

SPECIAL ASSESSMENT COMMISSION MEETING

September 7, 2023

9/7/23

MEMBERS PRESENT Joe Ibach, Chairman; Members: John Lundby and Tammy Dolan

CITY STAFF PRESENT Gabe Schell, City Engineer; Linda Oster, Assistant City Engineer; Tyson Lund, Comptroller; Dmitriy Chernyak, Director of Finance; Susan Ronning, Accountant; Heidi Belohlavek, Engineering Technician

CALL TO ORDER

Chairman Ibach called the meeting to order at 3:00 p.m.

APPROVAL OF MINUTES

Commissioner Dolan motioned to approve the August 16, 2023, minutes. Commissioner Lundby seconded. All members voted Aye. The motion carried.

PURPOSE OF MEETING

To hold public hearing on objections, if any, to special assessment improvement districts. Prior to this hearing, subject assessment lists have been published once each week for two consecutive weeks and published to the city website.

CONFIRMATION OF ASSESSMENT LISTS

A. STREET IMPROVEMENT DISTRICT NO. 557

Nature of Improvements: Construct New Pavement

***Unit #1: Brookside Place – Brookside Lane to cul-de-sac
Assessment: Per square foot Commercial: \$1.1518

Term: 15 years

Total Assessed
and Financed: \$183,721.86

B. STREET IMPROVEMENT DISTRICT NO. 559

Nature of Improvements: Reconstruct with 70% subsidy applied and Resurface with 25% subsidy applied

***Unit #1: Eagle Crest Loop – Talon Road to 400' west of Golden Eagle Lane
Talon Road – 150' east of Marsh Hawk Drive to Golden Eagle Lane

***Unit #2: Boulder Ridge Road – Granite Drive (S) to NE 43rd Avenue
Feldspar Drive – Slate Drive to 150' east of Boulder Ridge Road
Granite Drive – Slate Drive to 150' north of Boulder Ridge Road
Medora Avenue – Washington Street to Boulder Ridge Road
Quarry Lane – Boulder Ridge Road to 150' east
Slate Drive – Washington Street to 150' east of Boulder Ridge Road

***Unit #3: Chevelle Circle – Daytona Drive to Cul-de-sac
Daytona Drive – East Valley Drive to 100' south of Chevelle Circle
East Valley Drive – Tyler Parkway to 125' south of Longhorn Drive
Round Top Road – East Valley Drive to 250' west

***Unit #4: 20th Street – Capitol Avenue to Kennedy Avenue
21st Street – Grant Drive to Kennedy Avenue
22nd Street – Grant Drive to Kennedy Avenue
23rd Street – Capitol Avenue to Divide Avenue
26th Street – 100' north of Grant Drive to Divide Avenue
Adams Lane – 23rd Street to Cul-de-sac

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Capitol Avenue - 19th Street to 26th Street
Coolidge Avenue – 22nd Street to 26th Street
Grant Drive – 19th Street to 26th Street
Harding Avenue – Grant Drive to 26th Street
Hoover Avenue – 22nd Street to 26th Street
Jackson Avenue – Capitol Avenue to Grant Drive

***Unit #5: Washington Street – Calgary Avenue to Century Avenue

***Unit #6: 1st Street – Rosser Avenue to Main Avenue
2nd Street – Rosser Avenue to Main Avenue
Broadway Avenue – Washington Street to 3rd Street
Mandan Street – Rosser Avenue to Main Avenue
Rosser Avenue – Washington Street to 3rd Street
Thayer Avenue – Washington Street to 3rd Street
Alley between 1st Street and 2nd Street – Thayer Avenue to Broadway Avenue
Alley between 1st Street and 2nd Street – Broadway Avenue to 150' south
Alley between 2nd Street and 3rd Street – Broadway Avenue to 150' south
Alley between Broadway Avenue and Main Avenue – Mandan Street to 350' west
Alley between Broadway Avenue and Main Avenue – Mandan Street to 1st Street
Alley between Broadway Avenue and Main Avenue – 1st Street to 2nd Street
Alley between Broadway Avenue and Main Avenue – 2nd Street to 3rd Street

