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MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
CC: JOSHUA M. TETZLAFF, CITY ADMINISTRATOR
FROM: KEN ONDICH, PLANNING / COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: RESOLUTIONS APPROVING CERTIFICATION OF UNPAID SERVICE CHARGES FOR MOWING/PROPERTY MAINTENANCE AND MUNICIPAL UTILITY BILLS
DATE: 10/1/2024

Throughout the year City Staff has been keeping a close eye on nuisances in the city, specifically those nuisances related to mowing of lawns and related nuisance violations on both occupied and unoccupied homes.

All properties with identified violations are mailed a letter regarding specific violations and the corrective action needed by a specified date. In the case of many properties this year (and in past years) the property owners did not take action to have the violations abated and the City engaged mowing and/or property maintenance services to mow properties and/or remove other violations.

Municipal Utilities also utilizes the same procedure to collect on past due municipal utility bills. Charges assessed are for water, sanitary sewer, storm sewer, electric and trash when in the name of the property owner and for renters we are able to assess all but the electric charges. A separate letter outlining the delinquent charges was sent to property owners with delinquent utility bills.

Attached to this memo is a resolution approving the certification of \$4,066.47 total to the property tax rolls as listed for each property for mowing and other property maintenance charges. It should also be noted that \$1,587.50 of the above total are administrative fees which help offset the cost of the staff inspections and enforcement actions. There were six properties that the city had to mow / clean up throughout the year, but there were over 60 violation letters which were sent. As a comparison to past years, the certified mowing charges were:

- \$2,523.76 in 2023
- \$4,593.80 in 2022
- \$1,448.49 in 2021
- \$2,434.16 in 2020
- \$2,444.09 in 2019
- \$2,578.04 in 2018
- \$1,503.00 in 2017

- \$2,088.59 in 2016
- \$7,787.20 in 2015
- \$6,035.25 in 2014

Also attached is a resolution approving the certification of \$7,072.20 to the property tax roll as listed for each property for delinquent municipal utility bills (not including electric charges). The properties on the attached tax rolls did not pay their bills after receiving the final notice. As a comparison, the certified delinquent municipal utility billing charges in previous years were:

- \$1,335.19 in 2023
- \$5,311.34 in 2022
- \$4,289.45 in 2021
- \$36,066.13 in 2020
- \$9,338.72 in 2019
- \$5,474.39 in 2018
- \$7,566.52 in 2017
- \$2,645.76 in 2016
- \$6,020.90 in 2015
- \$10,691.52 in 2014

For all the unpaid service charges and unpaid municipal utility bills the costs constitute an unpaid service charge subject to collection pursuant to City Code Sections 34.01 and 92.50. Each property owner was mailed a Notice of Collection before September 15, 2024 with the exact amount they owed. The attached resolutions, by statute, must be certified to the County Auditors of Scott and LeSueur Counties by October 15, 2024 and must be adopted tonight to meet the deadline.

Staff Recommendation:

Staff recommends that the City Council approve the attached resolutions certifying charges to the property tax rolls for mowing/property maintenance and municipal utility bills.

RESOLUTION #24-10-07-01

**RESOLUTION APPROVING CERTIFICATION OF
MOWING AND PROPERTY MAINTENANCE CHARGES TO PROPERTY TAX ROLL**

WHEREAS, the City of New Prague (“City”) has the powers delegated to cities by the Minnesota Legislature as set forth in Minnesota Statutes, Sections 415.01, 366.011 and 366.012; and,

WHEREAS, Section 34.01 of the City Code addressed the Collection of Unpaid Service Charges and Fees and Section 92.50 of the City Code addresses the Recovery of Costs associated with those service charges; and,

WHEREAS, the City properly notified real property owners with unpaid service charges of its intention to certify the unpaid service charges to the County Auditor as required by City Code Sections 34.01 and 92.50; and,

WHEREAS, the purpose of this resolution is to certify unpaid mowing and property maintenance charges to the property taxes for those properties with outstanding bills; and,

WHEREAS, a majority of all members of the City Council concur in this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NEW PRAGUE, MINNESOTA, AS FOLLOWS:

1. Such service charges, a copy of which are attached as Exhibit A hereto and made a part hereof, are hereby accepted and shall constitute a service charge against the real property named therein.
2. Pursuant to City Code Sections 34.01 and 92.50, the City authorizes the collection of unpaid service charges by certifying the unpaid amount to the county auditor for collection along with the taxes imposed on real property owned by the recipient of the services.
3. The City Administrator shall forthwith transmit a certified duplicate of this resolution and attached service charge roll to the county auditor(s) of Scott and LeSueur Counties to be extended on the property tax lists of the county. Such service charges

shall be collected and paid over in the same manner as other municipal taxes.

- 4. The recitals set forth above in this Resolution are incorporated into and made part of this Resolution.
- 5. The Mayor and City Administrator, staff and consultants are hereby authorized and directed to take any and all additional steps and actions necessary or convenient in order to accomplish the intent of this Resolution.
- 6. The assessments are to be certified and payable in one year, with no interest.

Passed by the City Council this 7th day of October, 2024.

Duane J. Jirik, Mayor

ATTEST: _____
Joshua M. Tetzlaff, City Administrator

Exhibit A

COUNTY	PID	LEGAL DESCRIPTION	ASSESSMENT AMOUNT
Scott	240030620	Lot 9 and West 18 feet of Lot 8, Block 10, Philipp's Addition to Praha, according to the plat thereof, Scott County, Minnesota.	\$357.38
Le Sueur	235000110	Lot 10 of the corrected plat of Block 9 in the Ciyt of New Prague, original town, Le Sueur County, Minnesota, according to the plat on file and of record in the Office of the County Recorder of Le Sueur County.	\$615.33
LeSueur	235600140	The South Half of Lot 11, Block 12, Kabes Addition, according to the plat thereof, LeSueur County, Minnesota.	\$411.06