



Minutes - Final

Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
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Thursday, April 7, 2022

1:00 PM

Remote Hearing

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1:00 p.m. Hearings

Special Tax Assessments

- 1     **RLH TA 22-120**     Ratifying the Appealed Special Tax Assessment for property at 999 ARMSTRONG AVENUE. (File No. CG2201A1, Assessment No. 220100)

Sponsors:     Tolbert

*Delete the assessment.*

*No one appeared*

*Staff report by Clare Pillsbury: the property owner's son stated their mother, the owner, was moved to assisted living in 2021. After receiving notices about unpaid invoices, Advance Disposal's customer service told them they had to speak to the City about the assessment. Records show a vacancy request was submitted November 15, 2021 that should have been applied. Staff confirmed the account has been closed since October 1, 2021. Staff recommends removing the assessment.*

*Moermond: so recommended. She's been deceased for a while so there is another assessment coming forward that you as staff will remove?*

*Pillsbury: there are no other pending assessments.*

**Referred to the City Council due back on 5/25/2022**

- 2     **RLH TA 22-134**     Ratifying the Appealed Special Tax Assessment for property at 640 HOLLY AVENUE. (File No. CG2201A1, Assessment No. 220100)

Sponsors:     Thao

*Reduce assessment from \$89.45 to \$37.32.*

*No one appeared*

*Staff report by Clare Pillsbury: the property owner stated they had been charged for 3 carts when they only had 2. August 12, 2021 Republic picked up two 64 gallon carts and returned with one 35 gallon cart with weekly pick up. However the property owner*

said they were still being charged for a 96 gallon and two 64 gallon carts. We confirmed with the hauler that on August 12, 2021 the two 64 carts at the property were picked up and replaced with one 35 gallon cart. The hauler did continue to charge them for all 3 carts, so as a result the property owner short paid the incorrect quarter 4, 2021 invoice in the amount of \$132.90. Since the total amount the property owner should have been charged for one 86 and one 35 gallon cart was \$170.22, staff is recommending reducing the assessment to \$37.32, the difference between what the property owner paid and what was owed for the service provided.

Moermond: does \$37.32 include late fees?

Pillsbury: I just confirmed it doesn't include late fees.

Moermond: recommend reducing from \$89.45 to \$37.32

**Referred to the City Council due back on 5/25/2022**

**3 RLH TA 22-122** Ratifying the Appealed Special Tax Assessment for property at 1322 SELBY AVENUE. (File No. CG2201A1, Assessment No. 220100)

Sponsors: Thao

Approve the assessment.

Tobari Javid, owner, appeared via phone

Javid: I'm a handicapped person and share my garbage with the guy next door since we both don't create a lot of garbage. I don't feel I should have to pay for it.

Moermond: legally I need to give you some information before we get to that.

[Moermond gives background of appeals process]

Staff report by Clare Pillsbury: this is for a quarter 4, 2021 assessment for \$68.10. The reason for appealing is the property owner says they aren't using the service and sharing a cart with a neighbor. They also said they are handicapped and cannot put out their can. Hauler records show that the property owner has received and been billed for service since October 2018. In March 2021 at the City's request, the hauler removed the 64-gal cart and replaced it with a 35-gal cart with every other week service, which is the lower level of service. They also have had walkup service since October 2018.

Moermond: and walkup service means you don't have to take the cart to the curb or alley, the hauler will come up to where it is stored and pick it up?

Pillsbury: yes.

Moermond: and if you are disabled and need that service is there an extra charge?

Pillsbury: no there is not.

Moermond: you started to tell me about your situation, tell me more.

Javid: we've been sharing garbage since he moved in. Since 2008 I've been breaking bones. He collects my garbage, one bag. We share and I pay him half. I pay half the year and he pays the other half. he also shovels my yard. He also checks on me when

he gets my garbage. I've never used the can in my yard and I refuse to, I don't need it. It is a waste of time and money. I'm unemployed and handicapped. I have to replace a \$24,000 roof and I have a leaky window. I need to spend my money on that, not some silly garbage thing I don't need. They are stealing my money. This is the US. I don't have to have their garbage. This is a free country, I can do what I want, I am not hurting anybody.

Moermond: the can you share with your neighbor, is he also a single-family home?

Javid: yes.

Moermond: so one can shared between you two?

Javid: yes, the one in my yard I've never used.

Moermond: so your garbage ends up in his can?

Javid: I set it on the steps.

Moermond: you just talked about a big roof repair. Have you talked to anyone at the City about that? There is forgivable loan money for this type of repair. I want you to be aware of that program. We can mail you information on that or give you phone number. Which is easier?

Javid: I can call her

Moermond: I'm mostly concerned about that big expense

Javid: that's not the only thing. I have a leaky window too.