***Unit #7: Avenue A – 3rd Street to 6th Street
Avenue B – 3rd Street to 7th Street
Avenue D – 4th Street to 7th Street
Avenue E – 3rd Street to 9th Street
Avenue F – 3rd Street to 9th Street
5th Street – Boulevard Avenue to Rosser Avenue
6th Street – Boulevard Avenue to Rosser Avenue
8th Street – Boulevard Avenue to Avenue E
Alley between 4th Street and 5th Street – Boulevard Avenue to Avenue F
Alley between 4th Street and 5th Street – Avenue E to Avenue D
Alley between 4th Street and 5th Street – Avenue B to Rosser Avenue
Alley between 5th Street and 6th Street – 170' north of Avenue F to Avenue F
Alley between 5th Street and 6th Street – Avenue F to Avenue E
Alley between 5th Street and 6th Street – Avenue E to Avenue D
Alley between 5th Street and 6th Street – Avenue A to Rosser Avenue
Alley between 6th Street and 7th Street – Boulevard Avenue to Avenue B
Alley between 7th Street and 8th Street – Boulevard Avenue to Avenue F
Alley between 8th Street and 9th Street – Boulevard Avenue to Avenue E

***Unit #8: Alley between 5th Street and 6th Street – Avenue D to Avenue C
Alley between 7th Street and 8th Street – Avenue F to Avenue E

***Unit #9: 16th Street – Divide Avenue to Broadway Avenue

***Unit #10: 33rd Street – Baltus Drive to 100' north of Crocus Avenue
35th Street – Divide Avenue to Crocus Avenue
Baltus Drive – 33rd Street to 35th Street
Eastside Place – 33rd Street to Cul-de-sac
Horseman Loop – Vantassel Drive to 33rd Street
Horseman Place – Horseman Loop to Cul-de-sac
Shannon Drive – 33rd Street to 35th Street
Sharloh Loop – 35th Street (N) to 35th Street (S)

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Sharloh Place – 35th Street to Cul-de-sac
Sleepy Hollow Loop – Baltus Drive to 33rd Street (S)
Sorrento Circle – Shannon Drive to Cul-de-sac
Sorrento Place – Shannon Drive to Cul-de-sac
Stoney Lane – Sleepy Hollow Loop to Vantassel Drive
Vantassel Drive – 33rd Street to 250' west of Stoney Lane

Assessment: Street Maintenance per square foot Commercial: \$.5739
Street Maintenance per lot Residential: \$2,454.52
Alley Maintenance per square foot Commercial: \$.0960
Alley New Pavement Unit #7 per square foot Commercial: \$.4463
Alley New Pavement Unit #7 per lot Residential: \$1,561.83
Alley New Pavement Unit #8 per square foot Commercial: \$.9003
Alley New Pavement Unit #8 per lot Residential: \$3,345.37

Term: 7 years

Total Assessed
and Financed: \$6,422,381.34

C. STREET IMPROVEMENT DISTRICT NO. 560

Nature of Improvements: Scrub Seal Project with 25% Subsidy applied

- ***Unit #1: Bethany Loop – Jericho Road (W) to Jericho Road (E)
French Street – Greensboro Drive to 200' north of Jericho Road
Greensboro Drive – Jericho Road to Centennial Road
Jericho Road – French Street to Centennial Road
Joppa Street – Greensboro Drive to Jericho Road
Jordan Street – Greensboro Drive to Jericho Road
Leichty Place – Calgary Avenue to Jericho Road
- ***Unit #2: Avenue A – Fraine Barracks Drive to Berreth Street
Berreth Street – Sunset Place to Missouri Avenue
Center Street – Missouri Avenue to Main Avenue
Fraine Barracks Drive – Avenue A to 135' south
Missouri Avenue – Shirley Street to Center Street
Shirley Street – Avenue A to Missouri Avenue
Sunset Place – Sunset Place to Missouri Avenue
- ***Unit #3: 11th Street – 12th Street to Porter Avenue
12th Street – 12th Street to Boulevard Avenue
Braman Avenue – 11th Street to 125' east of 12th Street
Porter Avenue – 125' west of 11th Street to 125' east of 12th Street
- ***Unit #4: 27th Street – Valley View Avenue to Cul-de-sac
28th Street – Morningside Street to Valley View Avenue
29th Street – Hillview Avenue to Valley View Avenue
Hillview Avenue – 28th Street to 29th Street
Morningside Street – Street to Valley View Avenue
- ***Unit #5: 8th Street – Front Avenue to Bowen Avenue
10th Street – Front Avenue to 350' south of Michigan Avenue
11th Street – Front Avenue to 350' south of Michigan Avenue
Bowen Avenue – 7th Street to Airport Road
Indiana Avenue – 9th Street to 12th Street
Ingals Avenue – 11th Street to 12th Street

