



Legislation Text

File #: 21-0802R, **Version:** 1

RESOLUTION DENYING APPEAL OF SHEILA BENNETT OF STORMWATER FEE ON 108 BYLUND ROAD

CITY PROPOSAL:

Resolved, that the City Council of the City of Duluth finds that:

- (a) on July 1, 2021, notice was sent to Fred Bennett, etux that an assessment in the amount of \$123.00 for unpaid stormwater utility fees and costs would be levied against the property in Duluth, Minnesota located at 108 Bylund Road, Duluth Minnesota, Plat 2710, Parcel 05472 unless paid before October 1, 2021 or unless appealed within Twenty (20) days of the notice.
- (b) On July 9th, 2021, Ms. Sheila Bennett (the "Appellant") sent a notice of appeal to the Director of Public Works and Utilities appealing the foregoing assessment, which the director transmitted to the City Clerk.
- (c) the City Clerk sent a notice to the Appellant informing her that the City Council would hear her appeal on Monday September 27, 2021 via WebEx at 5:45 p.m. and provided the appellant with instructions of how to access, appear and present testimony and evidence at the hearing.
- (d) the chairperson of the Public Works and Utilities Committee of the City Council called the hearing to order at 5:45 p.m. on September 27th, 2021 and opened the hearing on Appellant's appeal.
- (e) the Director of Public Works and Utilities presented facts supporting the levying of the assessment against the subject property.
- (f) the Appellant failed to appear.
- (g) that the levying of the processed assessment against the subject property is supported by the facts in this case.

FURTHER RESOLVED, that the appeal of Sheila Bennett of the assessment in the amount of \$123.00 for unpaid stormwater utility fees and costs would be levied against the property in Duluth, Minnesota located at 108 Bylund Road, Duluth Minnesota, Plat 2710, Parcel 05472 is hereby denied.

STATEMENT OF PURPOSE: The purpose of this resolution is to deny the appeal of the property owner or their representative as the stormwater fees were charged in a manner consistent with the City code and all procedural requirements have been met.