



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
Joanna Zimny, Executive Assistant
legislativehearings@ci.stpaul.mn.us
651-266-8585

Thursday, August 8, 2019

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 19-614** Ratifying the Appealed Special Tax Assessment for property at 1932 BAYARD AVENUE. (File No. CG1902D1, Assessment No. 190113)

Sponsors: Tolbert

No one appeared. Approve the assessment.

No response to staff follow up on cart size with owner.

Referred to the City Council due back on 9/25/2019

- 2 **RLH TA 19-619** Ratifying the Appealed Special Tax Assessment for property at 820 BROWN AVENUE. (File No. CG1902D1, Assessment No. 190113)

Sponsors: Noecker

Reduce assessment from \$204.96 to \$140.33

Angie Lopez, owner, appeared

Chris Swanson: we were looking at the number of additional bags. There are pictures that are attached on this report.

Ms. Moermond: as we look at the first picture, October 2, they took a photo of extra bags but this is the wrong picture. The invoice doesn't even show a charge for that. The next picture is November 27 which shows on their bill as having 2 extra bags. When it goes over the line, they charge for the extra bags. They will charge you for the bags that lift it beyond 6". They estimate the number of bags that take it over the line, here they estimated 2 days.

Ms. Lopez: this was after the holiday so they were a day late.

Ms. Moermond: what's your collection day?

Ms. Lopez: Tuesday

Ms. Moermond: so this is a week after Thanksgiving, so neither the 20th or 27th would be impacted by the holiday. How about December 11, in that case we're looking at an open container with a bag on top. 2 bags for that day too, which looks correct. Next one is December 18, they charged 2 bags extra on the bill. I don't know if I see that one.

Mr. Swanson: anything above a gallon of milk will be charged.

Diana Chao: they are charging 3 bags for the December 26, and 6 for January 2, 2019.

Ms. Moermond: There are 2 on the ground, and estimating 4 bags in the cart.

Ms. Lopez: I don't see that. I see two in the cart.

Ms. Moermond: did the first quarter have extra charges on it as well?

Ms. Lopez: my husband pays the bills. We didn't get this proof from them. We asked for it.

Ms. Moermond: I believe you weren't aware of the extra charges. This was a rule forever. I'm going to cut this down the middle as a learning experience. What I would do if there are items after the holidays that aren't perishable, is just keep in the garage knowing there will be less garbage the following week. That's what I do.

Ms. Lopez: yes, I didn't know and Waste Management never charged for the extra bags on the ground.

Ms. Moermond: a majority of haulers would have left it on the ground, so you had a good hauler relationship. This is the standard in the industry with the lid. I'll go down the middle on it.

Referred to the City Council due back on 9/25/2019

- 3 RLH TA 19-564** Ratifying the Appealed Special Tax Assessment for property at 816 ALBERT STREET NORTH. (File No. CG1902E1, Assessment No. 190117)

Sponsors: Jalali Nelson

No one appeared. Approve the assessment.

Ms. Moermond: they said they paid April 9, it wouldn't have been applied to the first quarter right?

Diana Chao: Yes

Referred to the City Council due back on 9/25/2019

- 4 RLH TA 19-631** Ratifying the Appealed Special Tax Assessment for property at 1757 AMES PLACE. (File No. CG1902E1, Assessment No. 190117)

Sponsors: Busuri

Delete assessment. Reduce Q2 2019 assessment to \$51.71.

Michael Mcmonigal appeared

Staff report by Diana Chao: Pending assessment is for \$48.36, Quarter 1, 2019. Property owner states he made a payment on Nov 1, \$166.42 and was told bill would be adjusted when he notified the City when they learned he had one unoccupied unit. We did look into this with the hauler, because saw it was reported to the City and wanted to make sure he was getting the proper credits since Quarter 4 had been overpaid. Advanced Disposal said that \$166.42 is the only payment they've ever received. Because the vacancy wasn't reported until a month into service, the \$32.03 of garbage service should have still been charged to him. In total, from the beginning of the program through September of 2019, the current quarter, the balance due is \$146.97. He has a small weekly cart.

Mr. Mcmonigal: I have the biweekly cart.

