

November 27, 2014

Report To: Mayor and Council

From: Doug Brown, Manager of Operations & Facilities

SUBJECT: Letter from Mike & Sandra Krikke 911 Smith Avenue- Water Issue

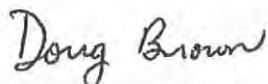
Please find attached a letter dated November 27, 2014 from Mike & Sandra Krikke, which was referred to the Operations & Facilities Executive committee with input from the Administration & Finance Executive committee for a recommendation for Council to consider. Please find attached a report prepared by Doug Herr, Environmental & Facilities Superintendent outlining all pertinent details in regards to the water shut off-turn on event that took place on September 24, 2011.

At the time of preparing this report, the Administration & Finance Executive Committee has yet to review the issue. It is my opinion that Mike and Sandra Krikke of 911 Smith Avenue received water and sanitary sewer services from the period September 24, 2011 to October 28, 2014 without being charged or invoiced due to the O & F division not providing the proper paperwork to the billing clerk in the A & F division. The Town employee did not follow the proper protocol of shutting "off" and turning "on" a residential water service line. Where the Town under the existing collection policy has the ability to collect for water and sanitary sewer services as far back as 6 years. Basically no one rides for free and the Town has developed this collection policy for this very situation. Based on my review of the November 17, 2014 Krikke letter, it appears that a longer payment plan could be considered as a result of the Krikke's purchasing a new house. However, this outstanding water and sewer billing issue could have been addressed when 911 Smith Avenue was sold/transferred to a different property owner.

Councilor Paul Ryan updated the O& F executive committee on the recommendations coming from the A& F executive committee meeting held on December 9, 2014. After a lengthy discussion the Operations & Facilities Executive Committee recommends the following;

- 1) That the request to waive the water and sanitary sewer billing from September 24, 2011 to October 28, 2014 as outlined in the letter dated November 17, 2014 from Mike & Sandra Krikke be denied.
- 2) That a longer payment plan will be considered where the term and conditions will be agreeable to both parties.
- 3) That the interest charges during the payment plan period will be waived.
- 4) That the "Turn on" fee in the amount of \$ 42.50 will be waived.

Respectfully Submitted
Operations & Facilities Division,



Doug Brown, P. Eng.
Operations & Facilities Manager

Council approval of this report will ensure the following:

- 1) That the request to waive the water and sanitary sewer billing from September 24, 2011 to October 28, 2014 as outlined in the letter dated November 17, 2014 from Mike & Sandra Krikke be denied.
- 2) That a longer payment plan will be considered where the term and conditions will be agreeable to both parties.
- 3) That the interest charges during the payment plan period will be waived.
- 4) That the "Turn on" fee in the amount of \$42.50 will be waived.

2014NovMikeKrikke-911smith

November 25, 2014

Report To: Doug Brown, Manager of Operations & Facilities
From: Douglas Herr, Environmental & Facilities Superintendent
SUBJECT: Mike and Sandra Krikke
Re: 911 Smith Avenue
Letter Received November 19, 2014

Attached is a letter from Mike and Sandra Krikke complaining about an invoice they received from the Town on November 4, 2014 in the amount of \$2,691.81 for water/sewer charges stemming back to September 24, 2011. They believe that it is the Town of Fort Frances' mistake that they were not issued a water/sewer bill since this time and should resume the responsibility of covering this cost.

This matter first came to my attention October 28, 2014 when Heather Hatch, Utilities notified me. This was only brought to the Town's attention when the Krikkes' decided to sell this property and move to another. In discussion with Heather, she informed me that the Krikkes' had been receiving water/sewer service since September 24, 2011 without being invoiced for the service. She indicated that according to her records the water at this location was turned off that day and had not received any notice of it being turned back on. I told her that I would review our property files and get back to her.

I checked our files and notified Heather that the water had been turned off Saturday September 24, 2011 at the request of the Owner and that there was no documentation regarding the water being turned back on. Heather asked me to contact and discuss this matter with the Owner.

