



CITY OF SAINT PAUL
OFFICE OF THE CITY COUNCIL
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June 27, 2019

Brandon Fritz
Management Co. Sherman and Associates
1957 English Street
Maplewood, MN 55109

VIA EMAIL: bfritz@sherman-associates.com

RE: 1281 Frost Avenue Water Bill Appeal

Dear Mr. Fritz:

At the Legislative Hearing on June 18, 2019, you appealed a decision of Saint Paul Regional Water Services (SPRWS) to not return \$1,805.76 in payments made on the water account for 1281 Frost Avenue from 2015 through mid-April 2019. The stated reason for the appeal was that these payments had been made inadvertently and the accounting error was discovered in April of this year. Subsequently, SPRWS has changed the name to the account to WL Investments c/o Wendy L Lauber, the owner of this property.

In the course of our discussion in the Legislative Hearing, it became apparent that the account holder information was changed from being WL Investments c/o Wendy L Lauber (the liquor store) to your firm September 18, 2015, when the Water Services Contract was signed for this and 3 adjacent properties. These contracts are attached. Shane LaFavre of Maplewood Acquisitions signed these contracts for your firm as the "Property Owner/Agent." Paragraph 13 of this contract indicates

"Property Owner agrees to pay water bills at rates now in effect or which may be established hereinafter and to be governed by all rules, regulations and conditions of Saint Paul Regional Water Services as may be adopted by the Board."

Although your company may not have intended to assume responsibility for the water services provided to 1281 Frost Avenue, it is plain that the agreement holds them accountable. I believe the matter of reimbursement for inadvertently paid bills falls on your company and reimbursement prospects lie with any agreement which may already exist or be reached with WL Investments c/o Wendy L Lauber. Therefore, I am recommending that the SPRWS Board of Commissioners deny your appeal.

Should you wish to appeal this matter further, it will be scheduled for consideration by the SPRWS Board of Commissioners on **July 9, 2019 at 5:00 p.m. in Room 330 City Hall.**

Please contact Mai Vang at 651-266-8563 or mai.vang@ci.stpaul.mn.us if you plan on attending this meeting or if you have other questions.

Sincerely,

Marcia Moermond

Marcia Moermond
Legislative Hearing Officer

Attachments:

Water Service Contracts for 1261, 1281 and 1291 Frost Avenue and 1955 English Street

c: Steve Schneider, SPRWS General Manager
Dolly Ludden, SPRWS Business Manager