



Minutes - Final

Legislative Hearings

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651-266-8585

Thursday, January 7, 2021

9:00 AM

Remote Hearing

9:00 a.m. Hearings

- 1 **RLH TA 21-31** Ratifying the Appealed Special Tax Assessment for property at 143 BAKER STREET WEST. (File No. CG2004A1, Assessment No. 200163)

Sponsors: Noecker

Refer back to LH on April 15, 2021 at 9 am.

No one appeared

Moermond: there was a request by the property owner to reschedule. She will be out of the country you said?

Clare Pillsbury: yes, she'd like it rescheduled for April 15 at 10 am.

Moermond: we will handle this with the 4th quarter assessments, sounds good. We will ask Council to refer it back to Legislative Hearing April 15.

Referred to the City Council due back on 3/3/2021

- 2 **RLH TA 21-29** Ratifying the Appealed Special Tax Assessment for property at 730 BELLOWS STREET. (File No. CG2004A1, Assessment No. 200163)

Sponsors: Noecker

Approve the assessment.

No one appeared

Staff report by Clare Pillsbury: they called me a couple days ago and said they agree with the recommendation and won't be attending. This is a special tax assessment for a total of \$99.43 for quarter 3, 2020 for a large cart. Hauler is Republic. The property owner is appealing because the bill was paid October 2, and said Republic has record & receipt of the payment. The hauler records show they did receive a payment October 2, however since Quarter 3 had already been sent to the City to be assessed on October 3, it should have been paid to the City. The payment was applied to the quarter 4, 2020 invoice. I will also note because the payment was received after September 30, the last day to make a payment for Quarter 3, it would have been

applied to quarter 4.

Moermond: so the check was received, but it was late. It was applied to next quarter. They understand what happened now. Recommend approval.

Referred to the City Council due back on 3/3/2021

3 RLH TA 21-5

Ratifying the Appealed Special Tax Assessment for property at 696 CONCORD STREET. (File No. CG2004A1, Assessment No. 200163)

Sponsors: Noecker

Approve the assessment.

Tried calling 9:16 am 1/7/21: "unable to complete the call"

Tried calling 9:29 am 1/7/21: "unable to complete the call"

No one appeared

Moermond: so we tried on two occasions the number we were able to locate for this property owner. There are two owners, Dawn Christiansen and Carter Turner. We understand Ms. Christiansen has passed. The phone number we have isn't being answered and hasn't been answered when staff has reached out the last couple of weeks. We assume it has been disconnected relating to Ms. Christiansen's passing. The written statement provided by the owner was written on the final notice before its assessment to the taxes. The note said "No Garbage Service at this address. We recycle, compost, and have zero garbage. Can has been upside down for 4 months. This is fraud!! No service rendered!! We owe \$0.00 in perpetuity." Then they made another note further down "fraud" by the \$66.20 total. So they are representing themselves as a zero waster and believe they shouldn't have to participate financially in the garbage hauling program. How does staff typically handle this?

Staff report by Clare Pillsbury: Under citywide garbage service all residential properties with up to four units, including rental homes and town homes, are required to have a garbage cart and receive garbage service for each dwelling unit. Property owners must provide garbage service for all occupied dwellings. There is no option to opt out of the citywide garbage service. The property owner is responsible for paying the outstanding charge, as garbage service was provided from July - September 2020. Staff recommends approving the assessment. I do want to add they are receiving the smallest cart and lowest level of service.

Moermond: so people who emphatically want to be removed from the program isn't allowed under City contract and code. It is our practice to give them the smallest possible bill which is the every other week small cart. Therefore I am going to recommend approval of the assessment as proposed. We do have an email for Carter Turner. We can email them and indicate we reviewed their notes and have approved and will give options for contesting if they choose to.

Referred to the City Council due back on 3/3/2021

4 RLH TA 21-19

Ratifying the Appealed Special Tax Assessment for property at 734 HALL AVENUE. (File No. CG2004A1, Assessment No. 200163)

Sponsors: Noecker

Reduce assessment from \$186.14 to \$93.07.

No one appeared

Staff report by Clare Pillsbury: I spoke to the property owner and they won't be attending. This is for \$186.14 for quarter 3, 2020. Property owner stated they are being charged both a 64-gal cart and a 35-gal cart on their property when they only have a 64-gal cart on their property. They submitted a vacancy on December 19, 2019. Staff confirmed that there was a work order for the Unoccupied Dwelling Registration Form submitted by the City on December 19, 2019. The vacancy would have been effective starting January 1, 2020. At the time, the property had two 64-gallon carts. The Unoccupied Dwelling Registration Form was for one of the residential dwelling units the hauler should have removed one of the 64-gallon carts. Therefore, staff is recommending reducing the assessment to \$93.07, the cost of a single 64-gallon cart.

Moermond: so service should have stopped January 1, 2020. Are there assessment for first and second quarter of 2020 that were incorrect?