On the afternoon of October 28, 2014, I contacted Mrs. Krikke at work to discuss the situation and advised her that since she did continue to receive this service from September 24, 2011 forward she would be invoiced for it. She stated that it was the Town's fault for not sending them an invoice or checking back to see they had water or not. I explained the procedure for requesting water turn off/on and what happens with this documentation once filed. I explained that since there was no work requisition for a water turn on, the Town would have treated this property as having no water and therefore no water/sewer charge would have been issued. She then went on to say that it was the fault of the Town worker that no paperwork had been filled in and she went on to explain what happened the day of September 24, 2011. I told her that since she had been receiving this service the Town was entitled to receive payment for providing it. Then for whatever reason she told me she thought that the water/sewer charges were amalgamated with the other utility billings? Go figure??? I told her to contact Heather Hatch and make arrangements for payment in the amount owing to the Town. She said that she would.

This is the history of what transpired from September 24, 2011 when the water was initially turned off:

1. Doug Brown was on call at the time and received a telephone call from Mike Krikke, 911 Smith Avenue to have the water turned off. Doug contacted Chad Hanson, Town worker to attend to the work. A Work Requisition was completed and the Owner signed upon Chad's arrival.
2. Chad stated, in his statement attached that when he arrived on site the Owner had a plumber there as well. When Chad turned the curb stop spindle the box turned as well. The plumber assisted Chad in securing the box while Chad turned the water off.

3. Chad said that he had asked the plumber how long he was going to be until he needed the water turned on again. Plumber was not sure.
4. Chad decided to leave the key with the plumber so that he could turn the water back on himself.
5. Chad told Mrs. Krikke that he was leaving the key with the plumber and to give it to her brother-in-law, Barry Mosbeck to return it Monday morning.
6. No documentation was completed for the water turn on, therefore no notification given to utilities. Water was deemed off. No water/sewer charges had been sent out by the Town since this date.

In light of the events that took place the Owner continued to receive water from the Town without being charged since September 24, 2011. In accordance with the Town's Collection Policy the Town has the right to charge the customer's account with the under-billing for the period of the under-billing or a maximum of six (6) years from the date the Town is made aware of the error.

I have since discussed with Chad the consequences of not following protocols and what repercussion it has for other workers and departments.

Respectfully Submitted,



Douglas Herr, Environmental & Facilities Supt.

Enclosed: Letter- Mike & Sandra Kikke (Rec'd November 19, 2014)
Excerpt – Page 19 of the Water and Sewer Collection Policy
Chad Hanson's Statement

Mike & Sandra Krikke

1327 Emo Road • Fort Frances, ON P9A 2V6 • Phone: 807-274-1254
E-Mail: mskrikke@shaw.ca



November 17, 2014

Fort Frances Mayor & Council
320 Portage Avenue
Fort Frances, ON
P9A 3P9



Dear Fort Frances Mayor and Council Members:

RE: Water & Sewer at 911 Smith Avenue, Fort Frances

I am writing this letter in regards to an invoice that my husband and I received totaling \$2691.81 on November 4, 2014 for our previous home of 911 Smith Avenue. The water/sewer invoice charges are four payments beginning on November 30, 2014 and continue monthly until February 27, 2015 with three payments of \$672.97 and one payment of \$672.90.

The week of October 13, 2014, I informed the Town of Fort Frances (TOFF) that we would be moving to 1327 Emo Road effective October 30, 2014. It was not until October 28, 2014 that Heather Hatch had called me at work and left a message stating she needed to talk to me about our water bill. On returning her call, she let me know that they (TOFF) were unaware that our water was turned back 'on' and that we were not billed for over three years (since September 24, 2011). I was very surprised and shocked when she told me these facts. She had told me to call Doug Herr and discuss the matter further.

