



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

legislativehearings@ci.stpaul.mn.us

651-266-8585

Thursday, May 23, 2019

9:00 AM

Room 330 City Hall & Court House

Special Tax Assessments

9:00 a.m. Hearings

- 1 **RLH TA 19-362** Ratifying the Appealed Special Tax Assessment for property at 885 CARROLL AVENUE. (File No. CG1901E4, Assessment No. 190070)

Sponsors: Thao

Approve the assessment.

Moermond:

They were talking about the tenant using a business dumpster. Is this a single family home? Or rental? Kind of an odd amount, too.

Chao:

It is an odd amount.

Swanson:

Does appear to be a single family home...

Chao:

Yes, so it's a single family home and it was delivered a medium, 64 gallon cart prior to fourth quarter 2018.

Moermond:

Was partial payment then made on the account?

Chao:

It appears so, since there is only \$24.18 owed.

Moermond:

Well the property does require service; it is a single family home. Therefore, we do recommend approval of this, not having other information to support a reduction.

Referred to the City Council due back on 6/12/2019

- 2 **RLH TA 19-254** Ratifying the Appealed Special Tax Assessment for property at 1025

CHURCHILL STREET. (File No. CG1901E3, Assessment No. 190069)

Sponsors: Brendmoen

Delete the assessment.

Ann Snodie appeared.

Chris Swanson, Staff:

The resident is appealing the special tax assessment for the property at 1025 Churchill Street for \$102.34. This is for garbage service for a medium cart for Quarter 4 2018. The hauler is Highland Sanitation. The stated reason for appeal is the "Property was re-classified from duplex to single family home back on 12/15/18 by assessor. I paid the hauler the remaining \$102.34 for Q4 2018 and now the City wants me to pay this amount again. Also, The hauler is still charging me for additional services that they knew were not used or "needed" for Q1 2019, as I have been in communication with them, making many calls to them about the reclassification." The communication is included in this report.

According to City records, the property reclassification from a duplex to a single-family dwelling was not updated in City records until February 8th, 2019. The City records were updated based on information downloaded from Ramsey County on a routine monthly basis. The property owner did not call to inform the City that the property had been reclassified during this time. The property was billed according to the garbage carts that were in use at the property during Quarter 4 2018 (1 35-gallon Small Every Other Week cart and 1 64-gallon Medium cart). The property owner is responsible for paying the outstanding balance that is owed to the City.

Moermod:

Ms. Snodie, it appears that last fall, you were in the midst of filing this paperwork.

Ann Snodie:

Yes, so when the new program started, in October. It took me a while to get in contact with the County Assessor. We were playing phone tag and then finally he did come out in the middle of December and he reclassified my house at that point. I was unaware, before the program started, that I was classified as a duplex and I didn't even know that I was going to be getting carts. I got the publications when the program was going to start, and I read everything and it did say something about, you know, like, getting the carts and we had to fill out that card. And so I filled out my card, thinking I was only going to get a small trash cart every two weeks, because it is just me living in the house. And like literally I am like the only one in that house generating trash. And I generate probably one bag every two weeks. So, my amount of trash that I would be generating...I was getting charged for services that I wasn't being rendered because, you know, a second cart showed up. Of course, the bigger one showed up, too. So then, when I was calling the sanitation people, they kinda said they couldn't do changes until, you know, January 1, according to the City. They weren't allowed to do any changes.

And som I got the County Assessor out there and I kinda went through all my things and did everything, made calls between Public Works and sanitation. Made many calls, 20 calls, trying to get what's going on and nobody was able to help me. So I was stuck in this limbo, paying for services that are not being rendered. I even took the trash can they left and put it in my garage because I didn't want it to get dirty. I thought they were going to come pick it up. It took them 'til February to come pick it

up.

Moermond:

They weren't picking up anything in the fourth quarter.

Snodie:

Unbeknownst to me, you know, he said I had to call the City. I called Public Works. Nobody told me I had to make a call to you guys because I was making all these calls. Nobody told me I was supposed to call you guys. Public Works said it was in there. I called the sanitation people and they said it was reclassified.

Moermond:

How long have you lived there?

Snodie:

I've live there for about 20 years.

Moermond:

I was just looking at the record and saw that a letter went to you in 2007 saying maybe you should be in the Certificate of Occupancy program and it came back no, it's owner occupied. Back in '07,

Snodie:

I don't even remember that.

Moermond:

I certainly wouldn't remember bureaucratic mail from 2007, either. Where I am going with this, is, that was the only decision point I could see that may have led to a conversation where City records were involved.

Snodie:

Even my property tax doesn't say it's a duplex. It just says my residence. It doesn't say duplex, I think it just says residence. I don't even know what it says.

Moermond:

We can certainly get to that.

Snodie:

And then I didn't know too til I talked to the Sanitation people at the end of December and they said OK, but you've got to still pay this bill. So that's when I paid the last, the check, you know, for the remaining now you're saying that I owe. So then I did reach out to them, after the fact, in like February. Or January I think, I can't remember. And told them that, because I got a letter from you guys on 1/25, saying that I owed the garbage people and I got a formal letter now, from you guys. And I did. And then that went on for another couple weeks and in the meantime, I'm still getting charged for \$150 for the first three months, \$150 for the second three months, and I only paid, I didn't pay the, I only paid \$100 of that second. I've paid about \$300. That is about \$27 for one white garbage bag, guys.

Moermond:

What size cart do you have now?

Snodie:

I have the small one every two weeks.

Moermod:
And that suits you.

Snodie:
Yes.

Moermond:
I was checking the Ramsey County statements and they don't say duplex or single family home on it. What I am going to say is you made a good faith effort to address this in a timely fashion and recommend that this second can for the fourth quarter is deleted. That should be taken care of for you moving forward.

Snodie:
Thank you.

