works (PW) outlining her Americans with Disabilities Act (ADA) claims and how it impacts garbage collection. She should direct this letter to the PW Director, Kathy Lantry, who will make the determination of whether an accommodation should be granted. Legislative Hearing Officer (LHO) recommendation is forthcoming pending this review. LHO requesting Council continuance of public hearing to August 28, 2019 at 3:30 for her request to be made and reviewed by PW.*

**Referred to the City Council due back on 5/22/2019**

- 6 [RLH TA 19-308](#) Ratifying the Appealed Special Tax Assessment for property at 1467 CASE AVENUE. (File No. CG1901C2, Assessment No. 190061)

**Sponsors:** Busuri

*Approve; no show.*

**Referred to the City Council due back on 5/22/2019**

- 7 [RLH TA 19-307](#) Deleting the Appealed Special Tax Assessment for property at 1088 DULUTH STREET. (File No. CG1901C2, Assessment No. 190061)

**Sponsors:** Busuri

*Delete the assessment.*

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*Michelle Lehmann, property owner, appeared.*

*Chris Swanson, Staff:*

*The resident is here to appeal a special assessment for the property at 1088 Duluth Street for garbage service for Quarter 4, 2018, for \$101.81. There is a service charge of \$2.50 for a total assessment of \$104.31. We have this listed as a duplex in our records. The resident was delivered both a large cart and a medium cart. We do not have any vacancy listed in our records. The City thinks this outstanding amount should stand.*

*Moermond:*

*Good morning, Ms. Lehmann, tell me about your situation.*

*Michelle Lehmann:*

*I live there with my sister and my son. We share the unit as a single family dwelling. She pays me no rent; she's in recovery, trying to get back to the workforce properly. It's been that way since 2015. It's a slow process. Also, I have never been given a large bin. I have sent multiple communications to the City, to the trash hauler.*

*Moermond:*

*What do you have?*

*Lehmann:*

*I believe it's two medium bins. My neighbor at 1090, their bin looks larger than mine. Maybe they took my bin. I'm not sure.*

*Moermond:*

*Your bins are the same size.*

*Lehmann:*

*My bins are both the same size. And I've reported that to Kris. I don't remember her last name. I've been paying for one bin the entire time. The first bill, I paid for a large bin, thinking I had a large bin, but when I saw the neighbor's bin, I noticed mine was smaller, so I've been paying for a medium bin since. When I'm in the alley, they are on the right side. I have a picture of their bin next to mine when it was pick up day.*

*Swanson:*

*Are your bins the same size as the recycling bin?*

*Lehmann:*

*Yes. I have the bin ids. I gave them to...*

*Moermond:*

*Do you have that form with you today? The form we were working with Ms. Mayard on?*

*Lehmann:*

*The vacant form?*

*Moermond:*

*Yes.*

*Lehmann:*

*Yes. The second medium bin, I've never broken open the tape. It's been sitting behind the garage, in my fenced in yard. I've been asking, I'm willing to use one large bin. I'm willing to pay for a large bin if you give me a large bin. I don't have a problem even, with a medium bin. It's not a true duplex because the upstairs only has one entry into it.*

Moermond:  
That's all it needs, legally.

Lehmann:  
Really? I've heard that the code on it is not listed as a true duplex.

Moermond:  
No. It's a duplex.

Lehmann:  
OK. So, that's my argument.

Moermond:  
You have a duplex. You live there with family and treat it like a single family home. If you sold it, the realtor would list it as a duplex. I'm looking for paperwork to be filled out. You've done some of that now.

Lehmann:  
I didn't understand this vacant building registration form listening to the previous argument I understand it more. What concerned me is this \$1100 registration fee.

Moermond:  
That's not what this is about. That is if you moved out of a derelict building and just let it sit there. This is about the way you are using the property and it's more like you are using one family unit instead of two family units within that building. Legally, you are still a duplex. But within this program, you can be served with one cart instead of two. Mr. Swanson, how would you answer this.

Swanson:  
This would not be a vacant building. This says this is being used as a single family home, not a duplex. Please fill out the form and get it to us.

We actually show 8448 is a large cart, so it seems like your neighbor has a large cart, too. But the cart next to it, is that one smaller.

Lehmann:  
That's a recycle bin.

Swanson:  
The one you have at the property, that's a 96 gallon cart, according to our system.

