



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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Thursday, May 2, 2019

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments - LAID OVER

- 1 **RLH TA 19-322** Ratifying the Appealed Special Tax Assessment for property at 500 BAY STREET. (File No. CG1901B1, Assessment No. 190052)

Sponsors: Noecker

Approve; no show.

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

- 2 **RLH TA 19-200** Ratifying the Appealed Special Tax Assessment for property at 110 VIRGINIA STREET. (File No. CG1901A1, Assessment No. 190051)

Sponsors: Thao

Approve the assessment.

Marcia Moermond:

-we received an email from owner, Colleen Halpine. She is a person who doesn't think the City is legally able to provide garage service and shows photos of her unused cans in a garage or shed location with tapes still on them

-Chris Swanson indicated he will send paperwork to have the number of cans decreased and amount of service to lowest level.

-Approve

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

10:30 a.m. Hearings

- 3 **RLH TA 19-237** Ratifying the Appealed Special Tax Assessment for property at 546 HOLLY AVENUE. (File No. CG1901A1, Assessment No. 190051)

Sponsors: Thao

Reduce from \$230.79 to \$110.49.

Marilyn Knudsen, property owner, appeared.

Chris Swanson, Staff:

The resident is here to appeal the special tax assessment for the property at 546 Holly Avenue. The assessment is for \$228.29 with a \$2.50 service fee for a total assessment of \$230.79 for Quarter 4 2018 garbage service. This is for a medium and a large cart and three late fees. This house is listed as a duplex by Ramsey County. The resident states the residence is occupied by a single family, specifically her daughter, her daughter's husband and her two children. We have no information in our records about changes to single family zoning. Duplexes are required to have a cart for each living unit. We believe this amount should stand.

Moermond:

Ms. Knudsen, you are appealing this. Are you the owner?

Marilyn Knudsen:

I am the owner.

Moermond:

Your daughter, her husband, and their kids live in the house.

Knudsen:

Yes. And my mailing address is different than the Holly address. You sent the notice to the right address.

Moermond:

Looks like the garbage hauler sends the garbage notice to Holly and the assessment roll says...tell me what the living arrangement is there? It sounds like it's structured as a duplex but being used as a single family home?

Knudsen:

Yes. And it has been for years and years. And they've homesteaded it.

Moermond:

Relative homestead?

Knudsen:

Yes. And that's another big issue because it's not homesteaded this year? I gather. Do they have to do that every year?

Moermond:

Well, it's a relative homestead so I'm not going to dip my toe in those waters. It's more complicated.

Knudsen:

Well, I noticed when I just got my taxes...that's another issue.

Moermond:

Do they use the service?

Knudsen:

Not a whole lot. They put out one recycling and one garbage. They are hardly full.

Moermond:

It sounds like you reached out to Republic. What did Republic tell you?

Knudsen:

Republic sent me a statement of what's due April 25, 2019, and it's \$198.52, and they gave me all sorts of credit in January and March. They've got previous balance and payments and adjustments same as previous balance and my {inaudible} charges are \$198.52.

Moermond:

Would it be OK for me to look at that?

Knudsen:

Absolutely.

Swanson:

Should we enter it into the record?

Moermond:

Sure.

Knudsen:

There's that and there's the receipt from Republic.

Moermond:

This is the bill for 2nd quarter. The balance paid is for the first quarter. You've paid your first quarter. They are billing you for the second quarter's service.

Knudsen:

It's due April 25. I think I've sent it in.

Moermond:

That will carry you through the end of June. What we are talking about now is the 4th quarter of 2018, the bill would have been issued in October. Did you pay them directly on that? They told the City January 4th it hadn't been paid.

Knudsen:

When they sent out the notice, I called Republic and we squared it away.

Moermond:

Because they forwarded the account to the City, it would have looks paid. In reality, they sent it to us for collection.

Knudsen:

That wasn't the conversation we had. And they didn't say it was paid up. Then we agreed on the amount and then I think I paid the amount. That's reflected there. All of a sudden they changed it.

Moermond:

The invoice you showed me covers 2019 but not 2018. There's going to be different receipts or cancelled checks or bank records showing a payment covering 4th quarter

2018. It doesn't look like that bill got paid and that's what the City is trying to collect.

Knudsen:

That bill was in error. Because they were billing for two.