Referred to the City Council due back on 6/12/2019

3 RLH TA 19-409 Ratifying the Appealed Special Tax Assessment for property at 615 MARSHALL AVENUE. (File No. CG1901E4, Assessment No. 190070)

Sponsors: Thao

Recommendation is forthcoming. (Staff to follow up with Republic and get a copy of the invoice)

Kimberly Svenkeson appeared.

Diana Chao, Staff:
The pending garbage assessment for 615 Marshall Avenue is for \$208.76. This is for garbage service provided for the fourth quarter of 2018. In Ms. Svenkeson's reason for appeal, she stated "Per Republic records and with speaking with live agents, our account is up to date and we do not owe any funds. We also, did not take ownership of this property until November 21, 2018 and thus are in no way responsible for the entire debt claimed."

When an unpaid bill is turned over to the City, the garbage hauler essentially zeroes out your account. When the hauler looks at your account, they only see the current quarter. They wouldn't see any past quarters that have been turned over to the City. Additionally, the City charges all delinquent balances to the property, not the specific owner. So, it looks like the previous owner left a portion of their bill unpaid. Now that you are the property owner, you are responsible for the delinquent amount. You can contact the Title company to try to recover the amount.

Moermond:
OK. So, you just bought it. Tell me a little bit about what's happening these days.

Kimberly Svenkeson:
Well, like I stated, we closed on the property January 20, according to the title that I brought. And so, back in February, the 22nd actually, I received an invoice and final charges for the amount \$208.76. And I said what, we did not get any notices, how could we get a final notice? Then I called Republic and explained to them and asked how are we responsible for October 1 through December 31 when we didn't move here until November 20. At that point, they pro-rated me, got the account set up in my

name, so I paid \$144.12 on February 22, 2019. And they let me know the next bill would be sent out at the end of March. So, I got the bill and it was due April 25. I paid that bill for \$198.52. And then later on, I got a periodic notice of nonpayment for \$50.98 again for the amount due back in January. I called you guys and you said call Republic. I called Republic and they said they were messing up, that's not accurate, everything we see, your account is up to date. So you should probably disregard it. I did.

Then I got a notice from you all again, for this, for me to show up here and basically explain again the \$208 is showing back up. I've been calling you all and Republic back and forth. Everybody is directing me to call the other. I'm not sure why because you obviously communicate. Again, they are telling me that our account is up to date. I paid the \$208.76. I have it and copies of my account that shows we are up to date.

Moermond:

You said you paid \$144 on February 22. And then in April you paid \$198?

Svenkeson:
\$198.52

Moermond:

And those were the two payments that you made. And then you got a bill, after your April payment that there was \$50 still owing.

Svenkeson:

I got delinquent charges, notifications on this amount.

Moermond:

From the City.

Svenkeson:

Yes. And one was for \$50.98.

Moermond:

The one I am looking at is \$208.

Chao:

She has one from Q1 as well.

Moermond:

For underpayment for Q1 is what they are saying. We haven't sorted that out yet but that is what they are sending it forward for.

Chao:

Right.

Moermond:

Looks like you bought the property from Darrin McKee. Did he tell you there was this bill from the fourth quarter that he didn't pay?

Svenkeson:

No. And I reached out to him. [inaudible] he said that he would try to sort it out and he wanted me...I didn't check back...he wanted me to give him a reference number. Which I did, but I have not heard from him since.

Moermond:

Were you represented in this transaction by a realtor or a broker?

Svenkeson:

Yes, we were.

Moermond:

And was he?

Svenkeson:

I don't believe that he was.

Moermond:

The notices of nonpayment, they were a few that went out addressed to him. I'm looking at one dated November 30 and December 30. Do we have another one from October?

Chris Swanson, Staff:

Many haulers had billing confusion in October so they did not send out additional notices in October, just November and December.

Moermond:

What I am struggling with is this, in most situations, when you bought the property and it wasn't disclosed to you that there was this bill to be put on the taxes, you would be stuck with that bill. And you would have to go after the previous owner. The previous owner was told, in a notice of nonpayment, that is he didn't pay it, it was going to go on the property taxes. In your closing, there are boxes to check that they don't know about pending bills and stuff. Although there is a title search and these things do often come up, the buyer should have disclosed this. That is a private transaction and the public sector wouldn't come between you and the seller.

Here's where I am struggling. The notice of nonpayment went to him November 30 but I don't know if that said non payment would be assessed to the property. He got a notice of nonpayment 10 days after he closed. That was his first notice and his second notice was 30 days after that. If he got a sentence disclosing that it would be an assessment, then I would say it is between you. If there wasn't an explicit disclosure, I will call it, give you a mulligan. The notice of the hauler should have been clear.

I am going to ask for a copy of that bill. If you provide your email address, you can get the same information. I will email it to you. You can hear where I am going with this. It's on the side of getting deleted but not 100% there until we check the bill.

Svenkeson:

OK

Moermond:

It sounds like you have additional charges going on. You switched your service level.

Svenkeson:

We didn't switch service level. All I did was call and say, hey, put it in our name.

Moermond:

I was curious because you paid \$144 in February and \$198 in April. That seems like different cans.

Svenkeson:

My understanding is because we weren't there, we paid a pro-rated amount.

Moermond:

I don't know what's going on with that bill, for the first quarter. I would need to investigate that and see what's happening.

Swanson:

I can speak to what's happened there. When you called in in February, Republic actually tried to do a pro-rated bill for you, so they said the previous owner is responsible for the first month. The challenge was that the owner didn't pay, so the \$52 plus the \$144 you paid is what the first quarter bill you should have received.

Svenkeson:

The \$144 was in reference to the last quarter, the fourth quarter, from October to December. And the \$198 I paid was for first quarter.

Swanson:

So, the \$198, so after January 5, 2019, the haulers would have had no outstanding balance with you because any outstanding was turned in to the City. So, they would not anticipate payment for that Quarter 4 2018. So the payment you applied in Quarter 1 2019, would have gone to that Quarter 1 bill. What you paid in April, that was for Quarter 2 2019.