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Michigan Avenue – 10th Street to 12th Street
Sweet Avenue – 7th Street to 12th Street

Assessment: Per square foot Commercial: \$.1827
Per lot Residential: \$830.23

Term: 3 years

Total Assessed
and Financed: \$892,183.67

D. STREET IMPROVEMENT DISTRICT NO. 561

Nature of Improvements: Pavement Resurfacing with 25% Subsidy applied

***Unit #1: 52nd Street – Miriam Avenue to 1800' north
Miriam Avenue – 52nd Street to 3000' west
Assessment: Per square foot Commercial: \$.0301

Term: 7 years

Total Assessed
and Financed: \$382,032.96

E. STREET IMPROVEMENT DISTRICT NO. 569

Nature of Improvements: Construct New Pavement

***Unit #1: Trenton Addition
Assessment: Per square foot Commercial: \$2.8303

Term: 15 years

Total Assessed
and Financed: \$1,094,944.37

Assessment Basis

*Based on square feet: Residential @ 1.0 factor
Commercial @ 2.0 factor

***Based on Per Lot: Residential @ 1.0 factor
Commercial @ 2.0 factor

QUESTIONS AND COMMENTS

A member of the public, Mr. Larry Thelen, 1431 N 35th St, was present to make public comment on Item B, Street Improvement District No. 559, Unit #10. Chairman Ibach asked Gabe to give some background on this project which he did, describing it as a project that had both rehab and reconstruction of asphalt roadways. Mr. Thelen had concerns about the assessment to their condo association which is located on 35th Street and felt the assessment was excessive. Gabe and Linda explained the assessment process for the parcel in question including how condo association owned properties are considered and how this parcel was within median parcel size for the district. Chairman Ibach noted that the purpose of the special assessment commission was not to question the costs of the assessment but whether the cost was assessed to all parcels equitably and that the special assessment policy was followed. There was some discussion about whether 35th Street is a local or collector road. It was determined this roadway is a collector and has extra width and depth subsidized by the City of Bismarck. It was determined that the special assessment policy was followed for the property in question. Mr. Thelen then addressed some additional concerns about the special assessment process to include notification of assessments (frequency, delivery and medium), quality of road work done, and perceived lack of presence by the Engineering Department at the project. Mr. Thelen also asked for a consideration to put up a No Trucks sign on 35th to help address volume of traffic on this roadway. Gabe and Linda both spoke to Mr. Thelen's concerns regarding notification and

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indicated that notification through the Bismarck Tribune is all that is required by Century Code; however, the City Engineering department also sends letters notifying of the pending assessment and post information regarding all construction on the City of Bismarck website at www.bismarcknd.gov/streets. Mr. Thelen also expressed frustration with the City of Bismarck website and problems with navigating it to find information. Gabe and Linda both thanked Mr. Thelen for his comments and suggestions.

APPROVAL OF ASSESSMENT LIST

Chairman Ibach suggested approving Street Improvement District No. 559 by itself. Commissioner Lundby made a motion to approve Street Improvement District No. 559. Commissioner Dolan seconded. All members voted Aye. The motion carried.

Commissioner Dolan motioned to approve the remainder of the special assessment districts on the agenda as presented. Commissioner Lundby seconded. All members voted Aye. The motion carried.

ADJOURNMENT

Commissioner Lundby motioned to adjourn the meeting. The motion was seconded by Commissioner Dolan. The meeting was adjourned by Chairman Ibach at 3:27 p.m.