



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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651-266-8585

Thursday, January 28, 2021

9:00 AM

Remote Hearing

Special Tax Assessments (Garbage Hauling)

9:00 a.m. Hearings

- 1 RLH TA 21-68** Ratifying the Appealed Special Tax Assessment for property at 690 HALL AVENUE. (File No. CG2004A1, Assessment No. 200163)
- Sponsors:** Noecker
- Approve the assessment (owner no longer contesting).*
- No one appeared*
- Moermond left voicemail January 28, 2021 at 9:10 am: reviewing your special assessment for 690 Hall. Will try back in 10-20 mins.*
- Moermond left voicemail January 28, 2021 at 9:19 am: reaching back about an appealed special assessment. I have reviewed your file and it looks like from your statement that this results from services prior to you assuming ownership. This is something the previous owner should have disclosed and evidently didn't. we can make sure you have all the relevant bills to approach the seller through your realtor and title company and wasn't disclosed at closing. Reach out to our staff, Chris Swanson and Clare Pillsbury to help get those documents.*
- Chris Swanson: [gives general garbage line number, as well as his own]*
- Moermond: I hope this resolves the matter for you eventually.*
- Referred to the City Council due back on 3/3/2021**
- 2 RLH TA 21-9** Ratifying the Appealed Special Tax Assessment for property at 1836 IGLEHART AVENUE. (File No. CG2004A5, Assessment No. 200167)
- Sponsors:** Jalali
- Approve the assessment.*
- No one appeared*
- Moermond left voicemail January 28, 2021 at 9:11 am: I am calling again about your*

assessment about 1836 Iglehart. This is the third time we've reached out so I will put a recommendation on the record.

Moermond: Do we have an attachment saying when they received payment at Advanced?

Pillsbury: I got one from Chris that he forwarded to us with information about when it was received. The payment was received on August 3, 2020.

Moermond: payment was mailed on July 25, which was the due date for the payment. So a late fee would have been incurred regardless, since he mailed it on the deadline. The bill he isn't saying was late; he's talking about his own mailing. I'll recommend approval.

Referred to the City Council due back on 3/17/2021

- 3 RLH TA 21-52** Ratifying the Appealed Special Tax Assessment for property at 52 MAGNOLIA AVENUE WEST. (File No. CG2004A5, Assessment No. 200167)

Sponsors: Brendmoen

Delete the assessment.

No one appeared

Moermond: we left 3 voicemails last week, saying we would try one more time this morning. We'll try one more time to see if they want to participate.

Moermond left voicemail January 28, 2021 at 9:14 am: good morning, trying to reach Rachel Rystadt. We are reviewing your appeal for 52 Magnolia. It looks like we have a late fee on a bill. After reviewing your written statement, I do like to talk to people, but I'll recommend this gets deleted. You shouldn't be receiving any additional information on it.

Referred to the City Council due back on 3/17/2021

- 4 RLH TA 21-69** Ratifying the Appealed Special Tax Assessment for property at 197 ROBIE STREET WEST. (File No. CG2004A1, Assessment No. 200163)

Sponsors: Noecker

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

Diana Galaviz, owner, appeared via phone

Galaviz: I didn't know this was the time. I'm a teacher and we went back to school this week. We're trying to get a whole year of work done in 2 weeks.

Moermond: sure, no problem. Thursdays in April, which Thursday would work? April 8, 15 or 22?

Galaviz: April 15 would work. My email for confirmation is [redacted].

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

10:00 a.m. Hearings

- 5 **RLH TA 21-51** Ratifying the Appealed Special Tax Assessment for property at 1516 MARGARET STREET. (File No. CG2004A6, Assessment No. 200168)

Sponsors: Prince

Delete the assessment. (Staff report April 22, 2021 at 10 am for update on billing issues).

No one appeared

Moermond: for this property, as we discussed in the last hearing, we are recommending this assessment is deleted. Staff in Public Works has been working hard to straighten out a large amount of inefficiencies in billing and cross referencing with Advanced Disposal. We're going to have this come forward again in April with the next round of assessments, April 22 at 10 am. We'll do a staff report and see if there are any additional assessments that should be processed to be returned or if the hauler will do credits for overpayment. We'll sort it out so its squared away, there are language, billing and customer services hurdles here.

