



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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Thursday, January 16, 2020

9:00 AM

Room 330 City Hall & Court House

Special Tax Assessments

9:00 a.m. Hearings

- 1 **RLH TA 19-926** Ratifying the Appealed Special Tax Assessment for property at 25 DELOS STREET WEST. (File No. CG1903A3-1, Assessment No. 190164)

Sponsors: Noecker

Reduce assessment from \$354.29 to \$308.08.

No one appeared

Staff report by Clare Pillsbury: this for \$354.29 for Quarter 2, 2019. When they received their bill in the amount of \$141.81, they paid that bill, along with their previous overdue bills, which amounted to \$308.08 in service fees and late fees totalling \$48.55. In October 2019 the resident received notice of pending assessment is \$356.63. They believe they should not have to pay since they already made the payment in July 2019. After reviewing, staff recommends eliminating the late fees totaling \$48.55 and reducing to \$308.08 since the payment by the resident was made in July, the Quarter 2 delinquent bill would have been sent to the City already, therefore a credit would have been put on their account.

Moermond: so we're looking at \$354.29, \$48.55 of which is late fees. They accrued from fourth quarter through the second quarter?

Pillsbury: the late fees accrued on the total of \$308.08, which covers Quarter 4, 2018 to Quarter 2, 2019. So, three quarters.

Moermond: why are they coming through as a bunch, as opposed to handling them individually?

Pillsbury: at this point I believe Republic recognized their error, so they sent a bill out for all three. Before they were sending the bills to the wrong place.

Moermond: do you have the list sent to Republic, does it have the correct address? Because this should go on their list if we told them the correct address, and they used the wrong address, then they start sending late fees and costing this person how many

tens of hours does she describe in this trying to straighten this out. That's poor customer service on their part. What did we tell them originally?

Pillsbury: we will need to check and follow up after the hearing.

Moermond: so no question we want to reduce by the \$48.55 in late fees. My ask is going to be to follow up with the bill payer, and tell them we heard your concern, it has caused a lot of confusion, we either did send them the right address and we're following up with them, or we didn't and County records were not in sync and we apologize.

Pillsbury: we have been in touch with her, I will follow up again and speak with her.

Moermond: I just think if I took the time to write that much, I must be pretty hot.

Sarah Haas, Public Works: the billing address from the hauler from day 1 to now was the Dodd Road address.

Moermond: so let them know that it was Republic and it will go on their customer service complaint list.

Referred to the City Council due back on 3/11/2020

2 RLH TA 20-57

Ratifying the Appealed Special Tax Assessment for property at 828 FAIRMOUNT AVENUE. (File No. CG1904A2, Assessment No. 190145)

Sponsors: Noecker

Delete the assessment.

No one appeared.

Staff report by Clare Pillsbury: this assessment is for \$117.79 for a large cart and 3 late fees, Quarter 3, 2019. This is one where it should have been removed as an assessment, per Waste Management request.

Moermond: so recommended.

Referred to the City Council due back on 3/11/2020

3 RLH TA 20-52

Ratifying the Appealed Special Tax Assessment for property at 1459 FAIRMOUNT AVENUE. (File No. CG1904A2, Assessment No. 190145)

Sponsors: Tolbert

Approve the assessment.

No one appeared.

Staff report by Clare Pillsbury: \$9.60 for late fees for one medium cart, Quarter 3, 2019. Appealing because resident states their bill was doubled for being a duplex and doesn't want or need two bins. Staff comments are under Citywide Garbage service, all residential properties with up to four units, including rental homes and townhomes, are required to have garbage cart and service for each dwelling unit, with no option to opt out. Staff recommends approving the assessment.

Moermond: duplex with two containers, he doesn't want to pay for two containers

because he doesn't like the program. So he paid for the container, but paid late. Recommend approval.

Referred to the City Council due back on 3/11/2020

- 4 RLH TA 20-35** Ratifying the Appealed Special Tax Assessment for property at 1562 GOODRICH AVENUE. (File No. CG1904A2, Assessment No. 190145)

Sponsors: Tolbert

Approve the assessment.

