



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

July 31, 2019

Ryan Johnson  
45 Maywood Pl  
Saint Paul MN 55117

VIA US MAIL

Re: Water Appeal for Property at 45 Maywood Place

Dear Mr. Johnson:

At the Legislative Hearing on July 9, 2019, you appealed the \$600 charge for thawing your water line in the right-of-way on March 21, 2019. The charge was levied because it is the policy of Saint Paul Regional Water Services (SPRWS) to provide one free thaw per year and the line had previously been thawed by SPRWS on February 26, 2019.

Richard Rowland, SPRWS staff, presented a contract signed by you on February 26, 2019 which included clauses indicating you understood there would be a charge of \$600 to re-thaw the line. The contract also outlined that you understood it was your responsibility to run water at a rate of ¼ gallon per minute until you received a notice from SPRWS to stop. Further, SPRWS indicated in the contract that the extra cost of running water at this rate would become a credit on your bill and your bill would be calculated based on previous years' water consumption. Finally, Mr. Rowland presented a contract signed by you on March 21, 2019 which specified you understood there would be a charge of \$600 to re-thaw the line, as it was the second freeze of the year. The contract language is based on Saint Paul Legislative Code requirements which are attached.

During the course of the hearing, you brought up a couple points related to the March 21, 2019 thawing of the water line. First, you said you were out of town for a critical time period between the first and second freezes and were uncomfortable running the water at the required rate because of the fear of flooding the basement or backing up the sanitary sewer. The actual water consumption between February 26, 2019 and the next meter reading I have access to, on April 5, 2019, was 9 units. (The SPRWS letter to stop running the water went out on April 8, 2019.) Had the water flow been at the recommended level, the anticipated meter reading would be close to 18 units. A summary of water usage is attached.

You also stated your concern with the line freezing in 3 separate winters since installation in 1957, including 2014 and 2019. With the increasing frequency, you wondered if there was a systemic change

causes this. You indicated that field staff thawing your water line said the freeze may have been the result of the proximity to the storm sewer. I have attached the sewer line map provided by staff as follow-up to the hearing. We learned from Mr. Rowland there are five other properties near you on Maywood which also received notices from SPRWS to run water to prevent freezing of the line. He said there are a number of locations in the SPRWS service area which experience the same issue and also receive these notices. In reviewing the map and this testimony, it is clear your property is different from average in that the water line is subject to freezing. I do not think there is sufficient information to conclude the reason for this – be it the storm sewer proximity, a quirk of the geology in your area or some other reason. If a conclusion were possible, the City's Legislative Code still has no provision for treating your property and individual property owner responsibilities differently by way of exempting you from this fee.

SPRWS does have policies which address the potential of freezing water lines in harsh Minnesota winters. You signed 2 separate contracts indicating you knew these policies and your obligations under the applicable codes. It is for this reason 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 **August 27, 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 or if you have other questions.

Sincerely,

*Marcia Moermond*

Marcia Moermond  
Legislative Hearing Officer

Attachments:

Saint Paul Legislative Code Sections 87.18 and 93.08  
45 Maywood Place Water Consumption History  
Sewer Map of 45 Maywood Place Area

c: Steve Schneider, SPRWS General Manager  
Dolly Ludden, SPRWS Business Manager  
Richard Rowland, SPRWS Water Distribution Assistant Manager