



# CITY OF SAINT PAUL

OFFICE OF THE CITY COUNCIL

310 CITY HALL

15 WEST KELLOGG BOULEVARD

SAINT PAUL, MN 55102-1615

Marcia Moermond, Legislative Hearing Officer

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January 28, 2020

Sara and Edward Strecker  
329 Savage Ln  
Little Canada MN 55117-5105

Re: Water Appeal for Property at 1074 Galtier Street

Dear Sara and Edward Strecker:

At the Legislative Hearing on October 8, 2019, you appealed the September 11, 2019 bill of \$1,575.71 for water services at 1074 Galtier Street in Saint Paul. The stated reason for the appeal was that you believed the water should have been shut off after the unpaid bill exceeded \$150. You indicated you have been a landlord in Saint Paul for many years and knew this to be the policy. The water bill for this property was in your tenant's name. Although the quarterly bills were sent to the tenant, all notices of late payment (15), shut-off notices (7) and account balance certification to taxes (3) were also sent to you.

A review of Saint Paul Regional Water Services (SPRWS) Customer Service records for this property indicate water consumption ranged from 23-38 units per quarter from March 2016 through March 2019. The records also show a pattern of the customer carrying over balances from one billing cycle to the next. This resulted in numerous notices for both you and your tenant indicating there would be termination of the service for nonpayment. Account balances ranged from \$82.12 to \$524.45 and there was a pattern of payment arrangements being made and met by the tenant. The 5 balances carried over from one bill to the next in this time span were \$66.29, \$89.09, \$92.59, \$90.23 and \$300.25. Even still, in 2016, 2017 and 2018 account balances were certified to the property taxes, in the amounts of \$67.31, \$166.22 and \$99.74 respectively.

The June 2019 quarterly meter reading showed a dramatic increase in usage from an average of 26 units to 90 units. The March 2019 quarterly reading was 38 units - 12 units more than the previous average, which may be indicative of the leak beginning in this period. In June, per standard practice, SPRWS meter staff contacted you by phone and your tenant by letter to let you know there was a probable leak leading to this high level of consumption. You told SPRWS staff you would go to the property to check and replace valves and flappers. The September 2019 quarterly meter reading showed an even higher usage volume of 105 units. Again, SPRWS meter staff contacted you by phone and your tenant by letter to let you know there was a probable



continuous leak leading to this high level of consumption. You told SPRWS staff you would go to the property to check out if there were any leaks.

The carried over account balance from December 2018 to March 2019 was \$300.25 and the total March 2019 bill was \$524.45. This bill went unpaid and that balance was added to the June bill, bringing the total to \$1,022.18. That bill also went unpaid and was added to the September bill, which then totaled \$1,575.71. It is clear from SPRWS records that you were informed throughout as to the water usage and account balances.

Derek Olson, SPRWS staff, indicated in the October 8, 2019 Legislative Hearing that the water was not shut-off because the tee valve in the service to the property was broken and it needed a total head replacement. This break was originally noted in SPRWS records January 9, 2013. On October 2, 2019 the stop was replaced and the water service to the property was terminated. The delay in the replacement of the head was due to this property having a lead service line which would need to be cut into to replace the valve. Per SPRWS policy and EPA recommendations, repair in this situation is delayed as long as possible, so as not to disturb the lead line and potentially introduce contamination. SPRWS report they have a priority ranking for lead line replacements and maintenance items. Partial lead replacements, as in this case, are low on this list. The majority of the SPRWS budget in this area goes to replacing lead services in project areas and or other programs such as ULR where a customer has already replaced their service within the property. Last year was the first year in many years where budget allowed us to focus on replacing lead services with maintenance issues.

SPRWS internal policy is to terminate services for delinquent quarterly accounts with accrued past due charges of \$150 or more. For the reason articulated above, this shut-off did not occur until October 2019. So, you are correct in your assertion that under normal circumstances, the service would have been terminated earlier in 2019. However, I think the more important policy which governs this property's billing situation is found in the Saint Paul Legislative Code Section 91.14 of. It specifies:

*The property owner is responsible for all charges for water service and sewer service against the property. If the owner desires to have bills sent to a tenant, the water utility will do so. This does not, however, relieve the property owner of the responsibility for payment of the charges. All charges for water and sewer service are a continuing lien against the property until they are paid. The utility may annually certify delinquent water and sewer charges to the county auditor to be collected with the real estate taxes for the property on the date specified by the county taxing authority. An administrative fee of fifteen dollars (\$15.00), or as otherwise set by resolution of the board of water commissioners, and twelve (12) months of interest, at an interest rate determined by the city, will be added to the delinquent water and sewer charges at the time these charges are certified to the county auditor. Charges so collected shall be remitted to the city treasurer in the same manner as assessments for local improvements.*

Looking broadly at your appeal, I find that you had many opportunities to act on information that your tenant's account was delinquent. The high bills in 2019 very likely resulted from leaking within the property. SPRWS notified both you and your tenant on multiple occasions by phone and letter that this was a concern for your property. These circumstances lead me to the conclusion that your situation does not justify a variance from local code holding you responsible for this bill. Therefore, I am recommending that the SPRWS Board of Commissioners deny your appeal to reduce the amount owed on the account for 1074 Galtier Street.

Should you wish to appeal this matter further, it will be scheduled for consideration by the SPRWS Board of Commissioners on **February 11, 2020, 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](mailto:mai.vang@ci.stpaul.mn.us) if you plan on attending this meeting, if you would prefer a hearing on March 10, 2020, or if you have other questions.

Sincerely,

*Marcia Moermond*

Marcia Moermond  
Legislative Hearing Officer

c: Steve Schneider, SPRWS General Manager  
Dolly Ludden, SPRWS Business Manager  
Derek Olson, Senior Customer Service Representative