Pillsbury: yes and we are having the hauler credit any additional payments beyond the \$93.07.

Moermond: and the forthcoming assessment for the fourth quarter?

Pillsbury: yes, that has been addressed by the hauler and will be coming forward at the correct amount.

Referred to the City Council due back on 3/3/2021

5 RLH TA 21-6

Ratifying the Appealed Special Tax Assessment for property at 507 MONTROSE LANE. (File No. CG2004A1, Assessment No. 200163)

Sponsors: Tolbert

Delete the assessment.

Staff report by Clare Pillsbury: this is for a special tax assessment of \$77.36 for a small cart and late fees. Hauler is Aspen. Property owner stated because of Covid related relocation their property was vacant since mid-march. The owner stated Aspen has not picked up any garbage since that time. The property owner believes he sent in a UDRF; he remember filling out the form, but Aspen (and the City) were unable to find any records of a vacancy. The property owner said he sent in another UDRF after he received another bill. City staff reached out to Aspen on this matter, but Aspen still didn't have any record of a vacancy during this period. Staff recommend removing the quarter 3, 2020 assessment of \$77.36 as a courtesy. It seems like the resident tried to set this property up as vacant, but there was some miscommunication, and this vacancy wasn't entered. The resident did provide an invoice from St. Paul Regional Water showing the property was vacant and no water was used, which is attached to the record. Since no UDRF was entered or registered, that is the only assessment we will be fully removing.

Moermond: sounds fair, delete this one assessment.

Referred to the City Council due back on 3/3/2021

6 [RLH TA 21-4](#)

Ratifying the Appealed Special Tax Assessment for property at 51

SARATOGA STREET NORTH - 1523 PORTLAND AVENUE. (File No. CG2004A1, Assessment No. 200163)

Sponsors: Thao

Layover to LH January 14, 2021 at 9 am (unable to reach owner).

No one appeared

Voicemail left 9:19 am January 7, 2021: trying to reach you about an appealed tax assessment. Will try again in 10 mins

Voicemail left 9:35 am January 7, 2021: trying again about the special tax assessment at 1523 Portland. We've been unable to get a hold of you. We'll continue this to Thursday, January 14 between 9 and 10 am to discuss. Scheduling or questions can be addressed to Mai Vang at 651-266-8563.

Laid Over to the Legislative Hearings due back on 1/14/2021

10:00 a.m. Hearings

Special Tax Assessments

- 7 **RLH TA 21-28** Ratifying the Appealed Special Tax Assessment for property at 1 EDGCUMBE PLACE. (File No. CG2004A2, Assessment No. 200164)

Sponsors: Tolbert

Approve the assessment.

No one appeared

Staff report by Clare Pillsbury: this is a special tax assessment of \$4.97 for quarter 3, 2020. Hauler is Advanced Disposal. The property owner states that after receiving as many as five notices regarding an outstanding balance of \$4.97, which were responded to with full payment. They are now being notified of a ratification of assessment. Per the instructions they attempted to make another payment of \$4.97 online but the website was not functioning. They aren't sure why the error keeps happening every month, but they do not believe it is result of a delinquency in paying their bills. Staff confirmed with the hauler that the property owner made a payment for quarter 3 on August 6, 2020, and the quarter 3 invoice was due on July 25, 2020. The payment was received after that deadline and that is why they have a late fee of 5%, or \$4.97. Staff recommends approving the assessment.

Moermond: they were 11 days late paying, so they have \$4.97 In late fee. Makes sense, recommend approval.

Referred to the City Council due back on 3/3/2021

- 8 **RLH TA 21-20** Ratifying the Appealed Special Tax Assessment for property at 2012 EDGCUMBE ROAD. (File No. CG2004A2, Assessment No. 200164)

Sponsors: Tolbert

Delete the assessment.

No one appeared

Staff report by Clare Pillsbury: this is a special tax assessment for \$107.02 for quarter 3, 2020 for a medium cart with three late fees. Hauler is Waste Management. Property owner states he made a payment to Waste Management on July 26, 2020 for \$93.07. Staff confirmed with the hauler that the property owner did make that payment on July 26, 2020. The assessment was due to a City error in which the property ID was not matched with the correct property number. Staff recommends removing the assessment.

Moermond: makes perfect sense. Remove the assessment. You'll be following up with Real Estate so this is processed for the correct property?

Pillsbury: yes, we will be.

Referred to the City Council due back on 3/3/2021

- 9 RLH TA 21-34** Ratifying the Appealed Special Tax Assessment for property at 1205 EDGERTON STREET. (File No. CG2004A2, Assessment No. 200164)

Sponsors: Brendmoen

Reduce assessment from \$114.34 to \$99.43.