Ms. Chao: When did that get switched?

Mr. Mcmonigal: it took months for it to pick up the large cart. It had never been used. I told them I need one small cart every other week.

Ms. Moermond: what color is the lid on your cart?

Mr. Mcmonigal: they dropped off two. Purple lid. I think they finally just picked up the 2nd cart 2 weeks ago. I've had several bills, I've been double billed both them and the City. None of the amounts matched up. I'm so frustrated. I can't even keep this all straight anymore.

Ms. Chao: let's just say that even if you had the small every other week cart, you're still not paid up even if it was \$60.83.

Mr. Mcmonigal: I did the paperwork. Its unoccupied, I live in both, it is a duplex. Last fall they said they'd adjust it.

Ms. Moermond: was there an appeal of the first quarter bill, Quarter 4 2018? When did you get the cart changed? First quarter?

Mr. Mcmonigal: probably.

Ms. Chao: he was delivered one medium cart and one small weekly cart. He did pay that, it wasn't sent to the City.

Chris Swanson: I went through our cart delivery list. I see the cart was swapped out then. So, they have been billing incorrectly.

Ms. Moermond: How are we getting that \$48 charge?

Ms. Chao: I think they were trying to balance it out.

Ms. Moermond: first quarter was paid. Why is the charge \$48 not \$60?

Ms. Chao: I think they were trying to provide credit for what was overpaid. A partial credit on the account.

Ms. Moermond: so they're knocking \$12 off what would be a \$60 charge.

Mr. Mcmonigal: that's not what I was told when I talked to them. When I finally talked to them lately, I figured I would just quit paying the bill, come here. At one point I talked to someone, they said \$49 a quarter, she's saying \$60. I asked what the quarterly charge was and got the \$49.

Ms. Moermond: normally charged \$60.83, because you didn't get what you wanted October to December and you'd paid, the hauler wrote you smaller bills for the first and second quarter to try and make up for the fall payment. They didn't charge you the \$60, they were giving you \$12 off the bill. They are trying to take account of it on their own. It went unpaid, and got sent here to be considered as part of the taxes.

Ms. Chao: for some reason this current quarter they have \$51.71 due. If we're just looking at small every other week, for a full year of service, that would have been \$243.23 we take away the payment that was made, of \$166.42 and that leaves a balance owed of \$76.90. For some reason they have \$51.71 due for Quarter 3, 2019. So if we just take that away from the \$76.90 then we can reduce the Quarter 1 bill to \$25.19 and just delete the quarter 2 bill. Then everything squares away.

Ms. Moermond: So what kind of bill will he be looking at for the third quarter?

Ms. Chao: Well, he already has a quarter 3 bill of \$51.71 and then we can make sure moving forward that its correct.

Ms. Moermond. So pay the third quarter, pay the fourth quarter. But, to clean up the math on the rest delete this assessment and reduce pending Quarter 2 assessment by half. Staff will follow up to make sure you're being billed the accurate \$60.83.

Mr. Mcmonigal: but why are my costs so high? I used to have a large can and pay less.

Ms. Moermond: unfortunately, that's not something I can help with. I hear your concern, but I have no authority to make a change on that.

Mr. Mcmonigal: This has me considering selling and leaving. We have people fighting in the street and renting they don't care about the property. When I bought this house, people were fighting in the street 2 or 3 in the morning. That's why I quit renting. If I leave the same thing is going to happen again. There's probably 30% rentals on that street. I've noticed that happening more and more on the east side. The whole east side is going to continue to spiral down. It's extremely frustrating and this has just added more to it. It's not all the trash, that was the pinnacle of everything.

Ms. Moermond: I understand this is the straw that may break your back on this. If you're having these problems, are you calling police or code enforcement? I think we have a strong interest in making sure your neighborhood is livable.

Mr. Mcmonigal: I'm on NextDoor, I see lots of things about break ins and people scoping out houses.

MM: I'm going to pass your info on to Scott Renstrom in Ward 6.

Referred to the City Council due back on 9/25/2019

CONGRESS STREET EAST. (File No. CG1902A3, Assessment No. 190103)

Sponsors: Noecker

No one appeared. Delete the assessment (property owner had paid hauler).

