



CITY OF SAINT PAUL
OFFICE OF THE CITY COUNCIL
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SAINT PAUL, MN 55102-1615
Marcia Moermond, Legislative Hearing Officer
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PHONE: (651) 266-8585 FAX: (651) 266-8574

August 7, 2020

Ibrahim Elemo
19228 Huxley Avenue
Lakeville MN 55044-3603

VIA US MAIL

Re: Water Appeal for Property at 95 LITCHFIELD STREET

Dear Mr. Ibrahim Elemo:

At the Legislative Hearing on July 28, 2020, you appealed the Saint Paul Regional Water Services (SPRWS) water bill for this property. You requested financial relief covering for the time period you have owned the building, as there was no water used. You purchased this registered vacant building in 2017 and have been receiving and paying quarterly water bills, the last payment submitted was for the December 24, 2019 bill. The bills dated March 24, 2020 and June 24, 2020 remain unpaid at this time. (See enclosed past bills)

Although there has been no water used at this property, by virtue of having a water meter and the water turned on for the property, there are charges which accrue. These fees include a Right-of-Way (ROW) Recovery fee; Safe Drinking Water fee, Water Service Base fee, Sanitary Sewer Base fee and Sanitary Sewer Minimum Charge. The quarterly bills resulting from these fees, with no water usage have ranged from \$40.29 to \$43.19.

The Saint Paul Legislative Code Chapter 91.09 provides that billing for a property will stop if the water meter is removed.

Order to remove meter. *On the request of the owner or authorized agent, the water will be shut off and the meter will be removed and any fixed charge stopped as of the date of removal. Removal of any remote meter reading device and connecting cable shall be at the discretion of the water utility.*

You indicated in the Legislative Hearing that you called SPRWS quarterly to ask for the bills to be removed because water was not being used. SPRWS has a record of one call from you prior to 2020 which was received January 22, 2019. The customer service representative's notes are as follows "Per Ibrahim, property is still vacant and not sure when it going to occupy the property need a lot of work to be done (sic)." There are 3 communications with customer service representatives in 2020. Two of these were on June 15, 2020. The SPRWS notes indicate your first call that day was to the main customer service number and you told them the property was vacant and would like the billing to stop. The



representative indicated the billing would stop if the meter were to be removed and then referred you to the SPRWS Meter Office to put a work order in place. Your second call on June 15, 2020 was to the Meter Office and their notes indicate you wanted the last 4 or 5 bills removed because you had previously called to say the property was vacant. At this point they asked if you would like to schedule an appointment for meter removal and you said you would call them back. On July 8, 2020, you again spoke with a SPRWS customer service representative who advised you of 2 options at your disposal. The first option being to make an appointment to get the meter removed and the second being to file an appeal.

In analyzing your appeal, I balanced your expectation that billing should have stopped in January of 2019 with the fact that you continued to pay the bills through December 2019. I also need to take into account the discrepancy between your statements that you frequently contacted SPRWS to stop billing and their statement that you only reached out once prior to this summer and were not specific about your request to stop the billing.

Paying the bill, rather than contacting SPRWS to resolve your billing concern, or even more critically appealing the bills when you disagreed with them, does *de facto* indicate you find accepted the bills were correct. For this reason, I will not recommend a reduction in the billed amount through the December 24, 2019. **With respect to the unpaid bills dated March 24, 2020 and June 24, 2020, I am recommending to the SPRWS Board of Commissioners that these bills be deleted, if you have the meter removed by the close of business August 31, 2020.** Please contact the SPRWS Meter Office at 651-266-6850 to schedule a time to meet SPRWS staff at the property to have the meter to be removed. If the meter is not removed by this date, I will recommend no reduction in the billed amounts.

Should you wish to appeal this matter further, it will be scheduled for consideration by the SPRWS Board of Commissioners on **September 8, 2020 at 5:00 p.m.** Please note, in-person SPRWS Board of Commissioners meetings, or meetings conducted under Minn. Stat. § 13D.02, are not practical or prudent because of the COVID-19 health pandemic emergency declared under Minn. Stat. Chapter 12 by the Minnesota Governor Tim Walz and Saint Paul Mayor Melvin Carter. In light of the COVID-19 health pandemic, members of the SPRWS Board will participate in meetings by telephone or other electronic means. Public attendance at the Board of Water Commissioner's regular meeting location is not feasible due to the COVID-19 health pandemic. Accordingly, no meeting will be held in Room 330 at 15 W. Kellogg Boulevard in the City of Saint Paul and the meeting will be conducted remotely.

Please contact Mai Vang at 651-266-8563 or mai.vang@ci.stpaul.mn.us if you would like to address the Board of Water Commissioners at its meeting or if you have other questions.

Sincerely,

Marcia Moermond

Marcia Moermond
Legislative Hearing Officer

Enc.

c: Dolly Ludden
Jerry Ludden
Derek Olson
Steve Schneider
Patrick Shea