Chao:

The bills are at the beginning of the quarter.

Moermond:

So we have unraveled that mystery. If you can give us your email, we will get that out to you and we will give you a resolution.

Referred to the City Council due back on 6/12/2019

10:30 a.m. Hearings

- 4 RLH TA 19-354** Ratifying the Appealed Special Tax Assessment for property at 971 BEECH STREET. (File No. CG1901E4, Assessment No. 190070)

Sponsors: Prince

Delete the assessment.

Abbie Finger appeared.

Diana Chao, Staff:

The pending garbage assessment for 971 Beech Street is for \$169.36. That's for garbage service for two medium carts and three late fees for fourth quarter 2018. In Ms. Finger's reason for appeal, she states it is a vacant property and there wasn't any garbage collected during the fourth quarter 2018.

This property is classified as a two-family dwelling in Ramsey County property tax records. According to City records, the property owner informed the City that two units at this property were vacant on 12/31/18. There was a vacancy hold placed on the property starting on 12/31/18. Because the City did not receive notice of a vacancy prior to 12/31/18, garbage service was not removed for the property. The property owner is still responsible for paying the delinquent charge, as garbage service was provided from October through December 2018.

Moermond:

Tell me a little bit of what's going on.

Abbie Finger:

Since the first time I called to ask was September 14, when I received the first notice of trash. In August 2018, I had squatters that moved into my backyard. I removed two 15 foot trucks of trash. So, when the new garbage cans came out, I took those two garbage cans that were sealed and locked them in my garage because I didn't want them being used. I called the hauler, as I said, September 14 and said the place is vacant, please do not pick up trash from here. They said OK.

I don't recall when I got the notice of nonpayment, but I called them again and said hey I got this notice of nonpayment for trash. I don't have anyone living there. Garbage cans are in the garage. There's no trash to pick up. OK. Great.

I literally called Aspen back and forth. I was on a first name basis with Aspen during the fall months. They said to call the City. I called the City, I don't have anyone living here. OK, you need to call Aspen. Finally, this wonderful woman at Aspen that I actually told Chris about, at the end of January said hey there's this form you need to fill out that this is a vacant property. She got me the number of the person at the City to get sent the form to get [inaudible]. I filled out the, you know, vacant paperwork, sent it in in December, then the City has records that it is a vacant property. I am still getting bills from Aspen for trash service. I talked to Mr. Swanson in January about that. I have had a trash pickup at that property [inaudible] starting in May 2019.

Moermond:

You have a renter now?

Finger:

Yes.

Moermond:

I do believe you have made a good faith effort to resolve this situation last fall and I know there were some growing pains, so I am comfortable recommending the Council deletes this assessment. Ms. Vang is giving you a form, that if you are going to have people in a property that is non-owner occupied, you need a Fire Certificate of Occupancy. I will ask that you fill that out and mail it in. I will talk about Surrey in a minute. You will need one moving forward.

Finger:

Is there somewhere I can drop this off? Because I've had trouble sometimes with mail getting to the right person and I don't want that to happen.

Moermond:

They are at 375 Jackson.

Mai Vang:
Suite 220.

Moermond:
I'm sorry you had a problem with that.

[Ms. Moermond take another case for this appellant and at the end of that case returns to this case because there are billing questions about the account]

Moermond:
So, is this the same as the Surrey property?

Chao:
It's a little different. She got three different notices of nonpayment for the first quarter 2019. It looks like the final amount was for \$45.98. It may be she was charged for one medium cart and then one extra medium cart for the fourth quarter of 2018. They may have been trying to make that up by saying oh, oops, here is the amount to bring it up to the full price for the medium cart. But this wasn't sent to the City, so we are probably thinking they probably saw the vacancy and realized she shouldn't have been charged anything. For the first quarter 2019. But we are going to follow up with them because we want to make sure there is nothing else pending in her account *[inaudible]* they didn't send anything to the City.

Moermond:
OK.

Referred to the City Council due back on 6/12/2019

- 5 RLH TA 19-371** Ratifying the Appealed Special Tax Assessment for property at 1160 SHERBURNE AVENUE. (File No. CG1901D2, Assessment No. 190064)

Sponsors: Jalali Nelson

Reduce from \$110.49 to \$96.08.

Gloria Little appeared.

Diana Chao, Staff:
This pending assessment for 1160 Sherburne Avenue is for \$110.49 for the medium cart and three late fees for the fourth quarter of 2018. Ms. Little stated that she made a payment of \$110.49 so she believes that she should not be charged this amount. So, depending on when that payment cleared from Ms. Little's financial institution, we would take a look at whether or not it should be charged. If it cleared after January 5, 2019, the payment would have been applied to the Quarter 1 2019 bill and this bill to the City would still stand. But if cleared before then, we would need to follow up with the hauler to see, to make sure they are not paying twice for the same service.

Gloria Little:
What I have here is a letter from them that I have two months to pay. I don't know why they said two months, but it says if payment is not received within two months of the date on the invoice, the balance will be sent to the City. So, I paid within two months. January is not within the time it was due.

Chao:
Of the original invoice.

Little:
Right.

Chao:
It's two months from the original invoice, so the end of December, beginning of January is when the payment would have had to have been due.

Little:
[inaudible] OK, tell me when the payment was due.

Chao:
At the end of the fourth quarter of 2018, the hauler turns over [inaudible]

Moerond:
Can we go back to the original bill going out. The due date is actually October?

Chao:
The original bill went out September 20, 2018, and the due date was October 5, 2018. There was a 30 day notice of nonpayment at the end of October, a 60 day notice at the end of November, and then a 90 day notice at the end of December. At the end of December, if the hauler had not received payment, they sent it over to the City. There were a couple of days of grace period. If payment was not received by January 5, 2019, then that cut off was in place and payment made after that point would be applied to Quarter 1, 2019. Payment would not have been able to be applied to Quarter 4, because it was already sent over to the City.