Referred to the City Council due back on 3/17/2021

Special Tax Assessments-Other**10:30 a.m. Hearings**

- 6 [RLH TA 21-73](#) Ratifying the Appealed Special Tax Assessment for property at 733 CASE AVENUE. (File No. J2013A, Assessment No. 208512)

Sponsors: Yang

Approve the assessment.

Joe Shaack, owner, appeared via phone

Staff report by Supervisor Lisa Martin: On December 5, 2019 a Summary Abatement Order was issued for the removal of snow and ice from the sidewalk. It went to Ka Xiong Moua in North St Paul and the occupant. Compliance date of December 9, reinspected on December 9 and the work was done on December 11 for a total assessment \$322. No returned mail but there is an extensive history at the property.

Shaack: I purchased the property April 23, 2020 without any idea it was going on. It is now rehabbed and has tenants in. We have had some garbage issues with the lower tenant, but we have been addressing it.

Moermond: it looks like this was a pending assessment at the time you purchased the property. That should have come up in your title work and/or been disclosed by the seller. Did that happen?

Shaack: no.

Moermond: the seller had this information four months prior to closing. It looks it has been pending since December 16, 2019. What happened is the assessments from this period were renoticed. It was originally to go to Council April 22, 2020. By then, the mayor had said for all pending assessments for nuisance abatements that he wanted them continued to 2021 so people with income issues related to Covid wouldn't have that additional bill. We're looking at the second day for Public Hearing. It was pending when you got it, but it was work that was noticed to the previous owner during their ownership, even if it wasn't on the title work. Reviewing the video it doesn't look like they even tried.

Shaack: I'm guessing it was vacant for that winter.

Moermond: I'm thinking that these orders were sent December 5, and the snow events before that we got 7 inches on November 27, another 3 inches on November 30, another 1.5 inches on December 1. There was a lot of snow preceding this. I don't feel like I have a lot of latitude on this. This should have been dealt with at closing as a private matter between you and the seller

Shaack: I don't think I'll get anything out of the previous owner.

Referred to the City Council due back on 2/3/2021

7 [RLH TA 21-82](#)

Ratifying the Appealed Special Tax Assessment for property at 52 LITCHFIELD STREET. (File No. J2105A, Assessment No. 218504) (To refer back to Legislative Hearing on March 2, 2021)

Sponsors: Thao

Refer back to LH March 2, 2021 at 9 am for update from PO communication with realtor.

Eugene Dunn appeared via phone

Staff report by Lisa Martin: this is a Summary Abatement Order issued to occupant and owner at 52 Litchfield for overhanging tree limbs into sidewalk right-of-way. The orders were written July 20, 2020, rechecked July 30, and the work was done on August 3, 2020 for a cost of \$322. There was no returned mail and no history at the property.

Moermond: from an email sent it looks like you closed on August 18, 2020.

Dunn: I claimed homestead around September 1. I wasn't living there when this abatement was done.

Moermond: here's the way it works. The assessment attaches to the property, not the person. The City puts the bill onto the property and will not go after the previous owner directly. That's a private matter between you and the previous owner. Did you work with a realtor?

Dunn: yes.

Moermond: is it someone you feel comfortable calling?

Dunn: maybe. Why?

Moermond: the previous owner, when they were in the closing, initialized the paperwork

saying there was no existing orders on the property. There were orders from four weeks prior to signing those closing documents. They should have told you that. I'm hoping the previous owner will send you a check for this. We can send the information to you or your realtor directly. It is a contract problem. I can see you've been maintaining this property beautifully. What I'd like to do is give you a chance to speak to your realtor, and then maybe chat with you again. You got the videos and photos of the cleanup. I don't want this to be a total headache for you. I'd like you to speak with your realtor to have them reach out to the seller and let them know they are accountable.

Dunn: I guess that's better than nothing. Either way you're holding my feet to the fire for that charge, right?

Moermond: yes, the work was done and it attaches to the property. Do I think it is morally right? No, I don't. They should have been forthcoming since they got all the letters on it. You're left holding the back, which isn't fair.

