RESOLUTION NO. 7754

A RESOLUTION introduced by City Manager Neil Dobler waiving the connection fees for water and sewer service to property located at 4020 NW 25th Street, Topeka, Kansas.

WHEREAS, Topeka City Code § 146-32 authorizes the City Council to waive the water connection fees for economic development projects which offer extraordinary benefits to the City; and

WHEREAS, Topeka City Code § 146-341 authorizes the City Council to waive sewer connection fees for economic development projects which, due to their unusual nature or magnitude, offer extraordinary benefits to the community; and

WHEREAS, Scott and Truanna Nickel own and live on property located at 4020 NW 25th Street, Topeka, Kansas and operate a business known as the Brickyard Barn Inn which property is contiguous to the corporate limits of the City; and

WHEREAS, in October, 2005, the residence and business were partially destroyed by unexpected flooding that covered a wide area of northwest Topeka; and

WHEREAS, the Nickel’s have chosen to remain and reopen a business that is becoming a Topeka institution, with no tangible help from insurance or the Federal Government. As part of the rebuilding, it is necessary to replace an existing septic system, and the Nickel’s would like to connect to City sewer and water systems.

WHEREAS, the Nickel’s have provided the City with an irrevocable consent to annexation by the City and agree to not contest any unilateral annexation of the above-referenced property by the City; and

WHEREAS, the annexation of the Nickel’s property and extension of a short sewer line would open a large area to development into the City of Topeka.
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS, that the City Council, finds that annexation of the Nickel's property and the extension of a sanitary sewer main into the area will permit economic development which offer extraordinary benefits to the City.

BE IT FURTHER RESOLVED that the Council approves the waiver of both the water and sewer connection fees for the Property located at 4020 NW 25th Street owned by Scott and Truanna Nickel.

ADOPTED and APPROVED by the City Council February 14, 2006.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 2/3/06 BY BBC