Moermond:
So, when she got a letter from the City saying pay within 60 days, that was referring to the period ending December 31, 2018.

Chao:
That's correct.

Little:
Now see, that wasn't clear in that letter. Because I didn't get that many notices that you just mentioned. That's a lot of notices and I would have seen them. I only got one notice and it said to pay within a two month period and I did. I paid it on February 11 because of the fact that I was filing bankruptcy and all of a sudden this waste [inaudible] came to my neighborhood and all of us had to have it. And then I got this notice and I thought "what happened?" and I also called them and asked what if I put extra garbage out. Would that be charged to my account? They told me no. Then I put the trash out there and all of a sudden I get charged extra fees. That's the next deal and I am trying to figure out, where is the communication breakdown. Why is it every time I [inaudible], they give me different answers. Because when I called, she said no. I wouldn't have put the extra bag out there if I had known that would happen.

That's the same thing with this bill. I get a bill says I have two months to pay. And then all of a sudden I got to come to accounting and pay some assessment fees. But I paid it, to my defense, the letter says two months from the original date. When I looked at the original date, I thought that this was what the date was. I had until February to make a payment, not January.

Moermond:

I sounds like the money you paid didn't get applied to the fourth quarter but to the first quarter bill instead, because they had already forwarded what they regarded as a delinquent account to the City. Anything they got in February, they would regard as a payment to the first quarter and apply it there. Even though your intention was the other...

Little:

I did call them and I told them I paid the \$110.49 and asked if that cleared everything up and they said yes, there will not be no fees extra on his account.

Moermond:

They were only thinking about this. I think this is a growing pain kind of thing. The original charge would have been for a medium cart would have been...

Chao:

\$96.08

Moermond:

Let's get Ms. Little down to what the original charge would have been. No late fees. The bill will come to you, if the Council approves this.

Little:

My question is this: the \$110.96 I already paid, there's a extra fee of \$96, is that what you are telling me?

Moermond:

The money you paid, they credited your account moving forward. They considered it payment for services they are going to provide in 2019. They didn't touch 2018 at all. You owe for the fourth quarter because they applied the payment to the first quarter. The Council will consider this June 12. You will get a bill a week or so after that. You will have a pretty long period of time in which to pay before they put it on the 2020 tax assessment. I think it will be October before they send it to taxes. The City will begin to charge interest, I think about 4%, but that should give you a little flexibility.

Chao:

The bills are sent out on the fifth day of the first month of quarterly service. So, January, April, July, and October.

Little:

So, which months?

Chao:

January for Quarter 1; April for Quarter 2; July for Quarter 3, and October for Quarter 4. They are mailed out the fifth.

Moermond:

Essentially, when I get a bill for April 5, it is saying we want you to pay for the next three months. You pay ahead.

Little:

How do I discontinue this service, that I don't want?

Chao:

There isn't an option to opt out. But I just wanted to let you know the due date. The due date is always going to be the 25th of that same month. So, the bill goes out January 5; it's due January 25.

Little:

That's very different because they come out and says you pay October, November and it comes out so weird that you don't know what date is really [inaudible]

Moermond:

Yes. Most bills come and you are paying for something you already got.

Little:

Is this a City thing that they came up with?

Moermond:

No, garbage haulers have always billed that way.

Little:

Really? That's crazy, I never heard of that. All right, so the payment I made. How much were the fees?

Moermond:

We are cutting the fees. The cost was \$110.49 and we cut the fees so it's down to \$96.08.

Chao:

I removed \$14.41.

Little:

So, the \$110 I paid already, that goes to my next payment?

Chao:

Yes.

Little:

Because I got a bill for \$135. So, are you sure it went to that next payment?

Chao:

How much was that bill?

Little:

\$135

Chao:

And when did you get that?

Little:

I guess it must have been for April.

Chao:

Yes, the \$110 would have paid for January. The \$135 would be for April through June.

Little:

The \$110 went to what?

Chao:
January through March.

Moermond:
It would have covered January through March, plus \$14.

Chao:
Yes.

Little:
So, that's the question I have about the \$135. When they told me there was no charge for extra bags, that's why I put the bag out. So now, I'm getting charged for those bags, even though they told me there was no charge. When they put the waste out there, they left a little note said put your bag inside, didn't say there was a fee. So, all of a sudden on my bill, there's \$6 for each time they came to pick it up.

Chwo:
We will look into that with Republic because their CSR should know better.

Chris Swanson, Staff:
Did you talk to Republic Services, your hauler, on that regard?

Little:
I talked to Republic Services, yes.

Chao:
They told you there was no extra charge. We will look into that with them and see if [inaudible]

Little:
I could get reimbursed.

Moermond:
Do you have a business card you could share with Ms. Little. They will be looking into that. We have the fourth quarter straightened away. Hopefully it won't be too difficult moving forward. Sorry you can't opt out.

Little:
I'm beginning to understand it. At first, it was like "What?" Thank you.

Referred to the City Council due back on 6/12/2019

- 6 RLH TA 19-370** Deleting the Appealed Special Tax Assessment for property at 1182 SHERBURNE AVENUE. (File No. CG1901D2, Assessment No. 190064)

Sponsors: Jalali Nelson

Delete the assessment.

Darren Warren appeared.

Chris Swanson, Staff:

The resident is here to appeal the special tax assessment for the property at 1182 Sherburne Avenue. The amount is \$6.08 for late fees for a small every other week cart for Quarter 4 2018. The stated reason for appeal is that he did pay and he does have proof from his banking statement. The staff comments are "the bill for Quarter 4 2018 (October - December) was due on October 31st, 2018. Because the payment was received after the due date in December, the property owner was charged a late fee. The property owner was given adequate notice about the delinquent charge and is responsible for the full amount."