Dunn: no, not really fair.

Moermond: you have contact information for Mai Vang. I'm going to push this out a month and see how that conversation goes. Then we can figure out what we do from there.

Dunn: I'll see what I can do.

Moermond: send the email and attach what we sent.

Dunn: it is for \$450.

Moermond: oh, our worksheet is wrong. You are correct. I'm sorry, it isn't the best circumstance. We have an email of [redacted].

Dunn: correct.

Moermond: we'll send a confirmation email about talking on March 2, 2021.

Referred to the City Council due back on 2/3/2021

8 [RLH TA 21-71](#)

Deleting the Appealed Special Tax Assessment for property at 1155 MARGARET STREET. (File No. J2106A, Assessment No. 218505)

Sponsors: Prince

Delete the assessment.

MINUTES PENDING A/O 1/28/21

Referred to the City Council due back on 2/3/2021

9 **RLH TA 21-72**

Ratifying the Appealed Special Tax Assessment for property at 1365 VAN BUREN AVENUE. (File No. J2109A, Assessment No. 218508)

Sponsors: Jalali

Reduce assessment from \$478 to \$50.

Eric and Danielle Tornes appeared via phone

Staff report by Supervisor Lisa Martin: this is for a summary abatement order issued October 1, 2020 to occupant and owner at 1365 Van Buren to remove wood near the garbage cans that wasn't in the can. Compliance date was October 8, rechecked on October 8 and work was done October 12. Total pending assessment of \$478. There was no returned mail and no history at the property.

Moermond: I did look at the video and it looked like you were in substantial, but not perfect, compliance when the crew showed I'm. I'm inclined this gets decreased or deleted. I think \$50 is fair for the work done. By and large you had done it.

Eric Tornes: that seems fair. \$50 for wasting your time. It won't happen again on our end. It was an oversight and we apologize. We did take it to the dump.

Moermond: I wish you a good rest of the day.

Referred to the City Council

10 RLH TA 21-65

Ratifying the Appealed Special Tax Assessment for property at 1696 BOHLAND AVENUE. (File No. VB2104, Assessment No. 218803)

Sponsors: Tolbert

Reduce assessment from \$2,284 to \$1,142 and make payable over 2 years if permits are approved by February 24, 2021.

Cody Jerzak appeared via phone

Staff report by Matt Dornfeld: this was made a category 2 vacant building in June of 2017. The appellant purchased the property in March of 2020. The vacant building fee for the assessment were talking about is June 20, 2020 through June 20, 2021. He was given a 90-day waiver for June through September. The property is still not in compliance and the fee went to assessment.

Moermond: so we are talking about the vacant building fee, Mr. Jerzak. What are you looking for?

Jerzak: I did appreciate the extension on it. It is just that I have one window left. I'm waiting on a special order to be replaced and then all the permits will be closed. I'm excepting to have it any time. I have spent close to \$35,000 more than I wanted to already on this building. I'm already with dollar bills in my bank account. I just don't have the money to pay this. I'm literally upside down on this property in general. It has been a nightmare with contractors due to Covid. I have had things stolen from the property, likely an inside job. It has been a hassle. \$2,000 I could put towards taxes would be something. Anything you can work with me on. I've re-sod the whole lawn, I'm tying to make it as nice as possible.

Moermond: what's the projected timeline on the windows?

Jerzak: I've reached out to the place with the windows, we should have it within the next week or two. I can get something in writing on that if you need.

Moermond: not necessary, I trust what you're saying. Here's how I look at these cases, by asking how long out of the 12 month year did you spend in the program? By the time it hits Council February 24 we'll be 8 months in, but it sound s like the window is

coming soon. I'm willing to cut this in half if you can have that finalized, and make it payable over 2 years. You will get an invoice for half the amount, so \$1,142 in early March, and if you don't pay it, it will go on the 2022 property tax statement. I can't make it go away completely. February 24 we'll check on our end to make sure the permit has been finalized.