Lehmann:  
It's the same size as the recycle bin.

Swanson:  
OK. That would be a 64 gallon cart. There was a mistake made. I apologize for the confusion.

Moermond:  
We have the form. You still have two carts there?

Lehmann:  
Yes.

*Moermond:*

*Can you contact Republic and have them pick up the cart? Does she bring the cart to the curb? How does she do that?*

*Swanson:*

*I will contact Advanced Disposal and have them to contact you to set up a time to pick up the cart. It looks like we have two 64 gallons at that property. Do you want to up to a 95?*

*Lehmann:*

*Yes.*

*Moermond:*

*So trade out and pick up the two medium ones. So, Mr. Swanson, when I look at a \$100 bill, I am looking at the bill for one cart, not for two, am I right?*

*Swanson:*

*That is true.*

*Moermond:*

*Which cart am I looking at for \$101 plus the service charge? The medium or the large that wasn't a large?*

*Lehmann:*

*That quarter I paid for the large bin, thinking I had a large bin, and I didn't pay for the medium one.*

*Swanson:*

*If only part of the bill was paid, this was what was left over with change.*

*Moermond:*

*What part was paid and what part wasn't paid?*

*Swanson:*

*The 64 gallon with late fees was not paid.*

*Lehmann:*

*I agree.*

*Moermond:*

*I'm going to recommend this gets deleted if you follow through with the form right now and Mr. Swanson can communicate with the hauler and trade out the two mediums for the large.*

*Swanson:*

*I'm going to give you my card, too, so you have it moving forward.*

**Referred to the City Council due back on 5/22/2019**

**8**      [RLH TA 19-317](#)

Ratifying the Appealed Special Tax Assessment for property at 755 MINNEHAHA AVENUE WEST. (File No. CG1901C2, Assessment No. 190061)

**Sponsors:**      Thao

Approve the assessment.

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Elsie Mayard appeared.

Chris Swanson, Staff:

The resident is here to appeal the special tax assessment for garbage service for Quarter 4 2018 in the amount of \$213.88. There's a service charge of \$2.50 for a total assessment of \$216.38. The resident has a duplex so they were delivered a 96 and a 64 gallon cart to start.

The reason for appeal is that the property owner used to pay \$9 per month for garbage. She claims that her carts were not at the property during Quarter 4 2018.

The City records show that Elsie called on 11/28/19 to inform us that there were no carts at the property. The City re-delivered 1 64 gallon and 1 96 gallon cart to the property on 12/4/18. I think we picked up some carts from the corner of her property before the was a redelivery. I think we have delivered now a larger cart and a 32 gallon cart at the property. We have had discussion with Ms. Mayard about the process for opting out if there is a vacant unit at the property, but, as it stands, there must be two carts at the property.

Elsie Mayard:

Can I just say something quick about everything he's saying?

Moermond:

Yes. It's absolutely your turn.

Mayard:

Everything he says are completely lie. Fabrication. He basically take advantage of me. They have been taking advantage of me. I am talking to him lot of time. All the people from the City. So he telling me now that you live in your house, you need to sign the paper. I say I'm not no slave of yours. Who give you the right to say I don't live in my house. First of all, he don't really care. He know what's going on. I have Republican. This why I was quiet what's going with the City. I pay Republican for my service. So I have 96 gallon. So then Republican pick up my trash can which I pay them. So what's going on here. I have no trash can. They bring me nothing. This lie. That needs to be stopped, what he is saying. Because he know what is going on. Republican say we don't know, the City is supposed to bring you a trash can. I meet with you at the meeting with City Council. I show picture. There were two large garbage container. They blocking my garage; I can't get to my garage. The City come out and say you can't put your car in there. Wo then where to put my car. In the garage. And the trash can have to go. What is your problem? So the two trash can cannot be there because the City. I went to the City Council meeting telling me where I can't put my car. So, that gotta be in my garage. Able to block my garage. I can't get to my garage. So, that's what it is. They pick it up. Now, I've had nothing since then. I take my trash to the county, where they have a dumpster there. I pay \$4 every time I trash my bag in there. So then I call and say you know what I don't have a trash can. They send me bill. Republican say the City tell us. I say you know what, that's between you and the City. Get me out of this. I [inaudible] with this. First of all, you did not service me; you don't pick up my trash. That's the bottom line. So, when they pick one up, the City pick it up. They drop one, the City pick it up. The City doesn't want what they bring to me. Which I have a picture of it. So, this lie make me sick. You can't sit and lie to somebody without know what's going on. I told everybody from

