



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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651-266-8585

Thursday, April 21, 2022

9:00 AM

Remote

9:00 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 22-152** Ratifying the Appealed Special Tax Assessment for property at 755 MINNEHAHA AVENUE WEST. (File No. CG2104A3-1, Assessment No. 210117)

Sponsors: Thao

Approve the assessment.

Elsie Mayard appeared via phone

Moermond: you have two appealed special assessments for garbage hauling

Mayard: everything is going to the court. No one listens to me about the garbage. I have false bills and am ignored and discriminated against. No one listens to what I have to say including you. We have to go to court with this matter. I've been treated unfairly. I'm not sure what you're talking about but it's a big problem. That's why we are going to court with this thing. Someone will explain how they discriminate against me. You ignore me and treat me differently than any other person. Whatever is going on, I don't know. This is piled up very big. You know what you did. So I have my case in court and you're going to be a part of it. you'll be a defendant on why you cause me hardship and discriminate against me. This is not fair how you treat me. We'll go from there, ok?

Moermond: I do take a different position and don't believe I have—

Mayard: oh you know. You ignore me. I even go to court and you ignore me. It has been going on a long time. All you want to do is charge me, charge me, charge me. You ignore me and tell the Council not to do anything. Chris Swanson, no one wants to bother. Good luck in court. You can explain the racism going on in St. Paul.

Moermond: can I confirm you don't want a hearing this morning?

Mayard: what hearing? You charge me \$900 in assessments falsely doing this to me. This is very stressful. We have had several meetings. You ignore everything I say to you. Do you understand what I'm saying? You charge me \$900 in assessments and I

have no idea why I'm paying. You say I have no right to know. The garbage thing you charge whatever you wanted to.

Moermond: you filed an appeal for the assessment of third and fourth quarter bills for garbage service of 2021. If you don't want to have a hearing that is fine, but it was that appeal that triggered this phone call.

Mayard: you're confusing me. This has been piling up. Charging me \$900 assessment for garbage. I have no rights and you do whatever you want to me. I don't know what you're charging me for. You never let me ask questions. You ignore everything I tell you. Everything is black and white on paper. I have no idea what is going on right now. There's so much piled up. I do not know what you charge me and what is going on. You charge whatever I want and say I have no right to know [anything]. Listen, I don't know what service you provide to me, you say I have no right to know.

Moermond: you filed the appeal and if you'd prefer to handle this in a different way that's fine with me.

Mayard: yeah we'll do it a different way. Yeah, you say I have no right to know anything. All those assessments to my property taxes. You say I have no right to know [anything]. Intentionally to cause me hardship. That's' what they are doing. We have a law and no one above it. Thanks. [hangs up]

Moermond: unfortunately we weren't able to do a staff report explaining the charges. Being unable to do the hearing and since I'm not hearing a reason for reduction, I recommend approval of the assessment.

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

2 RLH TA 22-153 Ratifying the Appealed Special Tax Assessment for property at 755 MINNEHAHA AVENUE WEST. (File No. CG2201A2, Assessment No. 220101)

Sponsors: Thao

Approve the assessment.

Elsie Mayard appeared via phone

Moermond: you have two appealed special assessments for garbage hauling

Mayard: everything is going to the court. No one listens to me about the garbage. I have false bills and am ignored and discriminated against. No one listens to what I have to say including you. We have to go to court with this matter. I've been treated unfairly. I'm not sure what you're talking about but it's a big problem. That's why we are going to court with this thing. Someone will explain how they discriminate against me. You ignore me and treat me differently than any other person. Whatever is going on, I don't know. This is piled up very big. You know what you did. So I have my case in court and you're going to be a part of it. you'll be a defendant on why you cause me hardship and discriminate against me. This is not fair how you treat me. We'll go from there, ok?

Moermond: I do take a different position and don't believe I have—

Mayard: oh you know. You ignore me. I even go to court and you ignore me. It has

been going on a long time. All you want to do is charge me, charge me, charge me. You ignore me and tell the Council not to do anything. Chris Swanson, no one wants to bother. Good luck in court. You can explain the racism going on in St. Paul.

Moermond: can I confirm you don't want a hearing this morning?

