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Lake Wales to pay for impact fee study

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LAKE WALES - Lake Wales will soon have a new study to redefine its impact fees.

On Tuesday night, the Lake Wales City Commission voted 3-2 to pay \$24,975 to Clarion Associates of Chapel Hill, N.C., to do a new impact fee study for the city.

Commissioners Michael Carter and John Paul Rogers voted against the contract.

Margaret Swanson, director of Planning and Development, told the City Commission that it's been five years since Lake Wales had a study to establish its impact fees.

A new study should take about three months to complete, but should help keep the city's impact fees in line with the actual costs of growth.

Swanson said, according to consultants who do such work, five years is the tipping point at which the information those fees are based on falls out of date.

If the fees get challenged in court, a developer could claim the fees are incorrect because they are based on old information.

Besides that, she said Florida law requires cities and counties to base impact fees on the most current data possible, to make them fair.

Carter questioned the logic of spending \$24,000 to refine impact fees during "one of the worst economic times we've known."

He said the Polk County Commission has a moratorium on impact fees, and the city of Bartow is considering the same.

"To me, it's like asking for a weather report in a downpour," Carter said.

Rogers said there is no need to spend money on this when there isn't any building taking place in Lake Wales.

"We can spend \$24,000 in a lot of places," Rogers said.

Mayor Van Sickle said those fees need to remain in place to help cover the cost of providing certain services.

"If you put a moratorium on impact fees, you put the cost of maintenance on the taxpayers," Van Sickle said.

Swanson said a review of the need for fees may actually bring them down, and the study itself will be paid out of impact fee revenue.

City Manager Judith Delmar said the fees set in 2005 was based on huge growth and heavy demand or projected demand for services.

If the city has to add capacity, such as in the water system, that would raise the fee, Van Sickle said. If the study shows Lake Wales needs to reduce the fees, then the city can entice development.

Rogers suggested that Lake Wales staff could simply call comparable cities to find out what fees they charge and calculate what Lake Wales needs, based on "common sense."

City Attorney Albert C. Galloway said that the study is a much better way of protecting the fees from challenge in court.

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