No one appeared.

Staff report by Clare Pillsbury: appealing \$69.95 for Quarter 3, 2019. Resident states that they have never had one piece of garbage collected and returned my cart.

Moermond: so she has a fair number of comments handwritten on an invoice. In cases where someone has returned the cart and refused participation the City has gone with the lowest possible bill, which is a small cart every other week. I will recommend approval of that. I'm curious, if someone in that circumstance decides they do want a cart?

Pillsbury: she can just call the hauler.

Referred to the City Council due back on 3/11/2020

- 5 RLH TA 20-54** Ratifying the Appealed Special Tax Assessment for property at 941 HAGUE AVENUE. (File No. CG1904A1, Assessment No. 190144)

Sponsors: Tolbert

Approve the assessment.

No one appeared

Staff report by Clare Pillsbury: this is for \$117.80 for quarter 3, 2019. Resident states they submitted a money order of Republic services to pay the quarter 3 bill. Staff comments are payment was reported as never received by Republic. Due to lack of evidence of payment from the resident, staff recommends approval.

Moermond: yeah, without any additional information.

Pillsbury: she said she paid with a money order but didn't provide a receipt.

Moermond: Republic Services provided a screenshot of this account's information, it doesn't show there was a payment in the third quarter, it shows payment March 11, May 11 and December 2, so that leapfrogs over the relevant time period. Recommend approval.

Referred to the City Council due back on 3/11/2020

- 6 RLH TA 20-22** Ratifying the Appealed Special Tax Assessment for property at 923 LINCOLN AVENUE (File No. CG1904A2, Assessment No. 190145)

Sponsors: Noecker

Delete the assessment.

No one appeared

Staff report by Clare Pillsbury: This is for \$80.87 for quarter 3, 2019. Stated reason for appeal is that on previous hearing on October 3, 2019 9:45 am determined all charges previous to the date of October 3, 2019 were null and void. Staff comments are that it appears that a cart was not delivered to the property until October 2019, therefore staff recommends removing the assessment.

Moermond: so recommended, delete the assessment.

Referred to the City Council due back on 3/11/2020

- 7 [RLH TA 19-829](#) Ratifying the Appealed Special Tax Assessment for property at 559 MCKNIGHT ROAD SOUTH. (File No. CG1903B1, Assessment No. 190125) (To be referred back to Legislative Hearing on January 16, 2020; City Council public hearing to be continued to March 11, 2020)

Sponsors: Prince

Layover to LH April 24, 2020. Council PH May 20. Rescheduled per owner's request.

No one appeared

Moermond: this we are referring to April 24. Do we have a Council date we can put on that? Lets do May 20 for the Council date, and lets tell him that and there's no future rescheduling. Lets tally the number of times he's rescheduled and reflect that in the letter, so our attorneys can look at that if they need to.

Laid Over to the Legislative Hearings due back on 4/23/2020

- 8 **RLH TA 20-55** Ratifying the Appealed Special Tax Assessment for property at 559 MCKNIGHT ROAD SOUTH. (File No. CG1904B1, Assessment No. 190148)

Sponsors: Prince

Layover to LH April 24, 2020. Continue Council PH to May 20. Rescheduled per owner's request.

No one appeared

Moermond: this we are referring to April 24. Do we have a Council date we can put on that? Lets do May 20 for the Council date, and lets tell him that and there's no future rescheduling. Lets tally the number of times he's rescheduled and reflect that in the letter, so our attorneys can look at that if they need to.

Referred to the City Council due back on 3/11/2020

- 9 **RLH TA 20-47** Ratifying the Appealed Special Tax Assessment for property at 1003 SUMMIT AVENUE. (File No. CG1904A2, Assessment No. 190145)

Sponsors: Thao

Approve the assessment.