Referred to the City Council due back on 9/11/2019

- 6 RLH TA 19-654** Ratifying the Appealed Special Tax Assessment for property at 957 COOK AVENUE EAST. (File No. CG1902B3, Assessment No. 190107)

Sponsors: Busuri

Approve the assessment. Owner missed hearing twice; however, he has indicated that he wants to attend the City Council public hearing only.

Referred to the City Council due back on 9/11/2019

- 7 RLH TA 19-632** Ratifying the Appealed Special Tax Assessment for property at 2015 IVY AVENUE EAST. (File No. CG1902B1, Assessment No. 190105) (To be referred back to Legislative Hearing on October 3, 2019)

Sponsors: Busuri

To be referred back to LH October 3, 2019 at 11:15 am.

Referred to the City Council due back on 9/25/2019

- 8 RLH TA 19-634** Ratifying the Appealed Special Tax Assessment for property at 1871 NEBRASKA AVENUE EAST. (File No. CG1902B1, Assessment No. 190105)

Sponsors: Busuri

No one appeared. Delete the assessment (property was registered vacant).

Referred to the City Council due back on 9/25/2019

- 9 RLH TA 19-633** Ratifying the Appealed Special Tax Assessment for property at 949 FOREST STREET. (File No. CG1902B1, Assessment No. 190105)

Sponsors: Busuri

To be referred back to LH October 3, 2019 at 11:15 AM.

Referred to the City Council due back on 9/25/2019

- 10 RLH TA 19-636** Deleting the Appealed Special Tax Assessment for property at 402 SUPERIOR STREET. (File No. CG1902C3, Assessment No. 190111)

Sponsors: Noecker

No one appeared. Delete the assessment (property was vacant).

Referred to the City Council due back on 9/11/2019

- 11 **RLH TA 19-642** Ratifying the Appealed Special Tax Assessment for property at 531 YORK AVENUE. (File No. CG1902B4, Assessment No. 190108)

Sponsors: Brendmoen

No one appeared. Delete the assessment (property was vacant).

Chris Swanson: health issues with property owner. She got in a vacancy after the fact. It wasn't reflected in Quarter 1, or Quarter 4, 2018. We'd like to delete this assessment and remove the levied Quarter 4 assessment.

Referred to the City Council due back on 9/11/2019

- 12 **RLH TA 19-649** Ratifying the Appealed Special Tax Assessment for property at 979 FLANDRAU STREET. (File No. CG1902E1, Assessment No. 190117)

Sponsors: Busuri

Recommendation forthcoming. Staff to follow up with hauler on account and payments.

Marvin Cifuentes Monterroso appeared.

Staff report by Chris Swanson: resident appealing \$117.08 for Quarter 1, 2019. Service for a large cart and three late fees. The stated reason for appeal is property owner doesn't believe he owes the money because they pay the garbage bill, and has statements showing payments, when they call the company they said there is a zero balance. Looking at this at its face, without a statement showing there was a quarter 1 payment, payment was likely not made. If after March 30, the resident had called and asked about his balance, the hauler would have already zeroed out the account and would have said there wasn't any balance due.

Ms. Moermond: can you tell me what you're looking for?

Mr. Cifuentes Monterroso: my wife is sure she made the payment in March. She said she paid, we weren't behind. We called, and they said we don't owe you anything.

Ms. Moermond: one thing we can do is have Advanced show us your record, or a bank statement. If you could sign in and give us your phone number, we can call and mail your statement. It sounds like we're in a position where this may be a deletion.

Mr. Cifuentes Monterroso: if we do owe this money, we would like to make a couple payments.

Ms. Moermond: it isn't put on your taxes until November, so you can make payments before that, and whatever is left will go on taxes. This doesn't affect your credit or anything like that. I want to make sure you're getting credit for things you think you'll already paid for.

Referred to the City Council due back on 9/25/2019

- 13 **RLH TA 19-648** Ratifying the Appealed Special Tax Assessment for property at 1715 ROSE AVENUE EAST (File No. CG1902E1, Assessment No. 190117)

Sponsors: Busuri

Recommendation forthcoming.