Moermond:

Did you have any other information you wanted to share? The bank statement?

Darren Warren:

When I called them up, they said they was having trouble with my, with their system getting my money out of my bank, out of my checking account, automatically.

Moermond:

December 27, there's a record of Republic Services being paid \$60.83. We've got another charge January 29 for \$66.91 and on April 26, there is a charge for \$54.75. I have those on the record. We don't need to keep any paperwork on that.

I am going to recommend this gets deleted.

Warren:

All right. Thank you very much.

Referred to the City Council due back on 6/12/2019

- 7 RLH TA 19-262** Ratifying the Appealed Special Tax Assessment for property at 1362 SHERBURNE AVENUE. (File No. CG1901D2, Assessment No. 190064)

Sponsors: Jalali Nelson

Approve the assessment.

Moermond:

In this case, the stated reason for appeal is "I purchased the home in October, 2018, and never received anything from Aspen and I received a letter from the City last week. Obviously the address in the record is wrong and by the time my neighbor gave it to me, it was too late.

I do see that the October 31 nonpayment notice went to the previous owner in Duluth, Minnesota. But that the nonpayment notice from November went to the appellant and that is an address in Arden Hills. Let's just check that the address in Arden Hills is correct. Or matches in the Ramsey County tax records. And then I think we have an answer to our question.

OK. So the document says 1464 Arden View Drive and that is the same as on the property tax statement. The zip code is identical as well. So, there was notice that this needed to be paid.

I am going to recommend approval of the assessment. It still needs to be paid.

Referred to the City Council due back on 6/12/2019

- 8 [RLH TA 19-353](#) Ratifying the Appealed Special Tax Assessment for property at 699 SURREY AVENUE. (File No. CG1901C4, Assessment No. 190063)

Sponsors: Prince

Reduce from \$169.37 to \$154.85.

Abbie Finger appeared.

Diana Chao, Staff:

The pending assessment for 699 Surrey Avenue is \$169.37, for one medium cart and one extra medium cart for Quarter 4 2018. There wasn't a stated reason for appeal but you had done a dispute so I'm going to go ahead and read that one. Ms. Finger states the bill has already been paid to Republic Services, with the exception of \$14 in late fees. She said when she spoke with Republic Services, they told her the bill was paid in full and the late fees would be removed. She also states she was never sent an original bill because it was sent to the site address which was not the mailing address listed.

Because payment was received by Republic Services after 1/5/19, the amount paid was credited to the Quarter 1 2019 invoice. The property owner is still responsible for paying the delinquent amount for garbage service from Quarter 4 2019. So, the City recommends the bill stands, but because the bill wasn't sent to the correct address, we would be OK with removing the late fees.

Moermond:

It is self-evident that the address is incorrect, so there's an error that occurred. That needs to be rectified if it hasn't already been done. Can you tell me a little bit about what you are looking for today?

Abbie Finger:

Until I came today I didn't know...OK, so I've been also spending a lot of my time calling Republic Services. Thought I was up to date because when they called them they said...thankfully I have a bill from the City that says...I am happy to pay my bill. They said \$150, I said OK great. I called back, like a month later because I got another notice of nonpayment and I was, like, Republic Services what is happening. I just talked to you, like, last month, saying, you know, I didn't get my bill. So, if there is a quarter that I have not paid, I am happy to pay that quarter. I would be prefer that not be assessed. If the late fees are removed, that would be great.

Moermond:

What are the late fees in that bill?

Finger:

\$14.52

Moermond:

Let's get you down to \$154.85. I am afraid once the bill is sent to the City, there's no way to pay them. This is scheduled for hearing June 12. Within a week or 10 days, you will get a bill and you can pay that.

Finger:

I can't just go down to assessments and pay them?

Moermond:

We are changing the amount of the bill so it's probably best to wait and not introduce confusion.

Finger:

Can I ask a follow up question?

Moermond:

Yes.

Finger:

Because I am still getting charges from Aspen, for Quarter 1 and for Quarter 2, so I now have bills from Aspen and Republic, saying that they are going to collections. Because I am here today, if I could get it all straightened out, I would appreciate it.

Moermond:

Mr. Swanson, maybe you could respond to the communication difficulty.

Chao:

Do you have the notices? Because I don't see a pending assessment for Quarter 1.

Swanson:

And to speak directly to the notices, the haulers will never send anything to collections. If you have that, I would like to see that and follow up with that.

Moermond:

Can we scan that into the record and then hand that to Ms. Chao, so we have a copy of that, moving forward.

Finger:

I am overwhelmed with trash, especially with the...this might be the only one I have with me.

Swanson:

I want to see the collection's one.

Finger:

Shall I move from this chair?

Moermond:

Let's see how quick they can do it.

Chao:

There's no pending assessment for Quarter 1, we will follow up with them. I see, it's because she was charged the extra amount for the cart.

Moermond:

Ms. Chao, please put the error on the record.

Chao:

Ms. Finger received a notice of nonpayment for the second quarter of 2019 for 699 Surrey in the amount of \$154.64. The notice is dated May 1. She received that notice

because Republic believes she didn't pay the original balance by April 30.

Moermond:

They believe she made a partial payment. Is that what happened?

Chao:

*Do you know if you made a payment for this property for the second quarter of 2019?
By April 30.*

Finger:

Yes. I feel like once a month I am calling Republic saying, "hey, is my bill paid?" If they say no, I'm, like... Part of the problem is I had Republic at this property before it got switched over to the City. So when I call them I have two accounts in there. I'm always trying to clarify. I didn't know I had two accounts. I am still calling on a monthly basis.

Chao:

Are they applying payment to your old account?

Finger:

There would be no reason they would apply payment to that old account. It's closed.

Chao:

Do you have a record of when you made a payment?