Moermond: talk to her about both of those things. We'll let her know we gave her contact information to you. I'm mostly concerned about those big ticket items and if we can be assistance for those. I'm less able to be helpful with the garbage. Legally right now we are in a bind, every single single-family home in the City has the same obligation to have at least a minimum amount of service. I know you don't generate much and that is great. Right now, we've heard over the last couple of years from a lot of people situated just like you and the City is working on updating its policy on those circumstances so we can help more. We're 3 years into a 5 year contract. In a couple years hopefully we can help you out more. I'm sorry about that wait for a potential change. I don't have a good answer on your tax assessment though. I do want you to reach out to Zong Vang though. I hope you have a good rest of the day.

Javid: thank you for calling.

**Referred to the City Council due back on 5/25/2022**

## 2:00 p.m. Hearings

- 4      **RLH TA 22-116**      Ratifying the Appealed Special Tax Assessment for property at 765 CORTLAND PLACE. (File No. CG2201A3, Assessment No. 220102)

Sponsors:      Brendmoen

Delete the assessment.

*Rebecca Lee, owner, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Clare Pillsbury: this is for Quarter 3, 2021. Property owner stated that they received an Invoice and Final Notice from the City for a Quarter 4 2021 garbage assessment for the vacant rental property in question. After receiving the notice, they called Waste Management on July 31, 2021 to request a service hold be put into effect. The customer service representative who answered the call told the property owner would put the property "on hold," which would go into effect within 30 days and that they should call back when they wanted to resume service. The customer service representative did not request that the property owner fill out a UDRF or temporary service hold, which is required by both the City and the haulers. Therefore, the property owner would like to request the Quarter 4 2021 amount of \$175.82 be removed. They are also unsure as to why the assessment amount for Quarter 4 2021 is so much more than the Quarter 3 2021 invoice. We talked to the hauler and their records show they did call about as service hold on August 12, 2021 on behalf of her mother's account. They were told they would be emailed a form and also told by CSR they could access the form on the City's website. It was never received by the hauler. property owner called again August 19 to create a new account. She again said she would submit a service hold form. That was never submitted so we would like to recommend the assessment be approved.*

*Lee: what I did when the tenant's who hadn't paid rent because of the lack of evictions had trashed my property completely. They left July 19 and shortly thereafter I did call to put a hold on the service for that property because it was vacant. When I called in July she told me I had to give a 30 day notice to cover August and after that it wouldn't have any service, it was on hold until I called them back when I rerented it. But I never rerented it. There was so much damage I couldn't take the stress. I never called back for service, it has been vacant since July 19. I sold it and I close the first week of May. I don't see why I have to pay anything or have assessments for service I didn't request. The trash stayed by the house and was never put on the boulevard. No one lived there. We haven't needed service since August. I didn't get any rent and it cost me over \$17,000 to get it ready to sell. I have a purchase agreement and a closing date the first week of May. The new owner will call for service. I also sold the duplex at 773 next door to the same person. Those 2 places on Cortland will be billed to someone else after May 1.*

*Moermond: I am glad you are in a better place with the properties. It sounds like Ms. Lee's mother called to have a hold put on –*

*Lee: no, I'm the one who did it.*

*Moermond: I think there were two requests.*

*Lee: my mother passed away in 2015.*

*Moermond: oh my goodness, so it was you. And it sounds like the account was still in her name until fall.*

*Lee: right, I just left it in her name and was paying the bill every 3 months. She deeded the properties to me to take over when she passes. I did.*

*Moermond: I understand the confusion. Because it was in her name I understand the assumption it was her calling.*

*Lee: the deeds were filed in 2005 but it kept remaining in her name. We just let it go while she was alive but when she passed away I called Ramsey County and asked why 765 Cortland is still in my mother's name. All 3 deeds were filed at the same time. They said they would fix it, but they didn't. I called back in 2018 and told them they finally needed to take care of it. they didn't. I was going to down with all the paperwork and then they closed for Covid. That's why it remained in her name.*

*Moermond: this is clearing things up. The service hold would have gone into effect September 1 according to what you were told by the hauler, that would mean you'd have 2 months charged for 3rd quarter and nothing for 4th. I'd like staff to do the math on that and we can get back to you on decreasing it. My recommendation to Council will be the third quarter be adjusted to reflect 2 months for the third quarter and nothing for the 4th quarter. I'm not sure how that works out with how that quarter got paid and so on. Do you have an email address?*

*Lee: I do, but I want to know why the bill went up from \$101 to \$175 dollars.*

*Moermond: it looks like that is a double billing if you will, that halfway covered one account and another. That needs to be cleaned up. It looked like there was some overlap when I was looking over your file. That needs fixing right out of the gate, but on top because of the hold request back in July—*

*Lee: I never got a bill; you should know that too. I never got an invoice for the last 3 months, I just got the letter saying if I didn't pay by March 22 it would go on my taxes. That's the only notice I got about quarter 4, 2021.*