Edmund Cichocki, owner, appeared.

Staff report from Chris Swanson: resident appealing \$121.52 for Quarter 1, 2019, appealing because garbage bill amount keeps changing, doesn't understand why, it hasn't been picked up at least 6 times. Without time to review what's going on at this account, I would garbage bills sometimes change if there's additional bags.

Mr. Cichocki: I hammer that stuff down. Even when they do pick up my trash can is laying the alley or bushes. These people are ridiculous. My charge is double vs. what I used to pay. This is ridiculous. I'm a single father, I have health issues.

Ms. Moermond: you do have an odd amount, so we need to look into that.

Mr. Cichocki: I've called Advanced a dozen times.

Ms. Moermond: were the missed pickups related to snow?

Mr. Cichocki: I think maybe 2 were. They've destroyed the boulevard. It's ridiculous.

Ms. Moermond: if you have specific addresses and weeks we can go to the hauler and say, we want to see a clip of the video, all those trucks have cameras. Personally, my hauler I had to call and took a picture because they kept leaving it in the street. They were able to look at that and say it was a driver training issue. If we get specific information you can bring it to the hauler, or the City.

Mr. Cichocki: I had to find the corporate number.

Ms. Moermond: Mr. Swanson has a business card, so you have that for the future.

Mr. Swanson: call us, we want to get that those concerns addressed quickly.

Ms. Moermond: the missed pickups, we have records of things, without the info from you it's hard to figure that out. We can handle this by email.

Mr. Swanson: if you have a copy of your bill we can maybe shed some light.

Referred to the City Council due back on 9/25/2019

- 14 RLH TA 19-647** Ratifying the Appealed Special Tax Assessment for property at 1430 STANFORD AVENUE. (File No. CG1902A3, Assessment No. 190103)

Sponsors: Tolbert

No one appeared. Delete the assessment. LH staff to remove the levied Q4 2018 assessment.

Chris Swanson: health issues with property owner. She got in a vacancy after the fact. It wasn't reflected in Quarter 1, or Quarter 4, 2018. We'd like to delete this assessment and remove the levied Quarter 4 assessment.

Referred to the City Council due back on 9/11/2019

9:45 a.m. Hearings

15 RLH TA 19-577 Ratifying the Appealed Special Tax Assessment for property at 558 SHERBURNE AVENUE. (File No. CG1902C2, Assessment No. 190110)

Sponsors: Thao

Reduce assessment from \$277.36 to \$234.66.

Diana Chao: We have the correct photos now.

Ms. Moermond: so has this bill been reviewed in comparison to the photos? We're looking at extra bags by the hauler, to determine whether invoice for extra bags is accurate. First charge for October 11, Ms. Chao said this was for tipping.

Ms. Chao: at this period, property owners would have had their previous hauler's cart there, so if when they were doing the switch they would have charged \$10 to empty it.

Ms. Moermond: lets delete that as a learning experience. November 8, they are charging 3, it looks like there are 4 large bags here, so this is a valid charge. November 15 there is an extra charge for 7 bags

Mr. Swanson: both cans are full well above the lid of the bins, so at least 2 each bin, around the base you see additional bags both in front and behind the cans so I think 7 bags is probably even under. So, it should stand.

Ms. Moermond: The next photo is from November 23, that's for 6 bags, Mr. Swanson?

Mr. Swanson: there's at least 3 in the closest bin, and 1 or 2 in the largest one, and at least 2 on the ground. I think 6 should stand.

Ms. Moermond: the next one is November 29. They are being charged 3 extra bags.

Mr. Swanson: 2 extra bags in the closest cart, and 1 in the farthest bin.

Ms. Moermond: I concur, next photo December 13 is for 7 extra bags.

Ms. Chao: it looks like both carts are propped open, and behind the carts it looks like there are 4 or 5 bags.

Ms. Moermond: I'll knock 2 bags off, so \$21 charge to a \$15 charge. The next week, December 20, four extra bags

Mr. Swanson: the closest cart has 2 extra bags, farthest has 1, and one in between carts for a total of 4.