Mayard: what hearing? You charge me \$900 in assessments falsely doing this to me. This is very stressful. We have had several meetings. You ignore everything I say to you. Do you understand what I'm saying? You charge me \$900 in assessments and I have no idea why I'm paying. You say I have no right to know. The garbage thing you charge whatever you wanted to.

Moermond: you filed an appeal for the assessment of third and fourth quarter bills for garbage service of 2021. If you don't want to have a hearing that is fine, but it was that appeal that triggered this phone call.

Mayard: you're confusing me. This has been piling up. Charging me \$900 assessment for garbage. I have no rights and you do whatever you want to me. I don't know what you're charging me for. You never let me ask questions. You ignore everything I tell you. Everything is black and white on paper. I have no idea what is going on right now. There's so much piled up. I do not know what you charge me and what is going on. You charge whatever I want and say I have no right to know [anything]. Listen, I don't know what service you provide to me, you say I have no right to know.

Moermond: you filed the appeal and if you'd prefer to handle this in a different way that's fine with me.

Mayard: yeah we'll do it a different way. Yeah, you say I have no right to know anything. All those assessments to my property taxes. You say I have no right to know [anything]. Intentionally to cause me hardship. That's' what they are doing. We have a law and no one above it. Thanks. [hangs up]

Moermond: unfortunately we weren't able to do a staff report explaining the charges. Being unable to do the hearing and since I'm not hearing a reason for reduction, I recommend approval of the assessment.

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

- 3 RLH TA 22-154 Ratifying the Appealed Special Tax Assessment for property at 1187 MARYLAND AVENUE EAST. (File No. CG2201A1, Assessment No. 220100)**

Sponsors: Yang

Delete the assessment.

No one appeared

Staff report by Clare Pillsbury: the property owner stated they had paid their Quarter 4, 2021 invoice. Hauler records show they did make a payment of \$189.77 which was applied to the Quarter 4 invoice however it didn't include the late fees, hence the assessment. The hauler has asked we remove the assessment.

Moermond: and the hauler will be responsible for that?

Pillsbury: yes.

Moermond: perfect, so recommended.

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

- 4 RLH TA 22-159** Ratifying the Appealed Special Tax Assessment for property at 1690 ORANGE AVENUE EAST. (File No. CG2201A2, Assessment No. 220101)

Sponsors: Yang

Delete the assessment.

No one appeared

Staff report by Clare Pillsbury: the property owner stated they purchased in October of 2021 and paid their portion of the Quarter 4 invoice. They purchased October 25, 2021. Hauler did not receive payment from the current property owner the current owner was billed from October 25 to March 31, 2022. Since the hauler could not provide us information on why the current property owner was assessed for Quarter 4, 2021 staff recommends removing.

Moermond: again, the hauler picks up the cost?

Pillsbury: yes.

Moermond: great, so recommended.

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

- 5 RLH TA 22-135** Ratifying the Appealed Special Tax Assessment for property at 666 ORLEANS STREET. (File No. CG2201A1, Assessment No. 220100)

Sponsors: Noecker

Delete the assessment.

No one appeared

Staff report by Clare Pillsbury: the property owner stated they already paid Republic for Quarter 4, 2021. Hauler records show they didn't make a payment during this service period, but they did submit a vacancy hold from July 15, 2021 to November 30, 2021 and they were credited for this time period. However the hauler is requesting the assessment be removed as a courtesy

Moermond: again, hauler is picking up the tab, so recommended.

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

10:00 a.m. Hearings

- 6 RLH TA 22-155** Ratifying the Appealed Special Tax Assessment for property at 790 GERANIUM AVENUE EAST. (File No. CG2201A2, Assessment No.

220101)

Sponsors: Yang

Reduce assessment from \$109.06 to \$64.39.

Louis, language line interpreter, appeared via phone

Francisco Ochoa, owner, appeared via phone

[Moermond gives background of appeals process]

[Louis was disconnected, Language Line called back, different interpreter appeared]

Staff report by Clare Pillsbury: property owner is appealing because they stated they broken their arm in December 2021 and were unable to work so they would like the assessment removed. The Citywide policy is that 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. As garbage service was provided from October - December 2021, staff recommends approving the assessment. Staff would also like to note that the property owner is currently paying for a 64-gallon cart and has the ability to reduce their service level to a 35-gallon cart with every other week pick up.