No one appeared

Staff report from Clare Pillsbury: This is for \$115.66 for garbage service quarter 3, 2019. Resident states that the medium cart was never used and after repeated requests was finally picked up. The large cart we use and is fully paid. All incorrect charges/assessments should be cancelled and resolved. Staff comments are under Citywide Garbage service, all residential properties with up to four units, including rental homes and townhomes, are required to have garbage cart and service for each dwelling unit, with no option to opt out. This property is registered [classified] as a two family dwelling and the resident has requested both a large and medium cart, and resident is still required to pay for services even if cart wasn't used. Therefore, staff recommends approving the assessment.

Moermond: I will recommend approval of the assessment. We should talk about the properties being classified as 2 family dwellings. There's no registration.

Referred to the City Council due back on 3/11/2020

10 RLH TA 20-51

Ratifying the Appealed Special Tax Assessment for property at 2016 UPPER AFTON ROAD. (File No. CG1904A1, Assessment No. 190144)

Sponsors: Prince

Approve the assessment.

Ed Karow, owner, appeared

Staff report by Clare Pillsbury: appealed tax assessment for \$9.82 for one late fee for medium cart and one large cart, July Quarter 3, 2019. Appealing because of overbilling and number of necessary garbage cans assigned to property. Staff comments are property is registered as a 2 family dwelling so its required to have two carts, there is no option to opt out.

Moermond: payment was received 3 or 4 weeks after it was due. Mr. Karow what are you looking for today?

Karow: everything she said was on par. I was disgruntled because of the current regulations because of requiring numbers of containers per units. I have one 96 gallon and one 64 gallon. I've been at the property since 2001, the entire time I have been there we've never needed more than one 96 gallon container. It's a little bit of a protest on my part. I paid the fee and the taxes and I didn't pay for the 64 gallon, so there is a bill out there for that. I don't have the physical area on my property to hold up to four cans, with the 2 recycling. It looks like a dump. By not paying that, it got me to this point, I get it may not be the point today, if I have to pay it, I have to pay it. I'll take care of it. The point is I feel I am being grossly overcharged for this, its \$74/quarter. Everyone tells me to downsize, that's not the point I don't have room for the smaller ones anyways. They tell me to bring it up to you and consider it for 5 years down the road. That's \$1,483 out of my pocket by then. That's a lot of money for a service I'm not using. That's what I want on the record, and eliminate if I can. How can we do that?

Moermond: let me unpack this a little bit. First, having to do with the can size and amount of service, I heard you say that in the past 96 has been sufficient for both units, and right now there is a 96 and a 64. So, we've got a lot more size, I understand

the cart doesn't get that much smaller if you go to a small 35 gallon, but it would help your bill. It won't be a ton at once but it adds up over 5 years. I'm gathering this is an investment property?

Karow: I live there.

Moermond: the thing you get that would be better with a large and medium, you get more bulky items to dispose of. You get 3 bulky items with both large and medium carts. I often hear when people have tenants they have these things to take care of, so I like to bring it up.

Karow: its not an issue.

Moermond: if you go to two small cans, you'd get 4 bulky items vs. the 6 you get now. If you did two small containers every week it would be \$140 vs. \$160 you pay now. It's not a big drop, but it would add up over time. Your comments about duplex using larger shared containers, you can imagine I have heard this before, the people negotiating have heard this loud and clear and you are reinforcing that message. It started in October 2018, but it will be another year or two and the City will be putting together specs and talk about what the next contract will look like. So your comments do pertain to the next one. This informs the substance of the contract and gives voice when the haulers say "we don't think that." It helps the City's ability to negotiate. Everything that happens here is recorded and looked at by Council and Public Works. I can deal with the cart size and the late fee.

Karow: \$10 is \$10. \$1,400 is a lot.

Moermond: I don't have the ability to change the number of carts.

Karow: I honestly don't have the space for all of these. I realize photos don't do it justice, but I did bring a photo. That's by my backdoor. I can't line four of them up by the driveway. Its far from ideal, that's my challenge. 8 inches isn't going to make a difference.

Moermond: I hear where you're coming from. Do you want to decrease your container size, I understand the footprint isn't much smaller, but dollar wise is it something you want to pursue?

Karow: no.

Moermond: so you're fine with what you have?