Ms. Moermond: I see that as well. December 28, extra hauling medium cardboard box.

Mr. Swanson: 2 cardboard boxes, and additional bags in the carts as well.

Ms. Moermond: due to quality of the photo I'll get them down to 4 bags, so from \$18 to \$12. The cardboard box stands. Last one is from January 4, 2019, they want 15 extra bags.

Mr. Swanson: looking at this picture, unfortunately it's far away. Its filled beyond the

brim, and then there are piles of bags around the carts, it's hard to get a specific count on the bags, it seems like there's a lot of trash around and in the carts.

Ms. Moermond: I'm going to decrease it to 12 bags from 15.

Ms. Chao: we are removing 7 bags from the bill plus the 10 tipping, we would remove \$42.70 with tax.

Ms. Moermond: So reduce the bill to \$234.66.

Referred to the City Council due back on 9/11/2019

16 RLH TA 19-585 Ratifying the Appealed Special Tax Assessment for property at 877 CLARK STREET. (File No. CG1902E2, Assessment No. 190118)

Sponsors: Brendmoen

Approve the assessment. Staff to follow up with hauler for invoice with specific charges and contact PO with new account numbers.

Ms. Moermond: property owner says they literally have a bill saying they paid. Do we have one?

Ms. Chao: there's a copy of a Quarter 4 bill. This is an old account. We did look into this with Waste Management. He paid \$192.16 to the old account, which they found and applied to Quarter 4 bill. Then they paid their old account again, for \$552 which they reversed, and then the property owner never paid.

Ms. Moermond: what's the level of service that gets us to this charge?

Ms. Chao: a duplex, it was delivered two 64 gallon carts, so there are additional charges on this bill. We can ask Waste Management what the additional charges are, and contact the property owner and give him the new account numbers.

Ms. Moermond: approve the assessment if the charges are reasonable. If they want to dispute those, we can do that, but right now approve the assessment. Staff to follow up with the property owner.

Referred to the City Council due back on 9/25/2019

17 RLH TA 19-607 Ratifying the Appealed Special Tax Assessment for property at 612 COOK AVENUE EAST. (File No. CG1902E2, Assessment No. 190118)

Sponsors: Busuri

Recommendation forthcoming. Staff to follow up with hauler for invoice with specific charges.

Mr. Eugene Copeland appeared.

Chris Swanson staff report: appealing a \$44.78 assessment for Quarter 1, 2019. The reason for appeal is that the property owner claims protections under St. Paul charter section 8.05: Referendum shall be suspended in its operation as soon as a petition is found sufficient. Staff believes the charges should stand as the City ordinance regarding garbage hauling has not been suspended, all services and billing are valid and remain in effect, those that were not paid during Quarter 1 of 2019 will continue to

be assessed by the City consistent with the judge's orders.

Ms. Moermond: \$44.78 is an unusual charge level, what is that charge for? When you say judge's orders you mean the stay?

Mr. Swanson: I don't know the reason for the lower charge but we can double check that. Yes, the stay issued by the district court.

Ms. Moermond: so, you don't want to pay until the ruling?

Mr. Copeland: I have bills here, I'm wondering what these two are for?

Mr. Swanson: what I'm looking is a final notice periodic notice of non-payment for \$70.34 for Quarter 2 of 2019. This is for a small every week cart with no additional fees.

Mr. Copeland: I was a good guy who sent in the postcard to Michigan, then I got a cart I didn't order.

Ms. Moermond: you mean wrong size or you didn't want it at all?

Mr. Copeland: I asked for the small every other week cart, and got the large cart which I never would have ordered and didn't order. I take exception to Mr. Swanson's interpretation of what happened with the City. I was on the Charter Commission for 12 years. Then they threw it in the trash. The City had an option to use the charter to not do what they did and work themselves in the situation. In this case, October 31, the signatures were accepted by the elections manager. At that point the suspension under the charter kicked in, there was no additional action needed. This fiction created by Council because they had a contract. The kindness that he did you by suspending the suspension isn't relevant to the billing because it should have stopped in October. This is affecting recycling operations as well. There's no such thing as single sort, and it goes to the landfill and is burned. We are talking about a 50 million dollar fiasco. Citing referendum section of the charter, I think everyone's bill should be suspended and you should go to do something else for work. It's going to be 1993 all over again with the tax revolt.