Ochoa: May 15 I will have another surgery, and I've already had 3. I had one in October or November of last year and one 15 days ago, and I don't have income.

Moermond: I can help in a couple of ways; I can't make the assessment go away. But we can talk about how assessments work and decrease this one.

Ochoa: I understand but I don't have money to pay for anything, that's why I was looking for help. I've had issues since the pandemic started. I caught the Coronavirus.

Moermond: what level of service does he have now?

Pillsbury: the January through March assessment is for \$64.39 so it is less than what a 65 gallon cart would be. I cannot confirm what size he does have without confirming with the hauler.

Moermond: do you have a cart that is the same size as recycling cart or smaller?

Ochoa: it's a little bit smaller.

Moermond: perfect. What I'm looking at today is an assessment for \$109.06. Because you decreased your cart size, I'm going to decrease this to that smaller cart amount, down to \$64.39. A \$40 savings. I can tell you that these assessments, the fourth quarter of last year and first quarter of this year upcoming, those would show up on the 2023 tax bill. So you aren't looking at that as something that needs to be paid now.

Ochoa: as I was saying, I don't have income and I can't do anything until I am better.

Moermond: do you have a mortgage and pay your taxes through our mortgage, or pay them on their own?

Ochoa: I pay it on my own.

Moermond: your first half bill is coming due in May of over \$1,000, you need to contact the property tax office if you will have trouble paying that.

Ochoa: I've been paying more than \$2,000 for my taxes, the garbage isn't supposed to be charging that much because I've been paying my taxes every year.

Moermond: understood. The charge for service is different from your property taxes, but if it goes unpaid it goes to special assessment and can be added to next year's tax bill.

Ochoa: I don't owe money.

Moermond: no, no, you do pay your taxes on time. I just wanted to explain that's where this was going. I didn't mean to cause alarm.

Ochoa: ok. What am I supposed to do? Should I pay something or what because I don't have income now.

Moermond: my recommendation is that you do not pay the hauling bill and let it go to the property taxes for next year so it is delayed to a point where you have better health and income. If you do think you'll have trouble paying this year's taxes, and I don't have any information on that, I was going to give you the tax number to reach out to them.

Ochoa: that is what I'm saying. I'm asking for help. What am I supposed to do?

Moermond: you can reach the property tax office at 651-666-2000.

Ochoa: ok.

Moermond: if you will have trouble paying your first half taxes May 16, you should talk to them. I'm not sure what recourses they have.

Ochoa: I still don't do my property taxes.

Moermond: I don't understand.

Ochoa: I'm telling you I haven't done my taxes for this year.

Moermond: right, they aren't due yet. If you like I can have someone reach out to you directly with resources.

Ochoa: yes, please.

Moermond: I'll have them call you. Hopefully they have helpful information. I can only discuss your garbage service, which I realize is a drop in the bucket with all you are dealing with.

Ochoa: that would be helpful.

Moermond: I'll have them call you.

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

MOUND STREET. (File No. CG2201A3, Assessment No. 220102)

Sponsors: Prince

Reduce assessment from \$79.36 to \$59.23.

Larry Hall, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Clare Pillsbury: property owner stated they don't want to use the service so they shouldn't have to pay. Staff comments are that 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 the outstanding charge as service as provided. This is for q 4, 2022 for a cost of \$79.36

Moermond: why are you appealing Mr. Hall?