*the City, they ignore me. Complete ignorance. Republican dropped me. OK. The City pick it up. They didn't want what Republican bring in there. First of all, I am only one live there. Is one address, is a duplex. I got...*

*Moermond:*

*I am describing the photo that you are showing me. It's a picture from the alley perspective of you garage with a garbage can to the right of it. That's a garbage can not a recycling can.*

*Mayard:*

*That's the Republican one, the City pick it up. They didn't want the one Republican bring to me, so they pick it up. I can show you the size.*

*Moermond:*

*OK. Thank you.*

*Mayard:*

*They pick it up and say oh no, she not having this. We gotta give her a bigger one you can think of. I told him I have the right. You can't make decisions for me. I'm no slave of yours. I told him that. He ignore me. Somehow they pick it up and bring another one. What make you think you can do this? Oh, you have a duplex. I say one address and I live there. I have my TV upstairs; I live downstairs. Is nobody there. And what I say to him you know what, if I do have somebody upstairs, I would order a trash can but Republican charge me \$96 which I don't really need. I only pay \$9 for it. Plus my recycling include on it. Then the City say no we have to do recycling. But I need my money back. I talk to him. I say I need my money back. I say what service provided to me. They give me no trash can; they collect money from me for a long time. No service at all. They take advantage of me. I told them, you know what, you need to go to court. You abuse the power the City give to you to do this. He know I don't have a trash can. Because I talk to him, in person. He tried to treat me like I'm some kind of slave of his. And I say slavery is over, is no more slave. You can't tell me who live in my house as a homeowner, I have nobody there but me. So I can't put my TV upstairs and sleep downstairs. Besides you telling me to sign something for you who live in my home. How dare you to tell me this. That's what I told him. He ignore me. The fact is, one address. I don't have two address. Well that's a duplex. There's nobody there. This is my home. Ain't nobody there since somebody owned this and I own this. This is where I live. So Republican was bring me \$96 but nothing to put in there. Thing changed. So Republican with me a small one. He meant that I should have two of them. Is no place to put them at all. The alley, only place you can put them. Is where you see that small is. No other place to put them. I talked to the driver from Republican and he say yup, we don't pick up the trash for you. My name is Greg. A picture of his truck. He put a bunch of paper in there and he say don't worry about it. He consisted to the Republican. They should have billed me. That's what he keeps saying to them. Bill her because he keep having a problem. Because slavery is over.*

*Moermond:*

*OK. That's the fourth or fifth time you've been on that point. I want to go back. You and I had a conversation which you mentioned a bit ago where we talked in November. There was an order on the vehicle situation, which you got resolved. During the course of the conversation you said you weren't able to access your garage and you told me you took those containers and moved them to another location. You did address the vehicle situation. As I look at the aerial view of your property, it does appear that there is space on the east and west of your garage for containers. I am looking at a*

recycling container to the west of your garage and then more than enough room to the east of your garage to accommodate one container, at least.

*I know you and I know you've been living in this house for a very long time. And you don't use both units in there as one being a rental and you live in the other one. You live in this duplex as if it were a single family home. That's OK, it's your house, you can use it however you choose. The paperwork at the City should be caught up in terms of you letting us know that's how you want to use it. And they can yank one of those carts right now. What I would like to do, and I can get you out from underneath all of this, I don't have the ability to let you opt out of the program. Everybody in the City is in the program is they've got a duplex, triplex. The least impact we can do is get you down to the smallest cart size with every other week service. That would be the smallest bill and the smallest amount of room needed to store the cart.*

*Mayard:*

*Yes. I OK with it but the City pick them up.*

*Moermond:*

*If you agree, I will cut the bill down for you. I would like you to fill out the form and say it's an empty unit...*

*Mayard:*

*I live there, I can't say it's empty.*

*Moermond:*

*You got a duplex. You can write on the form, I live here as a single family home.*

*Mayard:*

*If I do have somebody there, I will order services. Now, I got TV up there.*

*Moermond:*

*For now, you are living there and treating it as a single family home. Even saying that would be OK with me to charge you for one can and I'm not going to worry about the second unit then. Would you be OK saying that on the form?*

