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City may use impact fees on sidewalk

By: Mark J. Crawford, Editor

September 29, 2008

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Starke Operations Manager Ricky Thompson had some trouble getting a sidewalk project approved by the city commission last week. For one thing, the project isn't in the budget for the current year, or the budget just approved for next year either, although Thompson suggested using impact fees to construct the sidewalk.

The sidewalk, he said, would stretch 670 feet down Broadway Street from the high school on Adkins to the library on Pratt. New sidewalks have already been built down Pratt Street during the storm water drainage project, and the idea is to enhance pedestrian access to the public library facility that opened there last year.

Thompson asked for and received prices for the work from two contractors. Big Dog Concrete gave him a quote of more than \$16,000, while the contractor who completed the other sidewalk work on Pratt for the water management district project quoted a higher price. Because the both prices exceeded \$15,000, Commissioner Carolyn Spooner reminded Thompson that he needed to advertise for sealed, competitive bids for the project.

Project Director Joe Fisher questioned that, asking if it wasn't sufficient that the price Big Dog quoted was less than a state bid. City Attorney Terry Brown explained that the state contract price only matters if the city is going to piggyback that contract, which has already gone through the appropriate bidding process. The city cannot award a contract to a third party just because a contractor quotes an even better price than the state bid. The city still needs to give other contractors an opportunity to submit a bid for the work.

Because the sidewalk construction was not planned, money was not set aside in the budget for the work. Thompson suggested using impact fee revenue, although there seems to have been some confusion on the part of both the operations manager and some commissioners. Discussion indicated they believed impact fee funds were to be split among their districts five ways.

According to the impact fee ordinance, however, the entire city makes up a single benefit unit as far as impact fees for roads are concerned, meaning the money can be spent anywhere in the city regardless of where it was collected. With nearly \$36,000 in road impact fees available, there is enough to cover the entire project if the commission doesn't split those funds five ways. If so, additional revenue could be needed for the sidewalk project.

Whether the sidewalk project, which is not being driven by the demands of growth, actually qualifies for impact fees is another question, however. If impact fee revenue were used, it would be the first time since fees those fees were put in place last year to help the city pay for anticipated growth.

The commission authorized Thompson to advertise for bids on the sidewalk

project. The city will look at those bids when they come in to determine how to proceed.

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