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Road repair fee on hold

Commission to consider other funding options

NORTH PORT -- At the beginning of Monday evening's commission meeting, Commission Chair Rue Berryman prayed for the ability for

commissioners to do the right thing.

"We just had a difficult discussion about what to do about the roads," Berryman said during his invocation. "I would just ask that we can make the right decision for our citizens."

Any decision about a possible funding source for repairing North Port's roads, however, will have to wait a little longer. After debating the merits of a proposed road rehabilitation fee for nearly two hours during the road and drainage special meeting, commissioners took no action on the first reading of an ordinance adopting it.

Instead, commissioners decided to hold a special workshop July 12 to address other possible funding sources for road improvements.

"I don't want this to die, because I think the idea behind it is a good one," said Commission Vice Chair Barbara Gross. "I think we've got to do something specific for the roads, but don't think this particular thing is what we've got to do."

The proposed fees would earn \$9.6 million in total revenue toward returning North Port's ailing roadways to the way they were before large trucks were constantly hauling fill dirt around the city. Suggested fees for new residential and commercial construction are \$1.25 per square foot for a single-family home, or \$3,125 per lot, and \$1.75 per square foot for a commercial building.

Commissioners decided to postpone a road fee decision primarily because of possible legal ramifications the city might face from both state and national parties.

Commission Vanessa Carusone questioned City Attorney Rob Robinson about possible litigation regarding the road rehabilitation fee.

"There is the potential that \$110 million can be obtained from this particular revenue source," Carusone said. "Would the funds have to be put in escrow

until a final ruling was handed down by the court?"

Robinson suggested that all monies raised by the road fee be set aside for 12 to 24 months to allow for any legal challenges to be resolved, and that it could be up to two years before any of the funds could be used. Robinson added that if the city lost a legal case, the funds would have to be repaid to citizens, and the city may be responsible for legal fees.

"With major litigation costs, you're easily going to spend \$150,000 or more," Robinson said. "A major defense of an ordinance like this costs not just my time but the cost for major witnesses like a good legal mind, like a college law school professor, to testify in our favor. So it would not just be my time, but staff time as well."

Many citizens attended the meeting to air their concerns about the proposed fee.

Steve Liljegren, president of the of North Port Citizens Alliance, encouraged commissioners to "reaffirm their courageous" decision of April 25, when they adopted the study that suggested the fee, saying the road fee "is a good, defensible plan that spreads the cost proportionately over all who use the roads."

Some long-term residents had theories about why roads were deteriorating, as well as ideas about who should pay for repairs.

One North Port Estates resident pointed out that even newer roads, such as Price and Sumter boulevards, have been damaged by trucks hauling construction materials.

"I think the builders need to fix what they destroyed," said John Barkenquest. "This is not an impact fee, it's a user fee. Let's have them fix it."


City Manager Steve Crowell told the commission he would "resurrect" a report staff put together a little over a year ago regarding bonding options or a possible hauling fee as alternatives to the road rehabilitation fee. Commissioners will hold a workshop at 6 p.m. on July 12 to discuss the issue further.

"We need to do something soon," said Commissioner Fred Tower III. "We have budget hearings coming up soon, and time is kind of an essence, because if we let another year go by, we'll have another year of damage."

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