Hall: my wife died September 18; a short time previous to that we got this new service. That situation yes, we did have garbage. However, she passed away and I am not a cook, and I would have coffee and PB toast for many months. I dropped 70 lbs. That's how I was living. There was no garbage to be hauled, no matter what. None. Zero. I stopped doing it. There was no reason to be connected to the City doing the work they do, lifting an empty barrel for garbage when there was no garbage. My wife was 88 years old when she died, and I'm going on 81. There is no reason for me to be told you must pay for something that doesn't exist. That shouldn't be done to anyone. If you want to look at it differently than a lawyer, it is fraudulent. There is nothing to take. I've had this discussion with the sanitary people when I suggested the lawyers get together and change the rules because there are plenty of people like this. they shouldn't be charged for something that can't be done. It isn't right. The rule of law can't be twisted into something else. That's not right. Period. I have lived here for 40 years. I wasn't a cook, my wife was. Now she's gone. There is no garbage. Finally I had some nice talks with the sanitary people. I said listen, there is no reason for the contract to exist for people who don't have garbage. She said maybe in another year we'll talk about it. We can change the ordinance in 10 minutes. It would help a lot of people when they're up in ages. 15 minutes during a lunch our it can be over with. That's the way the rule of law works. The other thing that came up, which is sickening, they talk about taking your property away. We've owned this house for 40 years. Then we have this bill for not using the service. The lawyers need to wake up and think about the elderly people that have been retired for 30 years. Anyone who can think straight knows this. I told them if you're going to send me bills for garbage that doesn't exist, you are doing it wrong. It has to be changed in certain instances. If my wife was still alive, we used it. there are things you can't crate. An ordinance is similar to the rule of law. It is simple, just change it. let it go when there is nothing to take. I told them to take the can. It is my property. They are trespassing. I talked with them. You can't make everyone a soldier. That's military. I lived in Japan for six years. this isn't a foreign country like communists in China. They need to get their rule of law changed for the people paying taxes. It is that simple. No arguments, fights, anything. Put taxes against their house? That is not what people go to war for to defend this country. I'm not a kid. I've been around long time.

Moermond: first, let me express my condolences for the loss of your wife. That is a

difficult life circumstance. Your comments are correct in so far as the contract and ordinance need to be reviewed and that is something happening right now and receiving community comments for circumstances like yours. Right now we're about three-fifths of the way through the 5 year contract. That current contract requires every single-family home through four-plex must be in the program. In cases like yours, I have a practice to decrease the amount of bill to lowest level of service. Right now you have every week 35 gallon pickup. We could get it down a bit, which I realize isn't addressing your real want which is being out of the program. That's the best I can do, and I can do it for this assessment and moving forward. I think you have comments for the Council, but that is what I can offer at the moment.

Hall: the organization doing the pickup has eliminated a lot of money they have had before. But it requires me around \$60. I spoke to the lady a year ago on the phone. Why don't you set something up like once a month a certain day and they can pay like that? Or every two months. Something to put in the barrel. Frankly, some of the people don't have any at all. It should be zero.

Moermond: I appreciate your comments and I think you are speaking for a lot of people we hear from who don't generate much garbage and want alternative solutions. You aren't alone in that. We are in this situation now for a bit longer. Your comments will be pointed out the Councilmembers. I wish we could fix this over lunch, but it has to wait until the next contract. Ms. Pillsbury, what is the charge for every other week?

Pillsbury: \$59.23.

Moermond: let's go ahead and ill decrease this down to \$59.23. Moving forward confirm we have the lowest level of service.

Hall: I have a bill now for \$59 now.

Moermond: that's the lowest we can get it now but hopefully in the future—

Hall: this is my property; I want you to remove the barrel from my property and if you do it again I'll sue you for transgression. It is against the law to not take it. I wasn't really angry when I talked to him. I have the right end of the law, if you don't take the barrel I'll go after you. That makes it going in both direction. That's a half and half type thing.

Moermond: you can certainly pursue the legal avenues you think are right for you. My recommendation will be to decrease this assessment in the amount I just said. How you want to litigate is up to you.

Hall: the attorneys that did this are not following the rule of law. That needs to be thought about seriously. They have a habit of doing that. Paying for something you are not able to do because there is not garbage.

Moermond: thank you sir. Enjoy the nice weather today.

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

8 RLH TA 22-158

Ratifying the Appealed Special Tax Assessment for property at 1605 WESTERN AVENUE NORTH. (File No. CG2201A2, Assessment No. 220101)

Sponsors: Brendmoen

Delete the assessment.

