

**COUNCIL OF THE CITY OF ABERDEEN**  
**Ordinance No. 21-O-12**

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**Date Introduced:** July 26, 2021

**Sponsored By:** Councilman Adam Hiob and Councilwoman Sandra Landbeck

**Public Hearing:** August 9, 2021

**Amendments Adopted:**

**Date Adopted:**

**Date Effective:** Expired September 24, 2021

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AN ORDINANCE concerning

**TOD ECONOMIC DEVELOPMENT INCENTIVE PROGRAM**

**FOR** the purpose of continuing a Transit Oriented Development Water and Sewer Area Connection Charge Waiver Economic Development Incentive Program for the City of Aberdeen. The City Council adopted Ordinance No. 18-O-12 on May 7, 2018, with a termination date of June 30, 2021.

**SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN** that it hereby establishes and adopts the Transit Oriented Development Water and Sewer Area Connection Charge Waiver Economic Development Incentive Program for the City of Aberdeen as set forth on Exhibit 1 attached to this Ordinance and incorporated by reference.

**SECTION 2: BE IT ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN** that it hereby establishes and adopts a repayment plan at the time of the approval for the waiver from the General Fund to the Water and Sewer Enterprise Fund for the waiver of the Water and Sewer Area Connection Charge. The General Fund payment plans shall consider the projected tax revenue from the business seeking the credit in determining the length of repayment plan to the water and sewer enterprise fund. The repayment plan from the General Fund to the Enterprise Fund shall not exceed 10 years regardless of methodology.

**SECTION 3. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN** that this Ordinance shall become effective at the expiration of twenty (20) calendar days following adoption.

**COUNCIL OF THE CITY OF ABERDEEN**

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**Patrick L. McGrady, Mayor**

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**Adam M. Hiob, Councilman**

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**Jason W. Kolligs, Councilman**

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**Sandra J. Landbeck, Councilwoman**

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**Timothy W. Lindecamp, Councilman**

**ATTEST:**

**SEAL:**

\_\_\_\_\_  
**Monica A. Correll, City Clerk**

**Date** \_\_\_\_\_

**Exhibit 1 to Ordinance No. 21-O-12**

**TRANSIT ORIENTED DEVELOPMENT WATER AND SEWER AREA  
CONNECTION CHARGE WAIVER ECONOMIC DEVELOPMENT INCENTIVE  
PROGRAM**

**Creation of Incentive Program**

There is a Transit Oriented Development Water and Sewer Area Connection Charge Waiver Economic Development Incentive Program (“Incentive Program”) for the City of Aberdeen. The purpose of the Incentive Program is to increase the City’s employment and tax bases by stimulating development and redevelopment in the City’s Transit Oriented Development District (“TOD”) as delineated by the City’s TOD Regulating Plan, by waiving Water and Sewer Area Connection Charges imposed pursuant to Chapter 450, Article II and Chapter A550 of the Code of the City of Aberdeen.

**Duration of Incentive Program**

The Incentive Program shall commence upon its approval by the City Council and shall terminate on June 30, 2024.

**Administration of Incentive Program**

The Incentive Program shall be administered by the City Manager or the City Manager’s designee. The City Manager or the designee shall provide an Incentive Program Application form and requirements for the submittal of supporting materials to demonstrate that an applicant is eligible to participate in the Incentive Program.

**Eligibility for Participation in the Incentive Program**

The following are eligible to participate in the Incentive Program:

1. Owners of land in the TOD area in which new commercial development that has a minimum square footage of 2,500 square feet or residential development that creates less than ten (10) multi-family units requiring new connections to the City’s water and sewer systems for which connection fees are payable.
2. Any use that is prohibited in the TOD District will not be considered (i.e., automobile carwash, automobile repair shop, construction services and supplies, etc.).
3. The new commercial development must create a minimum of two (2) new full-time positions and result in a minimum capital investment of \$50,000.

4. The new residential development must result in a minimum capital investment of \$100,000.
5. Credits for commercial development, residential, or combined commercial/residential development shall be limited to a maximum of ten EDU of connection fee credits. The owner/developer will use the MDE Wastewater Guidance Manual in determining the water capacity request for which the credit will be determined.
6. Any water and sewer connection credits applied under this program are not transferrable to a new owner or business.

### **Submittal of Applications**

A person who is eligible to participate in the Incentive Program may apply to the City Manager or the Manager's designee for a waiver of the water and sewer area connection fees that would be charged for the connection to the City's water and sewer systems. An application for a connection fee waiver shall be filed before an application for a building permit is approved for development or redevelopment activities. To receive a connection fee waiver, the Application and supporting documents must be approved by the City Council before June 30, 2024.

### **Action on Applications**

The City Manager or the Manager's designee shall review all Applications for waivers of water and sewer area connection fees and all supporting documentation. The City Manager or the Manager's designee shall approve the waiver request if the review of the Application and supporting documentation demonstrates that the eligibility requirements for participation in the Incentive Program have been satisfied. Upon approval of a waiver request the project may connect to the City's water and sewer systems without the payment of water and sewer area connection fees.

### **Reports to the City Council**

The City Manager or the Manager's designee will report annually prior to the fiscal budget approval, all waivers granted under this Incentive Program by the City Council.