

36.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
2009-0624	Communication	Introduced
	Communication from the Director of Public Works relative to a high water bill complaint at 2107 South 84 Street.	
	Introduced: 10/6/2009	Controlling Body: Public Works Committee

COMMITTEE RECOMMENDATION D.P.W. Approved, place on file

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>10/6/2009</u>		<input checked="" type="checkbox"/>	Barczak	<input checked="" type="checkbox"/>			
			Czaplewski	<input checked="" type="checkbox"/>			
			Kopplin				
			Lajsic				
			Narloek				
			Reinke				
		<input checked="" type="checkbox"/>		Roadt	<input checked="" type="checkbox"/>		
				Sengstock	<input checked="" type="checkbox"/>		
				Vitale			
				Weigel	<input checked="" type="checkbox"/>		
			TOTAL	<u>5</u>			

SIGNATURE OF COMMITTEE MEMBER

[Handwritten Signature]
Chair

Vice-Chair

Member

COMMON COUNCIL ACTION Approved + PLACE ON FILE

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>OCT 06 2009</u>	<input checked="" type="checkbox"/>		Barczak	<input checked="" type="checkbox"/>			
			Czaplewski	<input checked="" type="checkbox"/>			
			Kopplin	<input checked="" type="checkbox"/>			
			Lajsic	<input checked="" type="checkbox"/>			
			Narloek	<input checked="" type="checkbox"/>			
			Reinke	<input checked="" type="checkbox"/>			
			Roadt	<input checked="" type="checkbox"/>			
			Sengstock	<input checked="" type="checkbox"/>			
			Vitale	<input checked="" type="checkbox"/>			
			Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<u>10</u>			



DEPARTMENT OF PUBLIC WORKS

Michael Pertmer
Director

414/302-8888
414/302-8889 (Fax)

Municipal Yards
6300 West McGeoch Avenue
West Allis, Wisconsin 53219

www.ci.west-allis.wi.us

September 11, 2009

Mayor Devine and Common Council Members
7525 West Greenfield Avenue
West Allis, WI 53214

Honorable Mayor & Common Council Members:

The Water Utility has, for many years, had a policy in effect where the Director of Public Works was empowered to make adjustments to high water bills that were the result of some type of leak in the homeowner's system. Any adjustment made was done so with the understanding that the defect causing the excessive water consumption was repaired in a timely manner. Adjustments normally resulted in a wholesale rate being charged for the water consumed in excess of the normal quarterly water consumption. An administrative charge was also added to the final calculation.

The Utility recently received a request for an adjustment for the water bill at 2107 S. 84 St. which is owned/managed by Treml Sales and Service at 8411 W. Becher Street. Our records indicate that a notification of high water consumption was sent to Treml on March 10, 2009. Such letters are automatically generated when the water meter readings are downloaded into the system. Treml contends that they never received this letter although they did receive a letter for a second property that was also having a problem. As a result, they did nothing to detect and relieve the excessive consumption from the property at 2107 S. 84 St. until after the owner actually received the water bill some time in April.

I allowed an adjustment to be made to the billing for water consumed prior to the notification of high water consumption being sent. However, in accordance with the Public Service Rules which, in part, state "No such adjustment shall be made for water supplied after the customer has been notified and has had an opportunity to correct the condition.", I rejected the request for any additional adjustment.

In my second letter dated September 11, 2009, again rejecting the request, I did note that I would forward the request to the Public Works Committee, which also oversees the Water Utility, for a determination if they wished to over-turn my decision. To that end, I am enclosing all the communications related to this request. Obviously, it would be my desire that you support my original decision which, again, is completely consistent with the Public Service Commission's rules yet, in part, is also related to the numerous issues we have had with this company in the past – all of which can be detailed by the Water Superintendent, Dan Schwebke, at the Committee's request.

Respectfully submitted,

A handwritten signature in blue ink that reads "Michael F. Pertmer".