Ms. Moermond: did you want the items in writing submitted to the record?

Mr. Copeland: no, this is all public charter.

Ms. Moermond: I'm going to ask staff to follow up with hauler to find out what is in this bill, since it's an unusual amount of money so it's clear what the charge is for. Please sign in with your email so we can send it to you as well. We'll find out what the amount is, I anticipate I will recommend approval of the assessment.

Referred to the City Council due back on 9/25/2019

18 RLH TA 19-605

Ratifying the Appealed Special Tax Assessment for property at 47 HATCH AVENUE. (File No. CG1902E2, Assessment No. 190118)

Sponsors: Brendmoen

No one appeared. Delete the assessment (billing error).

Referred to the City Council due back on 9/25/2019

- 19 RLH TA 19-637** Deleting the Appealed Special Tax Assessment for property at 1027 LAFOND AVENUE. (File No. CG1902E4, Assessment No. 190120)
- Sponsors: Thao
- No one appeared. Delete the assessment (resident had paid hauler).*
- Referred to the City Council due back on 9/25/2019**
- 20 RLH TA 19-627** Ratifying the Appealed Special Tax Assessment for property at 38 MANITOBA AVENUE. (File No. CG1902E2, Assessment No. 190118)
- Sponsors: Thao
- No one appeared. Delete the assessment (billing error).*
- Referred to the City Council due back on 9/25/2019**
- 21 RLH TA 19-625** Ratifying the Appealed Special Tax Assessment for property at 487 MARSHALL AVENUE. (File No. CG1902E2, Assessment No. 190118)
- Sponsors: Thao
- No one appeared. Delete the assessment (billing error).*
- Referred to the City Council due back on 9/25/2019**
- 22 RLH TA 19-650** Ratifying the Appealed Special Tax Assessment for property at 749 SIMS AVENUE. (File No. CG1902E2, Assessment No. 190118)
- Sponsors: Busuri
- Reduce assessment from \$288.24 to \$192.16 and delete Quarter 2, 2019 assessment.*
- Steve Vue appeared*
- Staff report Diana Chao: garbage service for 3 medium carts. Property owner says it is used as a duplex even though county says it's a triplex. He called December 28, 2018 and told them that the basement was a vacant unit. I'd like to reduce this \$192.16. I do see he has a pending assessment of \$96.08 for Quarter 2, which I recommend deleting because he paid the 2 cart charge.*
- Ms. Moermond: So if we take this \$288.24 charge and reduce it to \$192.16 today, and delete quarter 2 assessment, we can do both those today. You'll get a letter about a hearing later about the second quarter bill, ignore it because we're going to take care of it today.*
- Mr. Vue: The first quarter, October to December they charged me \$288.24. I did pay for that, but I don't owe, I told them that. Then January to March they charged me again, and I didn't pay for it. Then billed me April to June, I did pay that, \$192.16. I did pay for that. They still billed me \$96.00 additional, which I didn't pay for. Its only 2 units, the basement isn't livable. They put a bedroom down there, the City said I should remove the room which I did.*
- Referred to the City Council due back on 9/25/2019**

10:30 a.m. Hearings

- 23 RLH TA 19-610** Ratifying the Appealed Special Tax Assessment for property at 493 LYNNHURST AVENUE WEST. (File No. CG1902E3, Assessment No. 190119)
- Sponsors:** Jalali Nelson
- Reduce assessment from \$228.31 to \$198.52.*
- Ms. Moermond: Remove late fees, bill was going to previous owner. Do we know when owner took possession of property?*
- Diana Chao: January 19, 2019, so Quarter 1 had already gone out*
- Referred to the City Council due back on 9/25/2019**
- 24 RLH TA 19-653** Ratifying the Appealed Special Tax Assessment for property at 1952 5TH STREET EAST. (File No. CG1902E3, Assessment No. 190119)
- Sponsors:** Prince
- No one appeared. Delete the assessment (resident had paid hauler).*
- Referred to the City Council due back on 9/25/2019**