Moermond:

But, neither was paid for.

Knudsen:

I believe I sent in the amount we agreed on.

Moermond:

Do you have any documentation that would confirm dates, that we could talk to Republic about?

Knudsen:

I don't, because I thought it was taken care of and that was that and then I got this bill and it shows we've agreed and I don't...

Moermond:

That is something you would have elsewhere.

Couple of things I want to do here. If they are using just one of the carts, they have two, a 64 gallon and a 96 gallon, which size would the family prefer?

Knudsen:

The smaller one.

Moermond:

OK. It would be a good thing today to fill out the paperwork to have a cart removed. I would like to get that taken care of now.

Swanson:

I have paperwork right here.

Moermond:

There's boxes and statements about why you don't need the container. You will indicate the duplex is used as a single family home and then you state what you need in the future as it is used in this way. That still leaves us with the 4th quarter bill and what happened. I would like to leave that open today, giving you a chance to look through your documentation and Mr. Swanson to contact Republic.

Mr. Swanson, what would the fourth quarter bill be for a 64 gallon cart?

Swanson:

\$96.08, without late charges. With late charges, \$110.49.

Knudsen:

Before this, my husband and I lived there for years and years.

Moermond:

And now you are in Brooklyn Park?

Knudsen:

Yes. I would like to go back to Holly, but we do live on the river, across from an island and that looks like north woods, so...

Moermond:

That has its benefits. Might have a mosquito problem!

Knudsen:

That's the nice things about Holly, too. It's on a hill. Mosquitos don't come that high. You can sit on the porch and there's no mosquitos.

Moermond:

Wow. You are filling out the form to indicate this is a single family home. The first quarter was paid at the higher level, two containers. I am going to recommend that this gets decreased to \$110.49 from the original \$230.79 and the open question is whether you paid them in the fall or not. So, if you could get back to us on that and Mr. Swanson can check with Republic.

Swanson:

I can talk a little about this. Looking at the bill, I don't see any payments for Quarter 4, 2018. I do see a payment for Quarter 1, 2019. That was processed by Republic on March 1, 2019.

Moermond:

When I looked at the bill, I couldn't see any information with respect to 4th quarter 2018. It neither proves nor disproves anything.

Swanson:

That is how I would read it.

Moermond:

So, we need more information. The worst thing that would happen is I say you pay for the one cart for the fall. If you find documentation that you paid 4th quarter before January 4th. If you cannot, then it seems obvious that you would owe. If you paid after January 4th, it would be credited on your 2019 account.

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

- 4 RLH TA 19-202** Ratifying the Appealed Special Tax Assessment for property at 62 MOUNDS BOULEVARD. (File No. CG1901A2, Assessment No. 190055)

Sponsors: Prince

Reduce from \$98.58 to \$49.29. (Pending Q1 2019 assessment to be deleted)

Mary Bollman, property owner, appeared.

Chris Swanson, Staff:

The resident is here to appear the special tax assessment at 62 Mounds Boulevard in the amount of \$96.08 with a service charge of \$2.50 for a total assessment of \$98.58. This assessment is for garbage service for Quarter 4, 2018, for a medium cart, provided by Highland Sanitation. The stated reason is that the resident wishes to opt out of the program because they do not generate any garbage at that property as they

do not live full time at this address. They consider it an urban cabin. Under citywide trash service, all residential properties are required to have trash service, even ones that are used periodically. We do have smaller cans available. Because this is still considered a living unit in the City of St Paul, we think this assessment amount should stand.

Moermond:

I note here the owner said she wishes to opt out. I don't believe there is that ability.

Swanson:

We don't have the ability to opt out of the trash program. We have the option of stopping service temporarily to reduce the bill. We have another form if it is going to be vacant for a number of months, a resident can fill that out. I don't know if either of those apply in this instance but I can provide more information on those options.

Mary Bollman:

My husband and I live near Rochester. We bought this small house in '07 to visit our children or when we do something in the City. We rarely cook there. About once every six weeks, we take home a small bag of garbage. I have garbage service where I live. I don't live here. I don't generate garbage. I know the system requires, but the system is a problem because there doesn't seem to be an option for me to opt out. The garbage truck rolls right by but I've never had the lid open. I don't know what to do. It is not a vacant property. How many months can you say it's vacant?