Finger:

I think it was March...

Swanson:

That would have been Q1...

Finger:

But I also made a payment in January.

Swanson:

So if you made a payment in January, they would apply that payment to your outstanding amount in that quarter. If you made a payment at the end of that quarter, they would apply that payment to your account as a credit going forward. That may be why we see a partial payment there. I want to follow up with Republic to understand this.

Moermond:

Let's get Ms. Finger your contact information, Mr. Swanson. Please copy Ms. Vang on your resolution.

Referred to the City Council due back on 6/12/2019

- 9 RLH TA 19-421** Ratifying the Appealed Special Tax Assessment for property at 649 SIMON AVENUE. (File No. CG1901E3, Assessment No. 190069)

Sponsors: Brendmoen

Girma Tesfaye appeared.

Chris Swanson, staff:

The resident is here to appeal the tax assessment at the property at 694 Simon Avenue in the amount of \$110.48. This is for garbage service for one medium cart and late fees for Quarter 4 2018. The reason for the appeal is the hauler did not listen to the resident. He purchased the house on 6/27/18. He tried to find a garbage service. And then the new service started and he was ordered a cart.

The timing is interesting because this was the time we sent out the delivery mailers. I suspect the notice went to the previous owner and he didn't get the notice. He has been trying to get a small cart and there has been confusion with the hauler and with the City staff.

I recommend that we delete this assessment because it does look like the resident has been trying to reach the hauler and the City to address this issue. I am going to follow up with the hauler to get him the cart that he wants, that he has been trying to get for some time, so we make sure we rectify this issue.

Moermond:

This could have an impact on his first and second quarter bills. You can take care of that as well.

Swanson:

Yes, we will follow up with the resident and with you and the hauler.

Moermond:

Those bills will get decreased and this one will get deleted. This one today, we will get it off the tax roll. Not a wasted trip.

Girma Tesfaye:

I not using the garbage because of the misunderstanding there. I talk them and I need a small garbage size but they [inaudible] me and in front of my door is a medium one. I talk to them and they [inaudible] deal. I don't know why they not listen to me [inaudible] I'm going to talk to somebody. That's fine.

Moermond:

I agree. I think this could have been handled better by them. We will delete it and we will try to get it figured out moving forward so that you have the service you want and you are billed appropriately.

Tesfaye:

OK, thank you;

Referred to the City Council due back on 6/12/2019

- 10 RLH TA 19-419** Ratifying the Appealed Special Tax Assessment for property at 559 ASBURY STREET. (File No. CG1901E4, Assessment No. 190070)

Sponsors: Jalali Nelson

Stanley Anderson appeared.

Diana Chao, Staff:

The pending assessment for 559 Ashbury Street is for \$110.48. This is for garbage service for the medium cart and three late fees for the fourth quarter 2018. Mr. Anderson is appealing this assessment because he is out of town most of the time and the property is unoccupied. He indicates he sent in a service hold form to the

trash hauler to indicate the property is unoccupied. He is uncertain when he sent the form. Staff comments are that we need to check with Aspen to determine if and when that service hold form was sent to them. If they don't have the service hold form in their records, the assessment would still apply. It also looks like Mr. Anderson has an additional delinquent charge for the first quarter of 2019 as well.

Moermond:

Do you happen to remember when you sent that in?

Stanley Anderson:

I want to say 2018, right when they first did the service switch over and they dropped the garbage can at my house and my brother called and said hey, they dropped a new garbage can at your house. I called and they sent me out a form and I filled it out and said when I'm going to be out of town, when I'm supposed to be coming back. So I filled out the form and let 'em know. I stay down in Arizona. My house is not...I'm not there. So, there's no way I need the trash. If I was with [inaudible] of Logans, I'd call and say hey Mr. Logan, I'm not in town right now, cancel the service. So I tried to cancel this and [inaudible] this before I got anything. The trash can is sitting up on my back door, brand new. I'm not here because I've got a health problem, a serious health problem. The allergy season, the winter season, is really messing me up. I got real bad so I'll be down there where the weather is warmer and I can deal with less [inaudible].

Moermond:

So, your property sits empty, then, when you are gone.

Anderson:

No, I got a full-fledged house. A finished house. But nobody lives in it.

Moermond:

That's what I meant. Empty of people.

Anderson:

I didn't understand that. But no, nobody stays in my house.

Chao:

Do you remember when the dates were? For your original service hold?

Moermond:

September or October of 2018.

Anderson:

Yeah.

Chao:

I meant the length of the hold.

Moermond:

Oh, yeah, did you give them a length of time?

Anderson:

They only give me a six month grace period. And that didn't make sense. I said I want to stay out here two [inaudible], I stay down here. [inaudible] tell you when I'm coming back. That's what I put on there. From this point to this point, then I

contacted them back again, because they sent me out another letter. Oh, you only can do it one time. So, I'm confused. So, they tell me I got to come back to Minnesota. I got to come back and live at 559 Asbury. This gone turn into a mob state.

Moermond:

Tell me a little about the policies they are talking about there.

Chao:

The temporary service hold form, which sounds like what you filled out, is for temporary absences due to health or location, things like that, and is from four weeks to 26 weeks. But if you are leaving your property a longer period of time than 26 weeks, we have a vacancy hold. That's a different form to fill out, the unoccupied vacant registration and it sounds like that might be a little more appropriate for your situation since [inaudible]

Anderson:

I've asked, I've asked the lady on the phone and I've said I'm not going to be in Minnesota so if you can find the form where I can cancel this service until I decide to come back to Minnesota. Oh, no, no, no [inaudible]

Moermond:

Do you have one of those forms with you?

Swanson:

I do.

Moermond:

When Mr. Anderson fills this out, he is saying what, exactly?

Chao:

He is saying that the property is unoccupied and when it becomes occupied again, he will contact his garbage hauler to resume garbage service.