*Mayard:*

*I don't know how they make it two separate places because it's only one address 755 Minnehaha. One door, one entrance.*

*Moermond:*

*We've been around and around on this one in the past. And it's been around Xcel shut offs and we're not going to go there but the thing is, they are treating it differently as a duplex, too, and I need to acknowledge, out loud, that this is physically a duplex. You are not using it that way and I would love to get that bill as tiny as possible. I am willing to look backwards on it, too, and shrink those. But I would like you to say, I will fill out this form. Can you please do that for me?*

*Mayard:*

*That one you are talking about, I'm not sure....*

*Moermond:*

*The one Ms. Vang just gave you.*

*Mayard:*

*Well, this is not vacant, I live there. The City want me to do something that is inappropriate because if I don't have nobody there, just me, so why do they bring me so many cart*

*Moermond:*

*I want to get that changed. I need you to give me something, so I can give you something. I am asking you to please fill that out.*

*Mayard:*

*And Republican still doesn't service me; they don't pick up nothing for me. Still these days, from way back until these days. This has been going with it. I have paper from them, also driver name and picture of his truck. He say I don't pick up anything because there was no trash can but now send me a bill for service they did not provide me. I need my money back for recycling. Because I have no recycling bin at all.*

*Moermond:*

*I can't look at recycling today. That's not something I've got in front of me.*

*Mayard:*

*I need my money back. I told Mr. Swanson I need my money back. He ignore me when I say that to him. [inaudible] recycling. Plus, there's no place to put all those carts. That's the worst part of it. There's no place at all. If they want to cause injury to people and put it in the middle of the alley, that's. That's no way I can put anything more. So, that's what's going on. You can't bill somebody for services not provided to them.*

*Moermond:*

*What's your zip code?*

*Mayard:*

*55102*

*Moermond:*

*Please look at this and see if this will work for you. It says the "duplex" is used as a single family home. I printed your name and address there. Read what they say there. We are not agreeing to those first two points, we're saying "other." It says there's mandatory garbage service in the City of St Paul.*

*I will add "Please remove second cart from Ms. Mayard's property. And change delivery to small cart every other week. Marcia Moermond." And I will put my business card on it.*

*Mayard:*

*The thing is I probably can told him they didn't pick up the trash.*

*Moermond:*

*Everyone in the City is getting billed. I want to take this bill, the \$216, and get it to the smallest cart size. I will take it down as far as I can. What size bill would that be, Mr. Swanson?*

*Swanson:*

*The new bill will be \$60.83.*

*Moermond:*

*I can get you down to that for the first quarter and moving forward. I can't get you out*



of the program.

Mayard:

*They didn't service me. I took my trash to the County and paid for it.*

Moermond:

*They were going by your house. They can bill for it because everybody is in the program. You can decide you have no garbage at all but you will still get a bill. I'm giving you the tiniest possible bill.*

Mayard:

*There is no bill according to Republican. The driver said there is no can.*

Moermond:

*You said you took the trash can away. The car part is over and done. I am trying so hard to help you now. They can bill you. The garbage can was there through mid-November when you said you moved it. I can get this bill down if you help me.*

Mayard:

*The bill is not valid.*

Moermond:

*How about we get it down and you can still argue about whether you should be billed at all. Can we do that?*

Mayard:

*I'm not saying I'm not billing. I've been paying Republican for services [inaudible] to me. That's not the issue. The issue they didn't bring me a cart to bill me in the first place. They brought me two big carts and there was no place to put them. When I put my car in there, the City says you can't put your car in there.*

Moermond:

*What do you want today?*

Mayard:

*The picture I showed to you, I would like Republican to bring it back. There was one, but the City pick it up.*

Moermond:

*We will get that fixed; we'll get you the smallest cart. Picked up every other week. A small can with a purple lid.*

Swanson:

*There should already be a small can with a purple lid at the property. I checked with Republic to make sure.*

Moermond:

*Is your cart in the garage? Or out of doors?*

Mayard:

*My car?*

Moermond:

*The garbage cart.*

Mayard:

No, it's a small area where you put one in there.

Moermond:

So, out of doors. So somebody driving down the alley could see it.

Mayard:

Yes.