Karow: no, I'm not. But the dollar amount isn't that big overall.

Moermond: you don't want a smaller container either for the money or the footprint it saves.

Karow: yes. I just want to get my point across. I know you're trying, I understand how the system works. We have 3.5 years to go, but that's my point.

Moermond: I've heard you, we have a record, if there are additional things if you want to add to the record please send it, I'm going to recommend approval of the \$9.92, since there is a late fee you're not disputing. I appreciate you coming down here.

Karow: its not that I don't want change, that's not what I'm looking for what you have offered. I do want change, but that's not what I'm looking for, I appreciate your time. I have an outstanding bill form the 64 gallon container as well. If you look at the bill I paid late, the bill I paid I wrote a check for the 96 gallon container, the tax and the service charge, I didn't pay for the 64. That was the last billing cycle.

Moermond: that's not in front of me, but that's something Public Works staff can look at and help you

Referred to the City Council due back on 3/11/2020

10:00 a.m. Hearings

- 11 RLH TA 20-37** Ratifying the Appealed Special Tax Assessment for property at 48 BELVIDERE STREET EAST. (File No. CG1904A4, Assessment No. 190147)

Sponsors: Noecker

Approve the assessment.

No one appeared.

Staff report from Clare Pillsbury: this is for \$69.95 for service Quarter 3, 2019. Resident is appealing because they state they are not paying for something I did not sign up for and is being forced to participate. Taxation without representation. Staff comments are under Citywide Garbage service, all residential properties with up to four units, including rental homes and townhomes, are required to have garbage cart and service for each dwelling unit, with no option to opt out. The property owner is responsible for paying the outstanding charge, as service was provided.

Moermond: in terms of taxation without representation, it was on the ballot and there were public hearings. The people voting on it were elected. Recommend approval.

Referred to the City Council due back on 3/11/2020

- 12 RLH TA 19-935** Ratifying the Appealed Special Tax Assessment for property at 2054 FOURTH STREET EAST. (File No. CG1903E2-1, Assessment No. 190166)

Sponsors: Prince

Approve the assessment.

No one appeared

Staff report from Clare Pillsbury: This is for \$301.25 for service Q3, 2019. In April 2019 resident received invoice with back charges for quarter 4, 2018 and quarter 2, 2019 as well as current charges for quarter 2, 2019 for a large cart. Resident claims that they should have been charged for a medium cart instead. They have paid \$231 to Republic in response to the invoice sent in April 2019 as they feel that is what they fairly owe. After reviewing resident's complaint, we found that as of December 9, 2019 Republic had credited the correct amount to the resident's account. Staff recommends approving the assessment.

Moermond: walk me through what is going on. We have a fourth quarter bill in play, what happened in the fourth quarter 2018?

Pillsbury: the account of the resident was closed October 1, 2018. So the customer did not move in until November, that amount was credited for \$35.05. Then, \$307.33 is 3 quarters of a large cart. They credited him the one month of not living in the house and the late fees, and the difference between the large and medium cart for 3 months. That's for the fourth quarter.

Moermond: did that go to assessment?

Pillsbury: that went to assessment.

Moermond: all I heard was they were credited in the fourth quarter, and it's written up as having affected the quarter in front of us.

Pillsbury: he got his first bill the second quarter of 2019.

Moermond: so who got the bills for first quarter of 2019?

Pillsbury: there was no bill sent, which is why he got the cumulative bill.

Moermond: so they want us to assess for the fourth quarter adjusted bill, the first quarter bill, and the second quarter bill?

Pillsbury: the late fees were credited by Republic, and the month he was not living in the house, and they also credited the difference between the large cart and medium cart.

Moermond: so they adjusted the bill and then sent it for all those time periods at once, and then when it wasn't paid it was sent to us to assess.

Pillsbury: yes.

Moermond: have you communicated with the customer on this one?

Pillsbury: I did. He agrees with the amount credited. I think his argument was not actually living in the house until February, but records from Republic say otherwise.

Moermond: what do the records from Republic say?

