

City of Hastings

To: Mayor Hicks and City Councilmembers
From: Tom Montgomery
Date: October 15, 2013
Re: Approve Assessment of City WAC and SAC fees for Me & Julio's Restaurant Addition

Council Action Requested:

Council is requested to approve assessing \$39,200 in WAC and SAC fees for the Me & Julio's restaurant addition and directing City Attorney Dan Fluegel to prepare an agreement for this assessment that includes a waiver of assessment appeal, as per the adopted policy.

Background Information:

In 1994, the City Council adopted a policy to help property owners afford WAC and SAC fees caused by redevelopment or expansion of existing properties by assessing these fees over a 10 year period. The proposed restaurant expansion at Me & Julio's will result in a charge of 10 additional City WAC & SAC units totaling \$39,200. The property owners have requested the Council's approval to pay these fees off over a 10 year period.

Financial Impact:

Instead of immediate receipt of the \$39,200 in WAC and SAC fees, the City will receive this amount plus interest over a 10 year period.

Attachments:

- Copy of the WAC & SAC assessment policy

MEMORANDUM

To: City Council Planning Committee

From: Tom Montgomery

Date: January 31, 1995

Subject: Deferment of WAC & SAC Charges

At the December 19, 1994 City Council meeting, the Council adopted a resolution deferring WAC & SAC charges against the Levee Cafe redevelopment of the old City Hall. Council also referred to discussion of future WAC & SAC deferments to committee for development of a policy. The following is a proposed policy for the City Council to consider;

DEFERMENT OF CITY WAC & SAC CHARGES

The Hastings City Council will consider deferring City Water Availability and Sanitary Sewer Availability charges (WAC & SAC) on a case by case basis for projects involving rehabilitating or demolishing and reconstructing existing structures resulting in a substantial increase in the WAC & SAC charges against the property being redeveloped. Undeveloped properties are not eligible for City WAC & SAC deferment. The City will not defer building permit fees or MCWS SAC charges.

City WAC & SAC charges will be deferred by assessing the charges against the redeveloped property, to be spread over a period not to exceed 10 years. The interest rate charged shall be the same as that charged for public improvement assessments certified to Dakota County in the same year as the deferred WAC & SAC charges. The property owner must agree to waive all rights to appeal the WAC & SAC assessment.

If a developer requests deferment of City WAC & SAC charges, the building permit will not be released until the City Council has approved the deferment. The Certificate of Occupancy for the redevelopment project shall not be issued until the City has received a signed copy of an agreement from the property owner waiving all rights to appeal the assessment. If the property owner will not waive appeal rights, the Certificate of Occupancy shall not be released until the WAC & SAC charges have been paid in full.

Moved by Councilmember Johnson, seconded by Councilmember Hicks to approve the following policy for the deferment of City WAC and SAC charges: **WAC & SAC DEFERMENT POLICY**

DEFERMENT OF CITY WAC & SAC CHARGES

The Hastings City Council will consider deferring City Water Availability and Sanitary Sewer Availability charges (WAC & SAC) on a case by case basis for projects involving rehabilitating or demolishing and reconstructing existing structures resulting in a substantial increase in the WAC & SAC charges against the property being redeveloped. Undeveloped properties are not eligible for City WAC & SAC deferment. The City will not defer building permit fees or MCWS SAC charges.

City WAC & SAC charges will be deferred by assessing the charges against the redeveloped property, to be spread over a period not to exceed 10 years. The interest rate charged shall be the same as that charged for public improvement assessments certified to Dakota County in the same year as the deferred WAC & SAC charges. This assessment shall include Dakota County administrative fee for certifying assessments. The property owner must agree to waive all rights to appeal the WAC & SAC assessment.

If a developer requests deferment of City WAC & SAC charges, the building permit will not be released until the City Council has approved the deferment. The Certificate of Occupancy for the redevelopment project shall not be issued until the City has received a signed copy of an agreement from the property owner waiving all rights to appeal the assessment. If the property owner will not waive appeal rights, the Certificate of Occupancy shall not be released until the WAC & SAC charges have been paid in full.
6 Ayes; Nays, None.

Moved by Councilmember Simacek, seconded by Councilmember Moratzka authorizing entering into an agreement with TKDA for consulting services for Well No. 8 plans and specifications in the amount of \$50,000. 6 Ayes; Nays, None. **TKDA-WELL NO. 8**

Moved by Councilmember Hicks, seconded by Councilmember Johnson to adopt Resolution No. 14-95 endorsing the "New Airport Overall Planning Assumptions and Policy Statement." 6 Ayes; Nays, None. Copy of resolution on file. **RES. NO. 14-95 ENDORSEMENT -AIRPORT STATEMENT**

Moved by Councilmember Moratzka, seconded by Councilmember Simacek directing to conduct discussions with the Metropolitan Council and/or Metropolitan Airports Commission regarding the process for securing funds to hire a consultant to assist the City with the review **FUNDS FOR AIRPORT PLANNING**