Michael F. Pertmer
Director of Public Works

cc: Gary Schmid, Dan Schwebke, Kristen Victory



DEPARTMENT OF PUBLIC WORKS

Michael Pertmer
Director

414/302-8888
414/302-8889 (Fax)

Municipal Yards
6300 West McGeoch Avenue
West Allis, Wisconsin 53219

www.ci.west-allis.wi.us

Sept. 11, 2009

Ms. Mary Stephanek
Tremel Sales & Service
8411 W. Becher Street
West Allis, WI 53227

Re: 2107 S. 84 St.

Dear Ms. Stephanek:

In response to your most recent letter of August 31, 2009 relative to the above referenced property, I am well aware of the fact that you advised me that you did not receive any notice from the water utility relative to the suspected water leak at the above property. However, as I noted in my initial letter, I am also well aware of the fact that a letter was sent to you. As I indicated, I saw copies of both the work order to generate the letter and the letter itself.

You also note in your letter that common sense dictates that you would not have allowed a loss of water to continue if notified. I would tend to agree with you had not the Utility, on numerous occasions, dealt with similar situations where, in fact, customers simply ignore our communications until they get a large water bill or their water is turned off.

Finally, yes, while the post office may have made a delivery error we have no indication of such a fact, i.e., the letter being returned. Therefore, I must again respectfully deny your request for an adjustment. I will however, refer your request to the Common Council's Public Works Committee which oversees the Water Utility. They are certainly at liberty to overturn my decision and direct that some type of adjustment be made. This will be introduced to the Council at its meeting of October 6, 2009.

Should you have any other questions related to this approach, please feel free to contact me.

Yours truly,

A handwritten signature in cursive script that reads "Michael F. Pertmer".

Michael F. Pertmer
Director of Public Works

Cc: Gary Schmid, Scott Post, Dan Schwebke, Kristen Victory

August 31, 2009

Mr. Mike Pertmer, Director of Public Works
West Allis Water Department
7525 W. Greenfield Avenue
West Allis, WI 53214

Re 2107 S. 84th Street
Water Utility Account No. 24069-23570

Dear Mr. Pertmer:

Thank you for your August 27, 2009 correspondence.

I again advise you that we did not receive notice of the problem, as stated to you in my previous correspondences.

Whether your computer generated a letter or not, you have been informed that no such letter was received. One letter was received, and that concerned a different address.

Common sense dictates that we would not have allowed such a massive loss of water had we been notified of it. Common sense also dictates that as we acted on the same day we did receive notice, we would have done so a month earlier had we been notified.

A third common sense factor is that computer errors do occur, as well as post office malfunctions. Either instance would render us not-notified in this matter.

I again request a credit for the excessive water charges. We were not notified.

Please review the facts and advise as soon as possible. Thank you.

Sincerely,



Mary Stephanek
Tremel Sales & Service
8411 W. Becher Street
West Allis, WI 53227



DEPARTMENT OF PUBLIC WORKS

Michael Pertmer
Director

414/302-8888
414/302-8889 (Fax)

Municipal Yards
6300 West McGeoch Avenue
West Allis, Wisconsin 53219

www.ci.west-allis.wi.us

August 27, 2009

Ms. Mary Stephanek
Tremel Sales & Service
8411 W. Becher Street
West Allis, WI 53227

Re: Water Bill for 2107 S. 84 St.

Dear Ms. Stephanek:

I am in receipt of your letter dated August 18, relative to my denial of your request for an adjustment to the water bill for the property at 2107 S. 84 St. As indicated in my original letter dated August 5, 2009, the denial was based on the fact that the Water Utility had made notice to the owner of the problem and the repair was not made in a timely manner.

Your letter indicates that you received no such notice for this property but rather received a notice for the property at 8401 W. Becher. A check of our records indicates that, in fact, letters were sent to Rudy A Tremel at 8411 W. Becher for both of these properties on March 10, 2009. These letters are computer generated based again, on a computer generated work order, both of which the Utility has copies of.

Given this information that indicates that proper notice was made, I must again deny your request for an adjustment on your water bill for the property at 2107 S. 84 St.

Yours truly,

A handwritten signature in cursive script that reads "Michael F. Pertmer".