11:15 a.m. Hearings

- 25 RLH TA 19-628** Deleting the Appealed Special Tax Assessment for property at 1021 CHARLES AVENUE. (File No. CG1902E4, Assessment No. 190120)
- Sponsors:** Thao
- No one appeared. Delete the assessment (resident billed for vacant side of duplex).*
- Referred to the City Council due back on 9/25/2019**
- 26 RLH TA 19-572** Ratifying the Appealed Special Tax Assessment for property at 402 MINNEHAHA AVENUE WEST. (File No. CG1902E4, Assessment No. 190120)
- Sponsors:** Thao
- Reduce assessment from \$229.58 to \$198.52.*
- Kenneth Ostlie appeared.*
- Staff report by Diana Chao: Pending assessment is \$229.58 the reason for appeal is the billing was sent to the wrong address, supposed to be sent to Property tax address not the service address. Staff recommends removing the late fees as Republic did have a billing issue, so we'd like the late fees deleted.*
- Mr. Ostlie: this is more than just this quarter's error. It started at implementation. Until*

we contacted them in March and paid our third of the assessment for the March – July. They still had the wrong address. But apparently the addresses sent to Republic were wrong. I have the first 2 bills here from republic, Q4 2018 and Q1 2019. It lists the Minnehaha address, until we called republic in March we never got a bill or notification of late payment. It was a total surprise to us to see the ratification assessment announcements. When I called, Public Works had the correct address, the mystery was how did they give an incorrect address to Republic. We've never been a Republic customer, so it had to come from the City.

Mr. Swanson: the City did provide Republic list including service address and primary tax address. Republic was supposed to use the primary tax address. Republic failed to use the address we sent them.

Mr. Ostlie: because of health issues I couldn't request the same hearing possibility in Quarter 4, 2018. It extends to 2018. Its been rectified so there shouldn't be further issues. I am prepared to pay the garbage fees and not any late fees or associated penalties.

Ms. Chao: we don't see a pending assessment for Quarter 4, 2018.

Mr. Ostlie: we got one from Quarter 4 2018, I only have this current one.

Ms. Moermond: the computer system isn't showing you had an assessment for nonpayment in the fourth quarter. You probably paid the bill?

Mr. Ostlie: my wife might have paid it.

Mr. Swanson: Republic did send over an amount of \$208.76 for quarter 4, which is \$10.27 in late fees.

Ms. Moermond: what kind of carts do we have?

Ms. Chao: one 64 gallon and one 94 gallon. I think the price amount was different because of late fees.

Ms. Moermond: I'd like to remove the Quarter 4 late fees, \$10.24, so the Quarter 1 bill should be \$188.25. We're removing late fees for Quarter 1 and because we can't remove late fees already paid for Quarter 4, we're doing that on this assessment as well, that gets you down to \$188.25 for this current assessment.

Referred to the City Council due back on 9/25/2019

27 RLH TA 19-608 Deleting the Appealed Special Tax Assessment for property at 441 RUTH STREET. (File No. CG1902E4, Assessment No. 190120)

Sponsors: Prince

Delete the assessment.

Vickie Byrd – Estes appeared

Staff report by Swanson: this is for \$36.79 service in Quarter 1 2019, appealing because the size cart wasn't available in January and it was delivered much later, but was still charged for the larger size. Staff says property owner contacted Highland Sanitation on January 25, 2019, to remove two 64 gallon medium carts, delivered two

35 gallon weekly carts. Highland completed the request on January 31, 2019. Highland informed her she needs to pay the quarter 1, 2019 bill in full and then the adjustment for the cart size change would appear on the Quarter 2 bill. The property owner short paid the quarter 1 invoice, Highland sent that outstanding amount to the City. The adjustment was correctly applied to the cart size switch to quarter 2 invoice by Highland, and owner has now paid that full.

Ms. Moermond: there was a credit on Quarter 2, despite her short paying the Quarter 1 bill. Does this fee include any late charges?

Ms. Byrd – Estes: I missed the deadline, I have a side by side duplex, so having 2 64 gallon carts, I was told to call back the end of December and put in the request, which I did and they told me they didn't have any carts available yet. I said when will you get it? They got them in February. They have a transfer credit on mine, which was sent to the city as an assessment along with the late fees.