Moermond:

We will make sure that's all you get.

Mayard:

When will be this done because I'm paying for my trash. There's an issue going on, who going to bring me what.

Moermond:

I think we got it fixed if we can do this now. I can get your bill from Quarter 4 of last year down to \$60. I can get your bill from the first

Mayard:

\$60?

Moermond:

That is the very lowest I can go. I can do the same for the first quarter. I can do that moving forward.

Mayard:

No. I not paying service they fail to provide to me. They didn't provide me.

Moermond:

I will do that if you sign that form. If you don't, you can go to City Council and protest paying. The question will be, I shouldn't have to pay \$60 or I should have to pay \$216. If you are arguing the \$216, you have more to lose. It decreases the risk to you.

Mayard:

OK. But my issue is, there was [inaudible] in the City about the [inaudible]. Those two big cart, the City Council, they're not supposed to do that. They block my way to get my car. I put my [inaudible]

Moermond:

That is decided. It is over and done.

Mayard:

They did that and that's what they did. Now, they refuse to give me a trash can and

Moermond:

Do you want a couple of minutes to think about this?

Mayard:

What I am saying is until these days, Republican do not service me.

Moermond:

You have heard where I am at with this. If you sign that, I will get this taken care of. If

*you don't, I won't and you will have a higher bill moving forward. You can still say I'm not satisfied with what she is recommending. And you can still look for a better outcome. But I think this is the best outcome I can give you right now.*

*Mayard:*

*OK. You say to me whether they bring me a cart or not, I should be charged.*

*Moermond:*

*They brought you a cart. You removed it yourself. You told me that. And I have recordings of it.*

*Mayard:*

*You know what, it was dangerous to myself.*

*Moermond:*

*That is what you said. And you lost that part of your case. We are going to go on...*

*Mayard:*

*Which one I lost?*

*Moermond:*

*You moved the carts saying they blocked your garage. There was plenty of room.*

*Mayard:*

*No. No room.*

*Moermond:*

*That's over. We are not going to fix that today, Elsie.*

*Mayard:*

*It's completely false [inaudible] to say I got enough room. No, I don't.*

*Moermond:*

*Here's an aerial photo of the property. Ms. Mayard, I'm gong to talk with this next lady for a little bit while you think about what you want to do and then we can resolve your case. OK?*

*Mayard:*

*OK. What I need to know for [inaudible] recycling [inaudible]. I want that to be stopped because the fact is they didn't provide me with something and they want to charge me.*

*Moermond:*

*This isn't about recycling today.*

*Mayard:*

*Because I talk to him about that, too. He ignore me.*

*Moermond:*

*This is a recycling bill today we are talking about?*

*Swanson:*

*It is not.*

Moermond:

OK. It is a concern of yours but it is not in front of me today.

Mayard:

OK. Then I [inaudible] today because it's going to be part of my case.

Moermond:

I can't add that on to your case because all I am looking at is your garbage bill.

Mayard:

I shouldn't have a garbage bill because they didn't provide me with services.

Moermond:

Why don't you read that, decide whether you are willing to sign it. I've told you I am willing to cut your bill down.

Mayard:

You say cut my bill down. I didn't, they didn't provide me...

Moermond:

And you want to say that. Right now, you've got \$216 and you can make that case to the City Council. I would like to delete Ms. Mayard's bill to \$60 because she lives like it's a single family home and she would like a small cart every other week. That really does help your circumstances, one-fourth of what you would otherwise owe.

Mayard:

At the City Council meeting, well, what I heard right now, my voice have not been heard what I am just saying. So, there was back and forth between me and the City and Republican. They provide me no service. I had to service my own trash to take it somewhere to pay for it. I owed them nothing. If they think I gotta pay them, I will go to City Council meeting and I take this matter to court.

Moermond:

That is your right. And what I'd like to offer you is a smaller bill so that if you lose, you are losing less money. If you win, it's the same. It really is an insurance policy for you, you would have less money to owe.

Mayard:

I did not owed anything.

Moermond:

You sit down and think about what you want to do. I'm going to hear this next lady who has been waiting so patiently.

[Ms. Moermond proceeds with next case]

[Ms. Moermond resumes the hearing after the case is completed]

Moermond:

Ms. Mayard, thank you for taking a break and thinking. What do you got?