Michael F. Pertmer
Director of Public Works

Cc: Kristen Victory, Daniel Schwebke

August 18, 2009

Mr. Mike Pertmer, Director of Public Works
West Allis Water Department
7525 W. Greenfield Avenue
West Allis, WI 53214

Re 2107 S. 84th Street
Water Utility Account No. 24069-23570

Dear Mr. Pertmer:

I was informed by a Kristen Victory that you denied our *request for "leak credit"*. Ms. Victory stated no adjustment shall be made for water supplied after the customer had been notified.

As stated to Water Department employees, the very date we were notified of the leak we hired a plumber to repair the problem. I was told that we were informed a month earlier on March 10, 2009. This is untrue.

Enclosed is the correspondence we received concerning the March 10, 2009 notice. You will see it concerns our 8401 W. Becher property, not the 2107 S. 84th Street property. We received no notice of excessive water usage for 2107 S. 84th Street until we received the invoice in April.

We immediately contacted the Water Department, hired the plumber, and remedied the situation. Common sense dictates it would have been foolish to ignore the huge expense of water charges for a month by taking no action.

Again, I request a credit for the excessive water charges. We were not notified. Please review the facts and advise as soon as possible. Thank you.

Sincerely,



Mary Stephanek
Tremel Sales & Service
8411 W. Becher Street
West Allis, WI 53227



August 5, 2009

Mary Stephanek
Tremel Sales & Service
8411 W. Becher St.
West Allis, WI 53227

RE: 2107 S. 84 St.
Water Utility Account No.: 24069-23570

Dear Ms. Stephanek:

This letter is in response to your second "leak credit" request for 2107-09 S. 84 St. This request for additional adjustments on your account has been denied by Mike Pertmer, Director of Public Works.

The earlier adjustment we made accounted for the time period before you were notified of the higher consumption. The Public Service Commission allows the Water Utility to provide relief to customers who have had a leak unknown to them. It does, however, state in the Wisconsin Administrative Code, PSC 185.35 (6) that "No such adjustment shall be made for water supplied after the customer has been notified and has had an opportunity to correct the condition". A letter was sent several days after we read your meter in March notifying you of higher than normal consumption. No appointment was scheduled with us until April after the bills were mailed.

The total due for your account is now \$968.22. Please note that penalties are incurred on outstanding balances after the 21st of the month.

I can be reached at (414) 302-8250 if you should need to contact me.

Sincerely,

Kristen Victory
Accountant
West Allis Municipal Water Utility

Cc: Mike Pertmer



DEPARTMENT OF ADMINISTRATION & FINANCE
FINANCE DIVISION

Gary A. Schmid, CPA, CGFM
Manager of Finance/Comptroller
gschmid@ci.west-allis.wi.us
Kristine Moen, CPA
Finance Supervisor
kmoen@ci.west-allis.wi.us
Nicole O'Connor
Accountant
noconnor@ci.west-allis.wi.us
Kristen Victory
Accountant
kvictory@ci.west-allis.wi.us

Mike Pertmer

To: Kristen Victory

Subject: RE: 2nd request leak credit for 2107 S. 84 St., 24069-23570

Kristen:

I agree with your analysis. In the owner's letter dated April 7, they indicated that a plumber had repaired the leak problem at this address, and based on this assurance, we gave them an adjustment. Apparently, the problem was not corrected. I do not believe that we have any further obligation to adjust the water bill for the owner's negligence in making a proper response to the problem that they were made aware of and allegedly taken care of 5 months ago.

Mike

From: Kristen Victory

Sent: Tuesday, August 04, 2009 3:32 PM

To: Mike Pertmer

Subject: 2nd request leak credit for 2107 S. 84 St., 24069-23570

Dear Mike,

Attached please find copies of both the second leak request letter and the leak credit calculation. I want to mention a couple of things about this request and to offer my opinion that this customer should not be allowed a second leak credit. The reason being is that they did not respond to our notified high letter and instead waited nearly a month (until they got the high bill) to do anything. We mail the notified high letters for a reason, not to be ignored until a person gets a higher than normal bill. So this second request letter is not true. Though it is a continuation of the same leak, the only reason they have this additional high bill is because they did not at all repair this leak as soon as they were informed of a problem. That being said, here are the details of the credit should you approve the request. This second high bill was for 157 ccfs. As we determined during the first leak credit process, their average consumption is 35 ccfs. Therefore, we consider 122 ccfs to be "excess" due to the leak. We charged the normal consumption at the regular rate (\$1.73) and the excess will be charged at the wholesale rate (\$.50) for the water credit. Per our new policy, I have also discounted the "excess" city sewer charges to 25% of the original charges. They continue to be charged the full city sewer rate for their normal consumption amount of 35 ccfs.

