

**Watertown City Council**December 11<sup>th</sup>, 2018**Agenda Item: Request for Refund of Utility Charges, penalties and fees****Request for Action: Discussion and Direction****Department: City Administrator****Background:**

The city is in receipt of a request from the owner of the property at 1374 Landings Lane. The owner is requesting all late payment penalties (\$41.91) and the certify penalty (\$25) be removed from his account. The owner of the property has had rental tenants occupying the home and they have defaulted on their lease agreement. The tenants have not paid a utility bill to the City of Watertown since September 24<sup>th</sup>, 2018.

The City of Watertown issues monthly bills for water and sewer services for all homes, businesses, and public buildings connected to the system. The bill includes consumption charges and infrastructure base fees. Utility customers have until the 15<sup>th</sup> of each month to pay outstanding balance. After the 15<sup>th</sup> of the month, unpaid balances incur a 10% penalty added to their next month's bill. If a property is occupied by a renter, the owner of the property and the rental tenant receive a copy of the monthly utility bill as well as any notices related to the property.

City Ordinance 58-187 states that all delinquent accounts will be presented to Council prior to December 1<sup>st</sup> for authorization to certify the assessment roll to the county auditor. The auditor will place these amounts on the proper tax lists of the county for collection in the same manner as provided by law for municipal taxes.

Notices are mailed monthly on the 16<sup>th</sup> to notify delinquent customers of their status. Late payment notices were mailed to 1374 Landings Lane on September 17<sup>th</sup>, October 16<sup>th</sup>, and November 16<sup>th</sup>. The first notice of the certification process was mailed on October 30<sup>th</sup>, 2018. This letter informed owners of the amount due, and the date of the Council's public hearing set for November 27, 2018. A second notice of the certification process was mailed on November 28<sup>th</sup>, 2018. This notice stated that the past due amounts would be certified to their 2019 property taxes and that they would incur a \$25 fee on their next utility bill.

The city has until the 19<sup>th</sup> of December to collect amounts due that were certified to the county. These payments must be made in cash, money order or credit card and cannot be combined with any other amounts due. After the 19<sup>th</sup>, all payments will need to be made directly to Carver County Taxpayer Services.

Recommendation: Staff is recommending the property owner pay all outstanding balances including penalties and certification fee.

**Attachments:**

Letter from 1374 Landings Lane property owner

City of Watertown Ordinance 58-187

1374 Landings Lane Rental Property  
Certified Utility Charges/Late Fees - Acct# 01-00002261-00-2

Ben Anderson  
11356 CR 13 SE  
Watertown, MN 55388  
952-200-2662  
banderson@mptech.biz  
12/7/18

Shane  
City Administrator  
City of Watertown  
309 Lewis Ave S  
PO Box 279

Shane:

The tenants of my 1374 Landings Lane rental property have left me with a large sum of costs when they defaulted on our lease agreement and I am requesting that the City Council take a moment at their next council meeting to talk about potentially waving the following charges that I will need to now pay.

- 10/30/18 Water Bill: Late fee of \$12.57
- 11/28/18 Water Bill: Late fee of \$29.34
- 11/28/18 Water Bill: Certify Fee of \$25.00

I can reconcile all charges by credit card after a decision is made. Appreciate any help on this!

Sincerely,

Ben Anderson

A handwritten signature in black ink, appearing to be 'Ben Anderson', with a long horizontal line extending to the right.

**Sec. 58-187. - Certifying delinquent accounts to county auditor for collection with taxes.**

- (a) By November 1 of each year the clerk-treasurer shall make a complete list of all water and sewer bills remaining delinquent and shall notify the consumer. If the consumer is not the owner of the property, the owner, if his address is known, is also notified that the water and sewer bill is delinquent and that if not paid it will be presented to the city council for adoption as part of an assessment roll of delinquent accounts to be certified to the county auditor for collection with real estate taxes against the property served.
- (b) The clerk-treasurer shall prepare and present to the city council on or before December 1 of each year an assessment roll of all delinquent accounts providing for assessment of delinquent accounts against the respective properties served. Upon adoption by the city council, the clerk-treasurer shall certify the assessment roll to the county auditor to be extended on the proper tax lists of the county for collection in the same manner as provided by law for municipal taxes.

(Ord. No. 87, § 13, 12-16-75)