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**TOP STORY >>Cabot could ease impact fees**

By JOAN MCCOY  
Leader staff writer

The Cabot City Council might take action this month to keep home builders' impact fees from doubling in November as scheduled.

Norma Naquin, with public works, told the council's public works committee Monday that 79 fewer houses were built in 2007 than in 2006 and that the matter should be investigated before the fees are increased.

"Is this an anomaly or is it a trend? We simply don't have any information," said Alderman Ed Long, chairman of the committee, who said the matter deserved a closer look.

In August 2006, the council passed an ordinance to phase in over three years an impact fee that would add \$3,435 to the cost of the average new home.

The ordinance, sponsored by then Mayor Stubby Stumbaugh, approved a fee scale that added \$1,075 to the cost of the average home in November 2006, \$1,863 in November 2007, \$2,648 in November 2008 and \$3,435 in November 2009.

The city has collected about \$78,000 from the impact fee so far, mostly for various city departments, but a small amount, less than \$1,400 for the library.

Alderman Terri Miessner said she didn't think the council should rush into freezing impact fees at the current level. If the housing boom is slowing down, the city will need the extra money from the houses that are being built, she said.

But Long pointed out that the impact fees are to pay for projects that are needed because of growth. If there is no growth, there is no legitimate need.

Mayor Eddie Joe Williams, who sat in the audience during the meeting, said the council should at least look into a redistribution of the funds because part of the

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money collected goes to Cabot WaterWorks.

WaterWorks doesn't need the money, the mayor said.



However, the city does need a new fire station. Since the study for the impact fee was completed, control of the city's water and wastewater departments has been given to a commission and voters have approved a one-cent sales tax to pay for a new wastewater treatment plant. No impact fee is collected for water, but since it was implemented, wastewater has collected about \$36,000. Whether the money can legally be redistributed is a question that City Attorney Jim Taylor will have to answer.

Although the committee discussed city business for about two hours no legislation was recommended to go before the full council because the committee did not have a quorum.

However, Long said after a presentation from Bill Cypert, secretary of the Cabot Water and Wastewater Commission, that he could take his request for blanket authority to condemn easements for waterline to CAW to the full council without a committee recommendation. Miessner said last month that residents should have a chance to come before the city council to argue against the waterline going through their property, so she preferred the council looking at the easement condemnations rather than giving the commission blanket authority to deal with acquiring easements.

But Cypert told the committee this week that several property owners voluntarily changed their minds about not selling last month after the commission had already prepared a condemnation ordinance for the council to consider. The constant changes will make the process more cumbersome, Cypert told the committee, adding that if the council hears protests, its members would also likely be subpoenaed to tell their positions when the condemnations go to circuit court, which is inevitable.

Taylor agreed, saying it would be simpler to give the commission authority to acquire the easements. Long also agreed. "We don't need to sit up here as judge and jury," he said.

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