If you approve this additional adjustment, we will discount the water charges by \$142.65, and the city sewer charges \$89.18. The water and sewer discounts together, \$231.83, less the \$20.00 administrative fee, result in a total credit of \$211.83. I have attached both the a copy of the leak request letter and the spreadsheet which details the adjustment calculation.

Again, we have already given them a credit for \$419.23. I will notify the property owner of your decision and process the adjustment should you approve this.

Thanks,

Kristen Victory
City of West Allis Finance Department
(414)302-8250
kvictory@ci.west-allis.wi.us



PUBLIC WORKS DEPARTMENT

MICHAEL PERTMER
Director

DANIEL M. SCHWEBKE
*Superintendent
Water Division*

414/302-8830
414/302-8836 (Fax)

Municipal Yards
6300 West McGeoch Avenue
West Allis, Wisconsin 53219

www.ci.west-allis.wi.us

~~August 26,~~ 2009

*copy of letter sent on
3-10-09*

RUDY TREML
8411 W BECHER ST
WEST ALLIS WI 53227

Dear Property Owner/Resident:

RE: The property at 2107 S 84 ST
Account # 000024069-000023570

Recently your water consumption at the above property has shown an increase. Unless there have been any unusual circumstances such as additional residents, change in tenants, out of town guests or sprinkling, you may have a leak on the property.

You may want to perform the following test to check for any leaks:

1. Read all the numbers off the water meter (located in the basement) and write these numbers down.
2. Do not use any water for a six to eight hour period of time.
3. Again, read all the numbers off the water meter and write these numbers down. If any of the numbers have moved or changed, this indicates a leak on the property.

Please feel free to contact the Water Utility at 302-8828 with any questions or concerns. The Water Utility office is open Monday through Friday between the hours of 7:00 AM and 3:30 PM.

Sincerely,

The West Allis Water Utility



*Work order
to generate
letter*



PUBLIC WORKS DEPARTMENT

MICHAEL PERTMER
Director

DANIEL M. SCHWEBKE
*Superintendent
Water Division*

414/302-8830
414/302-8836 (Fax)

Municipal Yards
6300 West McGeoch Avenue
West Allis, Wisconsin 53219

Work Request Maintenance - City of West Allis

SUNGARD PUBLIC SECTOR
NaviLine

www.ci.west-allis.wi.us

Work Request Maintenance

Customer ID: 24087 TREML, RUDY A

Location ID: 525907

8401 W BECHER ST

Location	Task Description	Request Number	Action Taken	Request Date	Close Date	Status
525907	Check Low Consumption	WP0016790	COMP	3/10/09	7/01/09	CO

- OK
- Y Exit
- Location
- Add
- Quick entry
- User categor...



CITY CLERK/TREASURER'S OFFICE
414/302-8200 or 414/302-8207 (Fax)
www.ci.west-allis.wi.us
Paul M. Ziehler
City Admin. Officer, Clerk/Treasurer
Monica Schultz
Assistant City Clerk
Rosemary West
Treasurer's Office Supervisor

October 13, 2009

Ms. Mary Stephanek
Tremel Sales & Service
8411 W. Becher Street
West Allis, WI 53227

Dear Ms. Stephanek:

On October 6, 2009, the Common Council approved and placed on file the Director of Public Works communication relative to the high water bill complaint at 2107 South 84 Street. The communication can be viewed via the Legislative Information Center on the City's website www.ci.west-allis.wi.us.

Sincerely,

Monica Schultz
Assistant City Clerk

/jl

cc: Tom Harmatys, Acting Director of Public Works
Dan Schwebke, Water Superintendent