Pillsbury: it's mixed. He called and closed the account October 1, 2018. The first phone new phone call from Andrew was on June 24, 2019, when he said he didn't move in until November. It's mixed information given. That was the last information they got from him regarding move in date.

Moermond: if we pull this one up in the system Ms. Vang, was this a registered vacant building or any other cue as to when it might be able to be moved into?

Sarah Haas, Public Works: it closed October 18, 2018.

Vang: not a vacant building. Just TISH in 2018.

Moermond: if he has better information that is great, but as it is right now recommend approval.

Referred to the City Council due back on 3/11/2020

- 13 RLH TA 20-53** Ratifying the Appealed Special Tax Assessment for property at 72 SIDNEY STREET EAST. (File No. CG1904A4, Assessment No. 190147)

Sponsors: Noecker

Approve the assessment.

No one appeared

Moermond: this is a third quarter bill?

Staff report from Clare Pillsbury: yes. This is an appeal \$107.22 for Quarter 3, 2019. Resident states they had already paid the bill October 10, 2019 per my Wells Fargo bank account. Payment was not submitted until October 16, 2019 which was after the delinquent account was sent for pending assessment. Therefore the payment was applied as a credit to their account, we recommend approval.

Moermond: this is the third quarter bill, July to September. He paid 2 weeks after it was sent to the City, so he got a credit. Makes sense, lets recommend approval.

Referred to the City Council due back on 3/11/2020

11:00 a.m. Hearings

- 14 RLH TA 20-34** Ratifying the Appealed Special Tax Assessment for property at 335 ARBOR STREET. (File No. CG1904B1, Assessment No. 190148)

Sponsors: Noecker

Approve the assessment.

No one appeared.

Staff report by Clare Pillsbury: this is for \$80.87 for service for a small cart, quarter 3, 2019. Resident is appealing saying they will never pay Waste Management even one cent, I fired them once before as they were good at billing but poor at doing any work. Staff comments are under Citywide Garbage service, all residential properties with up to four units, including rental homes and townhomes, are required to have garbage cart and service for each dwelling unit, with no option to opt out. The property currently has a 35 gallon small cart. \The property owner is responsible for paying the outstanding charge, as service was provided.

Moermond: recommend approval.

Referred to the City Council due back on 3/11/2020

- 15 RLH TA 20-48** Ratifying the Appealed Special Tax Assessment for property at 1243 PALACE AVENUE. (File No. CG1904B1, Assessment No. 190148)

Sponsors: Tolbert

Delete the assessment.

No one appeared

Staff report by Clare Pillsbury: essentially the current resident passed away in October 28, 2019 and we're waiving the assessment for good intentions.

Moermond: so recommended.

Referred to the City Council due back on 3/11/2020

16 RLH TA 20-49

Ratifying the Appealed Special Tax Assessment for property at 766 SYNDICATE STREET SOUTH. (File No. CG1904B2, Assessment No. 190149)

Sponsors: Tolbert

Delete the assessment.

Joseph Jansen, owner, appeared

Patrick, his assistant, appeared

Staff report by Clare Pillsbury: this is for \$9.10 for garbage service Quarter 3, 2019. Resident states this was for a missed pickup in July 2019. Staff comments are that haulers are not required to reimburse for a missed pickup, they didn't pay \$4.25 of the quarter 3 bill due to the missed pickup which incurred a late fee of \$4.85 for a small 35 gallon cart. Staff recommends reducing the assessment by \$1.33 for a total of \$7.77.

Moermond: tell me about that.

Jansen: she did a nice job working with me on the phone collecting this information. I appreciate having one garbage truck coming through our neighborhood on Tuesday, that part of our system is working well. I voted no on the referendum because I think there are several things in the system that need to be looked at.

Moermond: so you want to create a record on the program itself. This is useful when the City is putting together the specs for the next contract, those will include points that have come up in conversation with residents, in that context I'm happy to hear anything you want to say.