When I spoke to Doug Herr, I explained the events surrounding September 24, 2011. We had a pipe burst in our laundry room in the basement. We were unable to shut the water off due to old turn off valves. We had called a plumber as well as the TOFF to turn off our water. Doug Brown sent a worker to our house indicating that we would have to pay an extra fee, since it was a Saturday. (Upon receiving the bill for the water turn 'off' on September 24, 2011 I did pay this bill immediately, as I do with all invoices). The TOFF worker came to our house and turned the water off. In the meantime, we were waiting for the plumber to come from Emo to fix our pipe. The worker ended up leaving the 'key' with my husband, who stated that he would turn the water back 'on'. Doug Herr stated that the TOFF worker did not complete the proper paperwork indicating that our water was turned back 'on'. I told Mr. Herr that I was very upset and was truly unaware that I was not paying our water/sewer bill. I knew that the water/sewer bill had changed in the past few years and thought it was amalgamated into one utility bill.

These past few weeks have been very stressful for my family and myself. This whole situation stemmed from the TOFF not following proper procedures and paperwork; an error that was not discovered until we informed the TOFF of our moving. I was informed of it two days prior to moving into our new house. We have incurred costs with moving to a larger home and it should be an enjoyable time for our family.



Since we did not receive a bill for over three years due to a TOFF mistake, we believe that the TOFF should assume the responsibility of covering this cost. It is inconceivable how something like this could even happen.

Please feel free to contact me if you need to discuss this matter further. I have attached the letter as well as the invoices for your perusal. I can be reached at 275-6789. Thank you for your time.

Sincerely,

Sandra Krikke

Encl.

WATER AND SEWER COLLECTION

POLICY STATEMENT

This policy applies to the procedures and collection of water and sewer receivables.

2. EFFECTIVE DATE

This revised Policy comes into effect on November 23, 2010 and cancels and supersedes all former water and sewer collection policies.

3. PROCEDURE

- New owners must complete a Water and Sanitary Sewer Customer Contract before changes in service can take place. (See Page 22)
- Property owners remain responsible for the full payment of all water and sewer service, even if the bill has been assigned to another person (such as a tenant).

4. BILLING ERRORS

Where billing errors have resulted in over-billing, the customer's account shall be credited with the amount of the over-billing for the period of the over-billing or a maximum of six (6) years from the date the Town is made aware of the error, whichever is less.

Where billing errors have resulted in under-billing, the following shall apply:

- a) The customer's account shall be charged with the amount of the under-billing for the period of the under-billing or a maximum of six (6) years from the date the Town is made aware of the error, whichever is less.
- b) In instances of wilful damage, the customer's account shall be charged with the amount of the under-billing for the period of the under-billing with no maximum applied.

In the event an ownership change has taken place during the time of the billing error, the current customer will receive the credit/charge for the amount of time he/she was owner of the property to a maximum of six (6) years.

5. VACANCY

A charge set forth in accordance with the town's User Fee By-law will be levied for turning on or off the water services when the property is vacant or unoccupied for any duration. Multi-residential properties and trailer parks are subject to the same option with the following additional requirement; it is compulsory that the multi-residential properties and individual trailer properties obtain prior written approval, minimum of seven (7) days of the vacancy. It should be noted that approval would not be granted if any portion of the fire sprinkler system within the building is disarmed or dismantled or the supply of water to any other unit is affected. It is the responsibility of the property owner to ensure the plumbing and valves are in good working order and in place prior to work being done. All valving affected by turning the water off shall be affixed with seals by the Town's water system operators. Requests for water turn on/turn off due to vacancies shall be made by completing a Work Requisition application at Public Works. (See Page 23)

I was called into work on the evening of September 24, 2011 by Doug Brown for a water turn off. I was met there by John Marcus (the plumber). I tried to shut off the water but the entire stand pipe was spinning. John helped me to secure the stand pipe while I turned the water off. I asked John how long it was going to be till he needed the water turned back on. He said he wasn't sure. I decided to leave the key with him so he could turn the water back on. I talked to Mrs. Krikke and she said she would return the key to her brother in law Barry Musbeck before Monday morning. Barry works with me at public works. I was unaware that a water turn on form was not filled out. I thought that would have been taken care of in the front office. I apologize for the inconvenience this has caused the Krikke family.

Chad Hansen

Nov 24 / 2014