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Arkansas Democrat  Gazette
NORTHWEST ARKANSAS EDITION

Rogers: Council hires firm to study new fees

BY LIZ BOCH

Posted on Wednesday, June 29, 2005

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Rogers aldermen unanimously approved a \$38,100 contract with Austin, Texas-based Duncan Associates to research enacting impact fees to pay for road improvements.

Money generated by the fees can only go toward capital improvements, including water and sewer capacity, road improvements, and police and fire protection.

The Rogers Waterworks and Sewer Commission approved fees of its own in November. They will help pay for \$128 million in water and sewer improvements. The commission will begin charging a \$2,900 water and sewer impact fee for each new home, starting in April.

The City Council's impact fee study is expected to be complete in six months.

Alderman Buddy Wright said the fees, which home builders are opposed to, are the fairest way to pay for city improvements. "We've attracted this growth and now we have to maintain it. Everything we have is retail driven," Wright said. "Impact fees will benefit southwest Rogers, areas being rezoned and bringing in new subdivisions."

But others believe impact fees tax specific individuals for general public improvements. Lance Johnson, the president of the Northwest Arkansas Home Builders Association, said the fees target areas of new development when all residents of the city benefit from improvements.

The association and three homeowners filed suit in Benton County Circuit Court in July 2003 after Bentonville began collecting impact fees. The suit claims the state hadn't permitted cities to impose fees and officials had not properly completed a capital improvement plan. A ruling is scheduled for July 15, Johnson said.

Johnson said he will be requesting copies of all the documents Duncan Associates will use to determine the amount of the fees to ensure the study is accurate, including the Master Street Plan and building permit records beginning Jan. 1, 2000. "The people at Duncan Associates make a living doing studies to justify impact fees," Johnson said. "The scary thing about this is once the city spends money to do a study, it's pretty hard to not do what they recommended. How do you justify not doing it?"

Duncan Associates also worked with Fayetteville on its impact fees.

Rogers senior planner Derrel Smith said impact fees would help with infrastructure problems, but not fix it all. "They will not build all the roads that need to be built," Smith said. "It's not a magic pill that we'll take to fix all of our problems."

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