Jansen: we had Pete's rubbish, they did fine for a year, and then July 2 week, I noticed I had a bag of rubbish that I brought home with me and the can was still full. It hadn't been picked up. so when Pete's bill came, I did some math and I deducted \$4.25 for the value of one pickup. I was looking for an "argument", I didn't anticipate all this happening. As a business owner if one of my clients took a \$4 deduction I'd probably just move on. Their response was its not allowed in the contract to allow for a missed pickup. Then they said I didn't have my can in the correct place. It was in the same place it has always been in, I was gone that week so maybe someone bumped it, but I wasn't there to see if it was in the exact position. It was never an issue before with Pete's. About a week later I see Pete's was sold to Waste Management, the 9th of July Waste Management picked up and they charge me \$3 extra bag fee because I had that extra bag fee since they didn't pick up the week before.

Moermond: did you call Waste Management?

Jansen: no, I didn't even notice this until I talked to Ms. Pillsbury. I have automatic payments, so I didn't pay too much attention. It's the one thing leading to another and getting nickel and dined by the garbage company. I'm convinced Pete's didn't care at that point because they already had their deal cut.

Moermond: In terms of your ability to get the customer service you should have gotten, lets call it a mulligan and delete the assessment. We probably shouldn't have even been talking about this, it seems like a customer service issue, you having to deal with the bureaucracy shouldn't have happened.

Jansen: it's a customer service issue. Pete's response was "it is not in the contract."

Moermond: and I think that was a throwaway response so they didn't have to deal with the question at hand.

Jansen: it's a customer service thing at the end of the day.

Moermond: it means nothing since you paid for parking and you're here taking time out of your real life, I'm sorry the transition went badly, that wasn't the right message, let alone how it was delivered, all I can do is make it go away. Its insignificant in the grand scheme of things.

Jansen: and I came down to see how this all works too. Next time if I get a late fee, I'm just going to pay it.

Moermond: and you can appeal online and put comments, and even if you aren't here we are still talking about them, and we do reduce if its applicable. It's a check and balance too.

Referred to the City Council due back on 3/11/2020

- 17 RLH TA 20-36** Ratifying the Appealed Special Tax Assessment for property at 2028 UPPER SAINT DENNIS ROAD. (File No. CG1904B2, Assessment No. 190149)

Sponsors: Tolbert

Approve the assessment.

Staff report by Clare Pillsbury: this is for \$127.50 for garbage service quarter 3, 2019. Resident says they paid the bill. Staff comments are that resident made out check #1313 for \$108.00 to Waste Management on September 19, but they didn't receive the check until October 16, 2019, after the balance was submitted to the City. The amount was credited to the account. Staff recommends approving the assessment.

Moermond: backside of the check does indicate it was deposited October 16, so maybe they forgot to mail it. The posting date is pretty clear. I'm going to recommend approval of the assessment.

Referred to the City Council due back on 3/11/2020

Special Tax Assessment - ROLLS

- 18 RLH AR 20-14** Ratifying the assessment for the City's cost of providing Collection of

Delinquent Garbage Bills for services during July to September 2019.
(File No. CG1904A1, Assessment No. 190144)

Sponsors: Brendmoen

Referred to the City Council due back on 3/11/2020

- 19 RLH AR 20-15** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during July to September 2019.
(File No. CG1904A2, Assessment No. 190145)

Sponsors: Brendmoen

Referred to the City Council due back on 3/11/2020

- 20 RLH AR 20-16** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during July to September 2019.
(File No. CG1904A3, Assessment No. 190146)

Sponsors: Brendmoen

Referred to the City Council due back on 3/11/2020

- 21 RLH AR 20-17** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during July to September 2019.
(File No. CG1904A4, Assessment No. 190147)

Sponsors: Brendmoen

Referred to the City Council due back on 3/11/2020

- 22 RLH AR 20-18** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during July to September 2019.
(File No. CG1904B1, Assessment No. 190148)

Sponsors: Brendmoen

Referred to the City Council due back on 3/11/2020

- 23 RLH AR 20-19** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during July to September 2019.
(File No. CG1904B2, Assessment No. 190149)

Sponsors: Brendmoen

Referred to the City Council due back on 3/11/2020