No one appeared

Staff report by Clare Pillsbury: this is a special tax assessment for \$114.34 for quarter 3, 2020 for a large cart with late fees. Property owner states Waste Management never sent a bill to their house, they sent the bill to the previous owner. They tried calling the hauler many times to change the billing address, but they didn't do it. They have been charging me the late fees for 2 years. Staff spoke with the hauler who confirmed that the initial invoice and notices of nonpayment for this quarter were sent to the previous property owner. There was an August 5 work order with the hauler to change the mailing address to 1577 Marion Street. Staff is recommending that the late fees be removed and the assessment reduced to \$99.43.

Moermond: so decreasing it by the amount of the late fees. What is that amount?

Pillsbury: \$14.91.

Moermond: so the assessment goes from \$114.34 to \$99.43. So recommended.

Referred to the City Council due back on 3/3/2021

- 10 RLH TA 21-30** Ratifying the Appealed Special Tax Assessment for property at 1656 GURNEY STREET. (File No. CG2004A2, Assessment No. 200164)

Sponsors: Brendmoen

Delete the assessment.

Staff report by Clare Pillsbury: this is a special tax assessment for \$77.36 for quarter 3, 2020 for a small cart with late fees. Property owner states they are being charged for garbage service during a time when the property was registered vacant and had no occupants or service. It wasn't occupied until December 1, 2020. Staff confirmed the

property has been registered vacant since November 29, 2018 through September 30, 2020. Staff recommends removing the quarter 3, 2020 assessment in full. Staff has followed up with the hauler to ensure no other assessments were incurred during the vacancy period.

Moermond: so we have this quarter 3 you're recommending deleting because it was in the vacant building program at this time. Where are we at with the other assessment for this property that may have come forward?

Pillsbury: any previous assessment should stand. The property was registered as vacant building on the hauler updates, but there doesn't appear to be a work order for the hauler to remove the cart like there would have been if an Unoccupied Dwelling Registration Form was submitted. Again, we have no record of the property owner contacting either the City or the hauler to report a vacancy. As a rule the hauler doesn't have to stop service unless there has been a request from the property owner or the structure in question is no longer standing.

Chris Swanson: a property registered vacant doesn't mean that garbage service wouldn't be useful.

Moermond: that makes perfect sense. We'll delete this one and not work on the previous ones. Those weren't questioned at the time either.

Referred to the City Council due back on 3/3/2021

11 RLH TA 21-35

Ratifying the Appealed Special Tax Assessment for property at 1243 HIGHLAND PARKWAY. (File No. CG2004A2, Assessment No. 200164)

Sponsors: Tolbert

Delete the assessment.

No one appeared

Staff report by Clare Pillsbury: this is a special tax assessment for \$2.86 for quarter 3, 2020 for the cost of a late fee. Property owner states they do not recall receiving a late notice from Advanced after they made their quarter 3, 2020 payment on August 14, 2020. Hauler confirmed that there was a payment made for quarter 3, 2020 on August 3. They are being assessed the \$2.86 as a late fee, however staff has no records of a notice of nonpayment being sent to the property following August 3, 2020. Therefore, we recommend removing the assessment.

Moermond: it is required the hauler send a letter there will be late fee, and that didn't go out. They didn't follow proper procedures.

Swanson: we will also be removing this late fee from future payment to the hauler.

Referred to the City Council due back on 3/3/2021

12 RLH TA 21-33

Ratifying the Appealed Special Tax Assessment for property at 803 MONTANA AVENUE EAST. (File No. CG2004A2, Assessment No. 200164)

Sponsors: Yang

Approve the assessment.

No one appeared

Staff report by Clare Pillsbury: this is a special tax assessment for \$3.36 for quarter 3, 2020. Property owner states they have already paid the amount in question directly to the trash company. The check was issued to Gene's Disposal on October 14, 2020 and the check cleared and money was removed from their account on October 20, 2020. We spoke with the hauler and their records show they did receive payment on October 17, 2020 however since the delinquent bill was already sent to the City to be assessed on October 5, 2020 any payments were applied to the quarter 4, 2020 invoice. Therefore, staff recommends approving the assessment.

Moermond: so they were late, they missed the deadline for the entire quarter. Recommend approval.

Referred to the City Council due back on 3/3/2021

- 13** [SR 21-3](#) Review Request of Public Works staff to reduce and abate the Quarter 1 2019 assessment for property at 749 SIMS AVENUE.

Sponsors: Yang

Staff will draft resolution to abate Q1, 2019 through Q2, 2020 assessments.

Received and Filed

Special Tax Assessments-Rolls

- 14** **RLH AR 21-11** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during July to September 2020. (File No. CG2004A1, Assessment No. 200163)

Sponsors: Brendmoen

Referred to the City Council due back on 3/3/2021

- 15** **RLH AR 21-10** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during July to September 2020. (File No. CG2004A2, Assessment No. 200164)

Sponsors: Brendmoen

Referred to the City Council due back on 3/3/2021