No one appeared

Staff report by Clare Pillsbury: the property owner stated they had a hold and shouldn't have to pay. Current hauler records show that the first contact with the property regarding a temporary service hold was in February 2022. Based on the inquiry, the service hold was back dated to January 1, 2022. The property owner stated that they originally reached out to the hauler in November 2021 and was able to provide documentation of an email from the hauler that was sent on November 24, 2021 and included instructions on how to request a temporary service hold as well as the temporary service hold form. The property owner stated that they filled out the temporary service hold form and mailed it back to hauler. The form appears to not have been applied as city records show that the property owner submitted an inquiry to the city on February 1, 2022 to find out why the temporary service hold had not been applied to the account. As a response to the inquiry, the hauler stated that customer service representative had found the application for the temporary service hold after speaking to the property owner and had applied the temporary service hold to be effective as of January 1, 2022. Based on the fact that there does appear to have been a delay in applying the temporary service hold, staff recommends removing the assessment.

Moermond: so recommended.

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

- 9 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

Delete the assessment.

No one appeared

Staff report by Clare Pillsbury: this is for quarter 3, 2021. The property owner appealed because it was for the previous property owner's account. They purchased April 1, 2021. May 9, 2021 they set up a new account. The CSR did this but didn't cancel the account for the previous property owner. Therefore both accounts were billed for Quarter 3 and Quarter 4 of 2021. Since the current property owner paid their Quarter 3, 2021 invoice in full on August 16, 2021 the assessed amount represents the amount invoiced to the previous property owner's account, plus three additional late fees. We recommend removal of this assessment since the property owner was double billed.

Moermond: not good, recommend deletion. That has been communicated to the property owner?

Pillsbury: yes.

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

- 10 RLH TA 22-119** Ratifying the Appealed Special Tax Assessment for property at 574 WHEELLOCK PARKWAY EAST. (File No. CG2201A1, Assessment No.

220100)

Sponsors: Brendmoen

Reduce assessment from \$232.76 to \$101.20.

No one appeared

Staff report by Clare Pillsbury: they stated they sent a money order to the hauler or the City. When they spoke to Waste Management they were told they hadn't received this payment. The property owner believes it may have been sent to the City. Both City and hauler records shows that there were no payments made for the Quarter 4 invoice and assessment. There was a money gram that was purchased by the property owner in the amount of \$242.38 on November 8, 2021. After calling the MoneyGram customer service line, staff confirmed that the MoneyGram was never cashed. However, it appears as though the property owner was incorrectly assessed during this time period. The current property owner purchased the property on April 1, 2021 and on May 9, 2021 called the hauler to set up a new account. The CSR did this but did not cancel the account for the previous property owner. Therefore both accounts were billed for Quarter 3 and Quarter 4 2021. Since the Quarter 4 2021 assessment includes the invoices for both accounts, staff recommends reducing the assessment to \$116.38. This would be for original invoiced amount of \$101.20 as well as three late fees.

Moermond: MoneyGram was purchased November 8. So if the bill would have been paid November 9, there would be one late fee attached?

Pillsbury: yes.

Moermond: I'm going to recommend it is reduced to \$101.20 because there was confusion and a good faith effort by the property owner to pay in a timely fashion.

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

11:00 a.m. Hearings

- 11 [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 May 3 at 3 pm. Unable to reach PO.*
- Voicemail left at 11:17 am: this is Marcia Moermond from St. Paul City Council calling you about your appealed special tax assessment for 559 Case. We'll try you back in about 5 minutes.*
- Voicemail left at 11:23 am: this is Marcia Moermond from St. Paul City Council calling you again about your appealed tax assessment for 559 Case. At this point I would say we would need to talk to you before your hearing May 25. One last chance since we had the wrong number last time. We'll try calling you on Tuesday, May 3 between 3 and 4 pm to talk about this.*
- Laid Over to the Legislative Hearings due back on 5/3/2022**
- 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 May 3 at 3 pm. Unable to reach PO.

Voicemail left at 11:17 am: this is Marcia Moermond from St. Paul City Council calling you about your appealed special tax assessment for 559 Case. We'll try you back in about 5 minutes.

Voicemail left at 11:23 am: this is Marcia Moermond from St. Paul City Council calling you again about your appealed tax assessment for 559 Case. At this point I would say we would need to talk to you before your hearing May 25. One last chance since we had the wrong number last time. We'll try calling you on Tuesday, May 3 between 3 and 4 pm to talk about this.

Laid Over to the Legislative Hearings due back on 5/3/2022