Mr. Swanson: can I look at the notices of nonpayment?

Ms. Byrd – Estes: I did everything I could. I don't want to be billed for something I don't need. I contacted them as soon as I knew who my new hauler was.

Mr. Swanson: the 31 of January was when they were physically able to switch out the cart.

Ms. Byrd – Estes: it didn't happen until February.

Mr. Swanson: there is a difference of \$24.70 before they put on late fees.

Ms. Byrd – Estes: they prorated, but what about January?

Ms. Chao: The difference between two 64 gallon carts and two 35 weekly carts is \$51.48. But my understanding is they probably prorated it. So if you divide it by three its \$17.16. So, they probably credited her \$34.32.

Ms. Moermond: and then its late fees on \$34.32?

DC: No. There's a difference between the credit and the short pay. She did her own math and short paid \$24.70.

Ms. Moermond: I think there as a good faith effort to try to get the cart switch done, and I recommend this gets deleted.

Referred to the City Council due back on 9/25/2019

- 28 RLH TA 19-626** Deleting the Appealed Special Tax Assessment for property at 435 VAN BUREN AVENUE. (File No. CG1902E4, Assessment No. 190120)

Sponsors: Thao

No one appeared. Delete the assessment (resident had paid hauler).

Referred to the City Council due back on 9/25/2019

- 29 RLH TA 19-652** Deleting the Appealed Special Tax Assessment for property at 517 CENTRAL AVENUE WEST. (File No. CG1902E4, Assessment No.

190120)

Sponsors: Thao

Delete the assessment.

Rachel Shockley, owner, appeared.

Staff report by Diana Chao: pending assessment for \$4.06, likely a late fee. Ms. Shockley paid the bill February 12, and doesn't believe she should have any late fees.

Ms. Moermond: recommend deletion of the late fee.

Ms. Shockley: I have a bank statement showing I paid the late fee. That's why I'm so frustrated.

Ms. Chao: it's ridiculous they're sending you back to the City when it's clear they have records to show this.

Ms. Moermond: so, can we send a formal email to them alerting them?

Mr. Swanson: yes, I will do that.

Ms. Moermond: Mr. Swanson is going to formally notify them that you shouldn't have had this done to your account.

Ms. Shockley: they threatened to put it on my taxes.

Ms. Moermond: that is so wrong, what authority do you have Mr. Swanson?

Mr. Swanson: we have the authority to look at next steps in the contract to address the issue.

Ms. Shockley: I don't mind paying if I'm late, but when they know they already charged me.

Ms. Moermond: they didn't handle it correctly or with dignity. We will make sure they are aware and that we find it unacceptable. I'm sorry you went through this.

Referred to the City Council due back on 9/25/2019

30 RLH TA 19-651

Deleting the Appealed Special Tax Assessment for property at 652 IGLEHART AVENUE (File No. CG1902E4, Assessment No. 190120)

Sponsors: Thao

Delete the assessment.

Chris Swanson spoke with the property owner, but he had to leave.

Staff recommends removal of this assessment, they paid Republic, and it shows Republic cashed the check March 30, 2019. I suspect they weren't able to have that reflected in the assessment list because they did their list early, before that time.

Referred to the City Council due back on 9/25/2019

Special Tax Assessments - ROLLS

- 31 RLH AR 19-98** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2019. (File No. CG1902E1, Assessment No. 190117)
Sponsors: Brendmoen
Referred to the City Council due back on 9/25/2019
- 32 RLH AR 19-99** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2019. (File No. CG1902E2, Assessment No. 190118)
Sponsors: Brendmoen
Referred to the City Council due back on 9/25/2019
- 33 RLH AR 19-100** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2019. (File No. CG1902E3, Assessment No. 190119)
Sponsors: Brendmoen
Referred to the City Council due back on 9/25/2019
- 34 RLH AR 19-101** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2019. (File No. CG1902E4, Assessment No. 190120)
Sponsors: Brendmoen
Referred to the City Council due back on 9/25/2019