Mayard:

This is what I want from the City Council. Hopefully they can see what they did [inaudible] can't get to my garage. They say told me take me to the City Council

meeting for the issue of what the City did to me to prevent me from getting to my garage. [inaudible] anything else [inaudible] there. Then when I go down there, it is ok for them to do. No, it is not ok. This is what happened. That's what I show the City Council at the meeting. That's what they did. Can't get in my garage. They said put your car there. Then I thinking conditions in my house. At that point, since they doing this, wrongfully doing this, they can't do that. They can't block somebody from getting to your place and telling it's ok to do. Yes, I move it because they are wrongfully doing so. So now, the City thinks it's my fault that they have to bill me for something they didn't provide to me because that's what they did. So I go to City Council meeting, whatever happen happen because I'm not going to [inaudible] any condition on my property. I'm the one living so I can just [inaudible] see what the judge [inaudible]. They can't do that.

Moermond:

You are not interested in working with me on this.

Mayard:

I want to work with you but [inaudible] condition in my house. If I do have someone living there I [inaudible]

Moermond:

Of course you can. Nobody is saying you can't.

Mayard:

But that's what they make me try to

Moermond:

Forget that. Just look at what I've shared with you today. All I'm saying is you live in it like a single family home. Is that sentence OK with you?

Mayard:

It looked to me like it was something he was going to hold me to.

Moermond:

What I wrote down, is that OK with you?

Mayard:

Ya, but what he told me is kinda like...

Moermond:

Forget what he said. What we're doing supercedes anything you had a conversation with Public Works about. This is a higher level and we can make it happen for you.

Mayard:

But you see what I am saying?

Moermond:

I do. The best solution I can give you is what I offered you. If you agree with that, we are good.

Mayard:

I talk to Republican and I got all these pictures.

Moermond:

*You can still bring that to the City Council. You would be asking them to decrease from \$60 to \$0. I want to get you down to \$60.*

*Mayard:*

*I didn't say, my whole point is, is ok for have service. That's not the problem. I been having garbage service; that's not the issue for me. It's what they did. They bring it, they take it and they want to block me from getting to my place. It's been going back and forth and nobody care and they want send me a bill. When I have to bring my own trash to place and just pay for to get. They can't do that. They can't [inaudible] going on. The fact is, I'm not going to have any condition to live in my house. This is not going to happen. I'm not a slave. I don't have to lie. They can go up there to see.*

*Moermond:*

*I'm not asking you to lie. I'm asking you to look at that one sentence and see if that works for you.*

*Mayard:*

*[inaudible] City Council meeting that*

*Moermond:*

*I will show them a picture of your lot and the picture I will show them will show you do have space and I will show it to you right now so you know what I'm going to be showing them. Here is your blue recycling bin and on the other side, there's at least 10 feet there.*

*Mayard:*

*I'm going to show them, too. I'll show you, also.*

*Moermond:*

*I'm going to be done with done with you in two minutes and you will have to decide what you are going to do. I've talked with you for almost an hour.*

*Mayard:*

*What you have in there is completely wrong and false. I got a my [inaudible], too. I have my garage. There's no place to put anything else. Once [inaudible] to put the one container and nothing else. You can show what you want to show but it's going to be on my [inaudible] also. So, I'll just go to the City Council meeting, whatever happen happen there and then I gotta take it to court because first of all, they...*

*Moermond:*

*We will let you do what you want to do. I'm going to recommend approval of the whole assessment. You haven't come to the table to help yourself on this one.*

*Mayard;*

*I will go to court. I will subpoena the driver from the Republican and [inaudible] the whole City about that. I talk to him, I take his name, I take a picture of his truck. Ho told me completely the City refused to listen to them. Because the fact is they did not service me. That's what they told me. So. That's what's going.*

*Moermond:*

*I recommend approval of the assessment as written.*

**Referred to the City Council due back on 5/22/2019**

**Special Tax Assessments - ROLLS**

- 9 RLH AR 19-48** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during October to December 2018. (File No. CG1901C1, Assessment No. 190053)
- Sponsors: Brendmoen
- Referred to the City Council due back on 5/22/2019**
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- 10 RLH AR 19-49** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during October to December 2018. (File No. CG1901C2, Assessment No. 190061)
- Sponsors: Brendmoen
- Referred to the City Council due back on 5/22/2019**