

Builders oppose impact fees

CONNIE ESH

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MT. JULIET -- Proposed impact fees to fund capital improvements for Mt. Juliet's new fire department proved controversial Monday night at the city Board of Commissioners meeting.

Former Mt. Juliet City Manager Bobby Franklin led off the opposition to the proposal, saying he doesn't think the commission can legally impose impact fees, citing a 2006 state law.

Franklin said the law prohibited cities from levying impact fees, but the exact wording of the law says, "No county shall be authorized to enact an impact fee..." so there could be room for a differing opinion.

Realtors and the Homebuilders Association also asked that the ordinance at least be deferred, saying the proposed fees including \$1,500 per new residence would discourage builders from locating projects in Mt. Juliet. Non-residential projects would be assessed \$1,500 plus 25 cents per square foot.

John Selby, president of the Homebuilders Association, also said, "Impact fees cannot be used for anything but needs specifically created by the development."

But not everyone at the meeting opposed the fees. One local woman said, "We've invested with Chief Kinney, so let's not send him out there with a squirt gun."

Fire Chief Erron Kinney himself explained why he asked for the fee, when District 1 Commissioner Ray Justice joined the opposition to it.

"We need to be able to provide protection for new development when they are boots on the ground," Kinney said, adding that many of the fires he's been called on to fight were on construction sites.

Kinney also pointed out that while buildings under construction are at least as vulnerable to fire as occupied buildings are, their owners are not yet paying property taxes.

"We don't get any return on those houses for one to two years," he said. Meanwhile, in order to maintain the city's currently low ISO rating for homeowners' insurance premiums, the city has to own sufficient fire equipment to protect those homes, Kinney said.

The same principle applies to local businesses, he added.

For instance, if the city gains a new 50,000-square-foot retail store, it will need an additional pumper truck to help pump approximately 80,000 gallons of water per minute on any potential fire, and the fire department's current capability is only about 70,000 gallons per minute, according to Kinney.

The commissioners finally agreed that more details about the actual cost and legal issues are needed to make a decision and voted to defer the ordinance until the next regularly scheduled meeting. That will take place on Nov. 25, since the first meeting in November would have been on Veterans Day and is canceled.

The commissioners also voted to remove the moratorium on issuing building permits that had been imposed at their last meeting in connection with the ordinance.

In other action, the commissioners voted or agreed to:

Accept the new LED sign for Mundy Park and provide the electricity for it, with the condition that the electricity be turned off from 9 p.m. until 6 a.m. each day so it won't disturb nearby residents at night.

Establish a bicycle and pedestrian advisory committee.

Appropriate funds to build a changing building/ bathroom next to Ava's Splash Pad in Charlie Daniels Park.

Defer discussion of a resolution to approve an agreement concerning the city-county joint response plan with Wilson Emergency Management Agency.

Correspondent Connie Esh may be contacted at cewrites@yahoo.com.