*Moermond: we'll send background information to clarify once that math is done.*

*[Lee gives email address]*

*Moermond: perfect, we'll run those numbers and get that to you. We'll put you on for 10 am on April 21 if we need to talk. We'll confirm that in email too. We may not need to talk though.*

*Lee: I appreciate that. it has been pleasant talking to you.*

*Moermond: on balance, taking into account there was a good faith effort to put a service hold in place and that Waste Management, in switching the account from deceased mother to daughter, appears to have credited the deceased mother. It is unclear whether they could have received any credit, so therefore the carryover from third to 4th quarter shouldn't have been done. At most she would owe one month of the third quarter so with all the good faith effort I will recommend it is deleted.*

**Referred to the City Council due back on 5/25/2022**

- 5 RLH TA 22-136** Ratifying the Appealed Special Tax Assessment for property at 1223 FARRINGTON STREET. (File No. CG2201A2, Assessment No. 220101)

**Sponsors:** Brendmoen

Approve the assessment.

*No one appeared*

*Voicemail at 2:42 pm: this is Marcia Moermond from the St. Paul City Council calling about your appealed tax assessment for 1223 Farrington for an unpaid garbage bill. If you wish to schedule this hearing please call 651-266-8575.*

**Referred to the City Council due back on 5/25/2022**

- 6 RLH TA 22-130** Ratifying the Appealed Special Tax Assessment for property at 1570 MCAFEE STREET. (File No. CG2201A2, Assessment No. 220101)

**Sponsors:** Yang

*Delete the assessment.*

*No one appeared*

*Staff report by Clare Pillsbury: this is for Quarter 3, 2021. The property owner's son called and said no one lived at the property since they moved their mother into assisted living 2 years ago. They have not used service since. Since the property owner passed away January 2022, and has been living in an assisted living facility for at least two years prior, staff recommends removing the assessment as a courtesy.*

*Moermond: so recommended.*

**Referred to the City Council due back on 5/25/2022**

- 7 RLH TA 22-131** Ratifying the Appealed Special Tax Assessment for property at 1570 MCAFEE STREET. (File No. CG2104A2-1, Assessment No. 220104)

**Sponsors:** Yang

*Delete the assessment.*

*No one appeared*

*Staff report by Clare Pillsbury: Staff report by Clare Pillsbury: this is for Quarter 3, 2021. The property owner's son called and said no one lived at the property since they moved their mother into assisted living 2 years ago. They have not used service since. Since the property owner passed away January 2022, and has been living in an assisted living facility for at least two years prior, staff recommends removing the assessment as a courtesy.*

*Moermond: any other assessments?*

*Pillsbury: none.*

*Moermond: so deleting what we can because of family issues.*

**Referred to the City Council due back on 5/25/2022**

- 8 RLH TA 22-132** Ratifying the Appealed Special Tax Assessment for property at 792 ROSE AVENUE EAST. (File No. CG2104A3-1, Assessment No. 220103)

**Sponsors:** Yang

*Approve the assessment.*

*No one appeared*

*Staff report by Clare Pillsbury: this is for Quarter 3, 2021. The property owner says the property is vacant. Staff confirmed the property owner had not submitted a vacancy request form for quarter 3. Therefore staff recommends approving the assessment and the property owner was contacted and will pay.*

*Moermond: ok, no issue there. Approve the assessment.*

**Referred to the City Council due back on 5/25/2022**

- 9**      **RLH TA 22-133**      Ratifying the Appealed Special Tax Assessment for property at 792 ROSE AVENUE EAST. (File No.CG2201A2, Assessment No. 220101)

**Sponsors:** Yang

*Approve the assessment.*

*No one appeared*

*Staff report by Clare Pillsbury: same reason for appeal and same recommendation for Quarter 4, 2021 assessment. The property owner says the property is vacant. Staff confirmed the property owner had not submitted a vacancy request form for quarter 3. Therefore staff recommends approving the assessment and the property owner was contacted and will pay.*

*Moermond: so recommended.*

**Referred to the City Council due back on 5/25/2022**

- 10**      [RLH TA 22-117](#)      Ratifying the Appealed Special Tax Assessment for property at 574 WHEELLOCK PARKWAY EAST (File No. CG2104A2-1, Assessment No. 220104)

**Sponsors:** Brendmoen

*Layover to LH April 21, 2022 at 10 am.*

*No one appeared*

*Moermond: you had some follow up with the property owner?*

*Clare Pillsbury: the property owner was to provide a copy of a money order they stated they sent to the hauler for payment of Quarter 4, 2021. They haven't don't that yet. We would like to lay it over to April 21.*