Referred to the City Council due back on 2/24/2021

11 [RLH TA 21-77](#)

Ratifying the Appealed Special Tax Assessment for property at 1696 BOHLAND AVENUE. (File No. J2014A, Assessment No. 208513)

Sponsors: Tolbert

Approve the assessment, make payable over 2 years.

Cody Jerzak appeared via phone

Staff report by Supervisor Matt Dornfeld: I think these next 3 assessments are all tall grass and weeds work orders performed. It was all done during previous ownership, an Elaine Burke who is deceased. She lived in Illinois; all of the paperwork went to her. This current property owner assumed these assessments because unfortunately the assessments stay with the property.

Moermond: I would add that the City system shows each was pending prior to closure of the sale. First one January 2, second pending February 18 and third pending February 4. That should have been information that was dealt with at closing. When I reviewed these, the first TA 21-77, looked like there was no attempt whatsoever to take care of the sidewalk. Even the stairs up to the house weren't taken care of. There was a lot of snow that had fallen before the first order came out, at least a foot in the weeks preceding the crew coming out. The next one looks like bad snow and ice buildup. The third I'm willing to delete because the day the crew showed up 5 inches of snow fell so it was hard to tell whether they were removing the snow from that day or the snow the orders were written on. So we have two shoveling events prior to your ownership that you're appealing

Jerzak: when I submitted for the house it was mid-February, and at closing I saw the assessments but the ones I were shown on closing was the Vacant Building fee. I didn't know about any of the actual other assessments until looking online when submitting a payment. I saw them as being as levied, I thought it was previous ownership. Then I reached out to Mai Vang, she showed 3 other ones. That was when I found out I was responsible.

Moermond: both of the assessments I'm recommending approval on was pending as of January 2 and February 18. Your title company should have identified these for you prior to your closing. You need to go to your title company with these bills and tell them they failed to notify you. We're happy to provide information to you to help you with that communication. The City did notify the owner at the time. The City did the work, the work was pending at the time of the closure. The other taxpayers shouldn't have to pick up the cost that should have been dealt with in a private arrangement.

Jerzak: I bought it from a bank. I used them for the title on it, and I'm not going to lawyer up to do anything about that. If I have to pay them, I will.

Moermond: if there is anything we can do on our end to provide information to be given to them, we will. Were you represented by a realtor?

Jerzak: I was.

Moermond: your realtor should step up for you and advocate for you in this. That's part of what they should be doing.

Jerzak: I am so screwed.

Moermond: we can reach out to the realtor.

Jerzak: I can send their contact information in an email. I really appreciate the time and everything on that point.

Moermond: it is buttoned up on the City's end for 2 of the 3. The vacant building fee will be halved if the permit gets finalized, payable over 2 years. For the 2 snow removals they will be approval and we can reach out to the realtor on those, and make them payable over 2 years. The third will be deleted due to weather.

Jerzak: I appreciate your time as well. Thank you.

Referred to the City Council due back on 2/3/2021

12 RLH TA 21-78

Ratifying the Appealed Special Tax Assessment for property at 1696 BOHLAND AVENUE. (File No. J2017A, Assessment No. 208529)

Sponsors: Tolbert

Approve the assessment, make payable over 2 years.

Cody Jerzak appeared via phone

Staff report by Supervisor Matt Dornfeld: I think these next 3 assessments are all tall grass and weeds work orders performed. It was all done during previous ownership, an Elaine Burke who is deceased. She lived in Illinois; all of the paperwork went to her. This current property owner assumed these assessments because unfortunately the assessments stay with the property.

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Jerzak: I appreciate your time as well. Thank you.

Referred to the City Council due back on 3/17/2021

13 RLH TA 21-79

Ratifying the Appealed Special Tax Assessment for property at 1696 BOHLAND AVENUE. (File No. J2016A, Assessment No. 208524)

Sponsors: Tolbert

Delete the assessment.

Cody Jerzak appeared via phone

Staff report by Supervisor Matt Dornfeld: I think these next 3 assessments are all tall grass and weeds work orders performed. It was all done during previous ownership, an Elaine Burke who is deceased. She lived in Illinois; all of the paperwork went to her. This current property owner assumed these assessments because unfortunately the assessments stay with the property.

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