Anderson:

That's exactly what I was asking.

Moermond:

Perfect.

Anderson:

Do you mean I flew all the way out here, to come to court, just so she could tell me exactly what I was looking for?

Moermond:

It could be worse.

Anderson:

It's never...ain't nothing worse. Dying is worse.

Moermond:

No. We could have told you the wrong information and coming here would have service no purpose. I am going to say you made a good faith effort to address this with your hauler, so I am going to recommend this gets deleted and that you get the right form

filled out. I don't know what the communication was with the hauler and I do know there were some hiccups with getting this on line, in terms of the vacant form. Mr. Swanson, do you have anything to add?

Anderson:

I have a question. Do they have a direct number to the hauler? Or do I gotta write another letter when I do come back?

Moermond:

That form will take care of that. Which hauler are we talking about?

Swanson:

Aspen.

Moermond:

That would be Aspen's phone number. Do you want to fill that in today before you leave? We can get it taken care of right away. I will lock in the deletion when you lock in that form.

[The Hearing proceeds with additional cases.]

Moermond:

Did we get a completed form for 559 Asbury Street.

Chao:

Yes. I have received his Unoccupied Dwelling Registration Form.

Moermond:

Fabulous. We have that one locked in.

Referred to the City Council due back on 6/12/2019

- 11 RLH TA 19-418** Ratifying the Appealed Special Tax Assessment for property at 1925 MARGARET STREET. (File No. CG1901E4, Assessment No. 190070)

Sponsors: Prince

Mark Meader appeared.

Moermond:

[explains the process of the hearing]

Meader:

There is a \$3.52 bill. I really don't care what you just said. The evidence is so obvious I paid these bills that it's not even funny. I'm wasting my time down here for \$3.52 just to show how incompetent this system is.

Moermond:

Mr. Swanson, tell me about that \$3.52.

Chris Swanson, Staff:

The resident is here to appeal the special tax assessment for the property at 1925 Margaret Street. This is for \$3.52. that is a late fee for one of the months for Quarter 4 2018. The given reason for appeal is that "the property owner stated that original invoice was sent to wrong address. He paid his bill to Republic but they have

continued to charge late fees.

Looking at this, it does look like the invoice went to Margaret Street and not to the primary address listed for Ramsey County tax records. I would move to have the late fee waived.

Moermond:

Your recommendation to me is that the late fee is deleted. I am recommending that.

How did we end up with this to begin with? Was the wrong address sent to the hauler? Is this something that has been addressed?

Swanson:

It looks like for the first Quarter 4 2018 bills, that this hauler may have grabbed the wrong address for some accounts. I do know that this is something they've addressed and they are working on, to make sure the primary tax address would be the one receiving bills going forward. I would say it's kinda one of those growing pain situations. And we are working on it now, pretty aggressively.

Meador:

I called the hauler when I found this bill in the mail. It was a vacant property at that time and they said the City of St Paul gave them that address. City of St Paul knows very well my address. They send the tax statement to my address, my address is in Lino Lakes. So I don't know how, mistakenly, according to her, [inaudible] the tax records. My tax statement goes to the proper address.

Moermond:

And we have that information, right here. In the future, if there are problems...it's a darn shame you have to pay for parking downtown to have this conversation.

Meador:

I had the conversation on the phone, with Chris on 2/14. I told him after Republic Services, she told me I had a \$7.04 credit. I called the City, they said talk to Chris. I talked to Chris. He said I will call the hauler and get it corrected. And that never happened. So, now I'm down here for \$3.52.

Chao:

Did you get the bills sent to the Lino Lakes address for the...

Meador:

Yup. The very next time. I corrected it with Republic. They sent the bills to the proper address. The next bill that came, came to the proper address.

Moermond:

Your property tax statements are quite clear, as you said. I don't know what happened with the haulers.

Meador:

When I called the hauler, they said they would reverse the late charges, but I paid the full amount anyway, thinking I would just have a credit on it. [inaudible]

Moermond:

I did what I could; I can't give you more than what's there.

Referred to the City Council due back on 6/12/2019

- 12 **RLH TA 19-260** Ratifying the Appealed Special Tax Assessment for property at 1981 THIRD STREET EAST. (File No. CG1901D2, Assessment No. 190064) (To be referred back to Legislative Hearing on October 3, 2019 and Public Hearing on October 16, 2019)

Sponsors: Prince

To be referred back to Legislative Hearing on October 3 and Public Hearing on October 16, 2019.

Swanson:

I talked to her yesterday. Her father is out of the country and she doesn't know when he will be back.

Moermond:

We have pushed it out as far as we can.

Referred to the City Council due back on 6/12/2019

- 13 **RLH TA 19-256** Ratifying the Appealed Special Tax Assessment for property at 1178 THOMAS AVENUE. (File No. CG1901D2, Assessment No. 190064)

Sponsors: Jalali Nelson

Approve the assessment; no show.

Moermond:

She indicates she paid by phone January 27, well past the deadline for it to be taken into account for fourth quarter. There would be no change to that record.

Referred to the City Council due back on 6/12/2019

- 14 **RLH TA 19-410** Ratifying the Appealed Special Tax Assessment for property at 1485 VAN BUREN AVENUE. (File No. CG1901D2, Assessment No. 190064)

Sponsors: Jalali Nelson

Approve the assessment.

Tom Frantzen appeared.

Diana Chao, Staff:

This pending garbage assessment for 1495 Van Buren Avenue is for \$69.95. This is for garbage service for the small every other week cart and three late fees for fourth quarter 2018. In Mr. Frantzen's stated reason for appeal he states "I generate no trash or recycling at my property so I am being charged for receiving no serviceI keep the garbage & recycling containers in my garage." Under Citywide garbage service, all residential properties with up to four units are required to have garbage service and a garbage cart for each dwelling unit. Currently, there is no option to opt out of Citywide garbage service, so we do believe the property owner is responsible for paying the outstanding charge as garbage service was provided. The property owner is currently using the least expensive service available under the program.