*Moermond: and that's both items 10 and 11.*

**Laid Over to the Legislative Hearings due back on 4/21/2022**

- 11**      [RLH TA 22-119](#)      Ratifying the Appealed Special Tax Assessment for property at 574

WHEELOCK PARKWAY EAST. (File No. CG2201A1, Assessment No. 220100)

**Sponsors:** Brendmoen

*Layover to LH April 21, 2022 at 10 am.*

*No one appeared*

*Moermond: you had some follow up with the property owner?*

*Clare Pillsbury: the property owner was to provide a copy of a money order they stated they sent to the hauler for payment of Quarter 4, 2021. They haven't don't that yet. We would like to lay it over to April 21.*

*Moermond: and that's both items 10 and 11.*

**Laid Over to the Legislative Hearings due back on 4/21/2022**

### 3:00 p.m. Hearings

- 12 [RLH TA 22-123](#) Ratifying the Appealed Special Tax Assessment for property at 559 CASE AVENUE. (File No. CG2201A3, Assessment No. 220102)

**Sponsors:** Brendmoen

*Layover to LH April 21, 2022 at 11 am.*

*No one appeared*

*Moermond: we've reached out to the number we had and it appears we have the wrong number. We'll lay this over to April 21 at 11 am and talk to him hopefully then. We'll email and let him know we need to confirm his number.*

**Laid Over to the Legislative Hearings due back on 4/21/2022**

- 13 [RLH TA 22-124](#) Ratifying the Appealed Special Tax Assessment for property at 559 CASE AVENUE. (File No. CG2104A3-1, Assessment No. 220103)

**Sponsors:** Brendmoen

*Layover to LH April 21, 2022 at 11 am.*

*No one appeared*

*Moermond: we've reached out to the number we had and it appears we have the wrong number. We'll lay this over to April 21 at 11 am and talk to him hopefully then. We'll email and let him know we need to confirm his number.*

**Laid Over to the Legislative Hearings due back on 4/21/2022**

- 14 **RLH TA 22-115** Ratifying the Appealed Special Tax Assessment for property at 505 FARRINGTON STREET. (File No. CG2201A3, Assessment No. 220102).



Sponsors: Thao

Delete the assessment.

Shawn Baxter, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Clare Pillsbury: this is for quarter 4, 2021. The property owner is appealing because they say there have been no tenants, carts, or collection for the property since October 2021. Hauler records show that the property had been billed for a 64 gallon and a 96 gallon cart during Quarter 4, 2021. There are no records of cart removals at the property at any time during the coordinated collection program. Therefore, the staff recommends approval of the assessment.

Moermond: tell me what is going on Mr. Baxter.

Baxter: I live in Utah. I had no idea you charged through the taxes through the City. Here you have to call for service of the product.

Moermond: when did you close?

Baxter: October I think.

Moermond: Ramsey County shows August. Does that sound right?

Baxter: yes.

Moermond: I'm going to ask staff how the hauler gets updated with new information so we know how that communication works.

Pillsbury: we get all of our records from Ramsey County so once they update the new property owner and mailing address we sent what is called a hauler update, monthly to the hauler, with any changes in property ownership. There is a delay from 1 to 3 months.

Moermond: can we find out when the hauler got that information? It seems reasonable that he needs to be able to see the bill to know he is accountable for dealing with it. Mr. Baxter, we're going to look into this more deeply. If you were receiving bills as your address you are responsible but it sounds like there are some delays in communicating that to the hauler and I want to make sure you are credited for that. We'll let you know by way of email or phone call, what is your preference?

Baxter: a call back would be great. I called in when I did find out. They said there are 2 cans there and there wasn't. That's another note too.

Moermond: I'm hearing we have some information now on when the Ramsey County information was sent.

Sarah Haas: that update was sent September 22, 2021.

Moermond: so they got information on the new name then The next thing the hauler would be mailing would be?

Pillsbury: the quarter 4 invoice, October 5.

*Moermond: we'll have to check with Highland that that happened.*

*Baxter: when I called in January or February they had no idea who I was. They still had the old owner on the account.*

*Moermond: that's good to know, thank you. We will send a follow up email on this with the information and we'll reach back April 21 between 11 and noon.*

**Referred to the City Council due back on 5/25/2022**

### **Special Tax Assessments-ROLLS**

- 15 RLH AR 22-31** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during October to December 2021. (File No. CG2201A1, Assessment No. 220100)  
**Sponsors:** Brendmoen  
**Referred to the City Council due back on 5/25/2022**
- 16 RLH AR 22-32** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during October to December 2021. (File No. CG2201A2, Assessment No.220101)  
**Sponsors:** Brendmoen  
**Referred to the City Council due back on 5/25/2022**
- 17 RLH AR 22-33** Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during October to December 2021. (File No. CG2201A3, Assessment No.220102)  
**Sponsors:** Brendmoen  
**Referred to the City Council due back on 5/25/2022**