Swanson:

Unoccupied dwelling will go on until it is changed. Until it is said to be occupied. I can talk more with you about that. A couple of months at least.

Moermond:

Is there any record of the family contacting the City so the City would know to work on this?

Bollman:

I've contact the City and also Highland Sanitation. I didn't think it was going to be a problem. I know other people who have this situation and I don't know how they are dealing with it. I'm looking for some relief.

Swanson:

Looking through our records, I don't have any record of phone calls about this property. I don't know when you called...

Bollman:

You don't have any record of anything, huh?

Swanson:

No.

Bollman:

I called the sanitation company and they said you go back to the City. What can I do?

Moermond:

You can fill out a form stating it's not being occupied. Is that a temporary measure or permanent?

Swanson:

This goes for a full year and gets renewed annually

Bollman:

I can do that. That's no problem, but I feel like I'm not being truthful, but if that's a way to deal with it...

Moermond:

Is it a homesteaded property?

Bollman:

I'm told it doesn't make any difference in taxes. I don't know.

Moermond:

Just curious. The other thing is to get the smallest cart size possible.

Bollman:

That's what Highland suggested, but I'd rather pursue the other way if it is possible. If you were to take the number of days I would be gone, I would be gone a majority of the time.

Moermond:

7-10 days in the property a month?

Bollman

Sometimes not even that.

Moermond:

How would you guys view that?

Swanson:

I think we would not go that detailed into that paperwork. More often than not, this is not an occupied dwelling, and not your primary place of residence. You don't have a tenant living there. You are there intermittently. I would be willing to sign off on that.

Bollman:

Would I have to come to a hearing? Of just make a phone call? There hasn't been any changes for 12 years.

Moermond:

No hearing. Mr. Swanson has the paperwork; you can fill that out today. I have asked Mai Vang to check the 1st quarter 2019 status.

Bollman:

It's unpaid. I wasn't going to give Highland the \$98 for nothing. They don't even have to stop.

Moermond:

That isn't a reason to get out from under the assessment. The idea that you are not living there, is. I want to acknowledge that you talked to Highland and they didn't give you a good reason. But you didn't follow through with the City. I would like to split the difference of the amount owing and then you won't have a bill going forward.

Bollman:

I didn't realize I could do anything with the City.

Moermond:

The mailing the City sent you has been really clear that you could. That would have been from the first letter onwards.

Swanson

There were four direct mailers sent to the owner and to the property, that outlined the program and how it works, who the hauler was and general information, including ways to reduce your trash cost by selecting the cart size as well as some of these more detailed opt out, well not opt out, service hold information. Those started going out in May and continued until the program started in October.

Bollman:

I think I called the City at least once and I don't know if they...I didn't fill out any paperwork. They basically said there's nothing they could do. I could reduce the cart. I don't have anything. They come on Wednesday, but we are here on weekends. If we put it out, it would sit there for two weeks.

Moermond:

You are essentially a vacant unit. You can explain you aren't living there as a primary residence and only occasionally use the property. What happens to the cart?

Swanson:

Is the cart accessible?

Bollman:

Yes.

Swanson:

We'd ask you put it by the street. They can come and collect the cart.

Bollman:

When should I put it on the street?

Swanson:

If you could this week, that would be great. Normally it takes a week or two for them to collect the carts.

Bollman:

I will put it where they can see it easily. If they don't take it, we are coming back next week and I will put it out if it hasn't been taken.

Moermond:

We have today's bill for the 4th quarter of 2018. You have the 1st quarter 2019 that hearing is scheduled for next Thursday. That amount is for \$110.48. For this first bill, I will cut it in half if you turn it in the paperwork today. For next week's hearing, I will recommend it gets deleted. You are welcome to talk to the City Council about the rest of the bill. I think that is fair and we have it resolved moving forward. It will save you another trip down here anyway.

Bollman:

OK. Thank you. I didn't know about the other one. Do they have quarterly hearings about them?

Moermond:

Yes. Mr. Swanson will work with you on the form.

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

- 5 RLH TA 19-206** Ratifying the Appealed Special Tax Assessment for property at 268 ROBIE STREET EAST. (File No. CG1901A4, Assessment No. 190057)

Sponsors: Noecker

Approve; no show.

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