Moermond:

Sounds pretty straightforward, but can you tell me a little about where you are coming from?

Tom Frantzen:

Sure. I generate no garbage at the house. Here are the reasons why. First, I live alone; I don't have a wife, kids, or pets. That alone suggests that very little garbage is generated. I also don't eat at home. I don't eat any meals at home. The only garbage I have generated at my house is the lint from my washer and dryer. That is the extent of the garbage that I have and I think I can deal with that on my own. I know there isn't an opt out option, which was a problem with the legislation. I also own a business outside of St Paul since 2005. So, I haven't had to pay...for a while, I was paying for garbage service at my business and at my home and then realized that didn't make sense. And so, I bring my lint to my business and dispose of it there. Aspen Waste has been providing me with no service and I am being required to pay for that service even though they are not providing me with any service.

When I graduated from Macalester in 1985, I worked in this building because George Latimer hired me to be his [inaudible] person for a year. As we went to Community Meetings and this is why I am very sympathetic to what you have to do [inaudible] as we went to meetings throughout the City and Mayor Latimer was very popular, one of the accomplishments that he bragged about was that he got the City out of the garbage business which meant that no city money or time...

Moermond:

You know, subsequent speeches he's reversed his position on that.

Frantzen:

Did he?

Moermond:

Oh, yeah. It took him maybe five, ten years and his speeches go in the other direction. But, I hear where you are coming from because that was definitely the will at that moment.

Frantzen:

From what I understand, state law does not allow charging more money for less trash. And the fact I have no trash for Aspen to collect from me and I know there's no opt out option, over the next five years, I will be forced to pay \$1400 of my money for a service that is not being provided to me. There will be no trash and no recycling to pick up from me at any time. I am actually keeping the carts in the garage because I don't want them to be damaged and then be charged to pay for new carts. That's it. I am not being provided with a service by Aspen Waste, but yet, I am being forced to pay for that service even though they are not providing me with service. They have to drive through the alley anyway, because there is one garbage hauler for the entire block. They will never have to stop; they will never collect any trash from me over the next five years. If the City of St Paul had asked me to raise my taxes by \$1400 over five years to help low income children get books, I would be happy with that. But to transfer \$1400 of my money to a for profit company that is not providing me with any service should be criminal, but it's not. So, that's how I feel about it.

Moermond:

Those are good comments to have on the record. You won't be surprised to hear that

is not something I can take into account in looking at this specific invoicing. All residential properties in your category are covered. There is this minimal bill level. There are other conversations happening, there are policy discussions...

Frantzen:

There's lawsuits.

Moermond:

All kinds of things are going on. We will see how that all plays out. For the moment, I am stuck with having to recommend approval on this assessment which is not a surprise to you, I know. You made some comments on the record which will go forward.

Frantzen:

Right. I appreciate your time and again, here's another thing, what is the amount of value, staff time, that you have to put into this. I am sympathetic to you as well as you are sympathetic to me. Thank you and good luck to you folks.

Referred to the City Council due back on 6/12/2019

15 RLH TA 19-420

Ratifying the Appealed Special Tax Assessment for property at 1938 MINNEHAHA AVENUE EAST. (File No. CG1901E4, Assessment No. 190070)

Sponsors: Prince

Brian Mason appeared.

Chris Swanson, Staff:

The resident is here to appeal the tax assessment for the property at 1938 Minnehaha Avenue East for \$65.16 for quarter 4 2018 garbage service. The property owner indicates that the property was purchased as a single family home but is registered as a duplex with Ramsey County. He had the property re-classed in January to a single family home but believes he should not have to pay for the additional cart in Quarter 4.

Staff comments are that property was classified as a duplex during the fourth quarter. It was not reclassified as a single family home until January 2019 so the amount is warranted.

Moermond:

When did you buy the property?

Brian Mason:

November of '17.

Moermond:

What I was checking on is when a property is sold in the City, there should be a Truth in Sale of Housing Report. That is something the seller is supposed to share with the buyer before you close. Of course, your mortgage company, if you had one, would also want an inspection. One report I saw yesterday, the inspection report stated it was a single family home, although the County had it set up as a duplex. I was just seeing if I could find a report like that in your case and there wasn't one from 2017 and so ...

Mason:

The house, before we bought it, had burnt down. When they rebuilt the home, they rebuilt it as a single family home. But I don't think it ever got re-registered, so when we moved in, everything was listed as a single family home and I didn't realize it was registered as a duplex until I got two mailings from the City of St Paul, saying Unit A and Unit B. So then I called Ramsey County and found it was registered as a duplex.

Moermond:

Do you know when the fire was?

Mason:

Late '15 or early '16.

It was like less than a week before we closed on the home, there was like a \$93,000 lien on the property because the lady that was trying to sell it was just trying to sell it with the lien on the home and our mortgage company and our underwriters caught it.

Moermond:

Here I am seeing a residential use affidavit dated July 26, 2017, indicating that this is a single family home and that is from the Department of Safety and Inspections. I am going to recommend that this assessment is deleted on the strength of that.

Mason:

Appreciate it. Thank you.

Referred to the City Council due back on 6/12/2019

Special Tax Assessments - ROLLS

- 16 RLH AR 19-64** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during October to December 2018. (File No. CG1901E3, Assessment No. 190069)
Sponsors: Brendmoen
Referred to the City Council due back on 6/12/2019
- 17 RLH AR 19-65** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during October to December 2018. (File No. CG1901E4, Assessment No. 190070)
Sponsors: Brendmoen
Referred to the City Council due back on 6/12/2019
- 18 RLH AR 19-66** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during October to December 2018. (File No. CG1901D2, Assessment No. 190064)
Sponsors: Brendmoen
Referred to the City Council due back on 6/12/2019