

SPECIAL ASSESSMENT COMMISSION MEETING
August 17, 2022

08/17/2022

MEMBERS PRESENT Rick Lee, Chairman; Members: Joe Ibach and John Lundby

CITY STAFF PRESENT Gabe Schell, City Engineer; Linda Oster, Assistant City Engineer; Tyson Lund, Comptroller; Tawny Wagner, Accountant; Katie Petrou, Accountant; Dmitriy Chernyak, Director of Finance

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Ibach motioned to approve the September 14th, 2021, 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.

CONFIRMATION OF ASSESSMENT LISTS

A. PARK IMPROVEMENT DISTRICT No. 004

Nature of Improvements: Park Improvements

*Unit #1: Silver Ranch 1st Addition and Silver Ranch Addition 1st Replat
Assessment: Per square foot Residential: \$.1508

Term: 15 years

Total Assessed
and Financed: \$833,578.38

B. PARK IMPROVEMENT DISTRICT No. 005

Nature of Improvements: Park Improvements

*Unit #1: Promontory Point V, VI, and VII Additions
Assessment: Per square foot Residential: \$.1396

Term: 15 years

Total Assessed
and Financed: \$607,803.44

C. SEWER IMPROVEMENT DISTRICT No. 578

Nature of Improvements: Construct Local Storm Sewer

*Unit #1: Meadow Village Addition
Assessment: Per square foot Residential: \$.0758
Per square foot Commercial: \$.1516

Term: 15 years

Total Assessed
and Financed: \$129,828.90

D. SEWER IMPROVEMENT DISTRICT No. 579

Nature of Improvements: Construct Local Storm Sewer

*Unit #1: Clear Sky Addition
Assessment: Per square foot Residential: \$.6592

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Term: 15 years

Total Assessed
and Financed: \$758,471.87

E. STREET IMPROVEMENT DISTRICT NO. 544

Nature of Improvements: City-wide Street Lighting

***Unit #1: Crested Butte Road – 900’ northwest of Heritage Road to 1,370’ northwest of Heritage Ridge Road
Heritage Ridge Road – 110’ north of Crested Butte Road to 140’ north of Limited Lane
Limited Lane – 180’ west of Heritage Ridge Road to 185’ east of Heritage Ridge Road
Assessment: Per lot Residential: \$2,448.58

***Unit #2: Gold Drive – 52nd Street to 695’ northeast of Platinum Street
Titanium Drive – 175’ west of Nickel Street to 170’ east of Silver Boulevard
Titanium Drive – Gold Drive to 140’ north of Gold Drive
Steel Place – Silver Boulevard to 145’ east of Silver Boulevard
Iron Drive – Silver Boulevard to 320’ east of Silver Boulevard
Cobalt Drive – Gold Drive to 140’ north of Gold Drive
Nickel Street – Gold Drive to Titanium Drive
Silver Boulevard – 180’ south of Gold Drive to 43rd Avenue
Steel Street – Gold Drive to 130’ north of Gold Drive
Platinum Street – Gold Drive to 130’ north of Gold Drive
Assessment: Per lot Residential: \$2,725.79

***Unit #3: Yukon Drive – 57th Avenue to 420’ south of 57th Avenue
Assessment: Per lot Residential: \$467.91
Per square foot Commercial: \$.0661

***Unit #4: Yukon Drive – 57th Avenue to 760’ north of 57th Avenue
Assessment: Per square foot Commercial: \$.0326

Term: 10 years

Total Assessed
and Financed: \$495,140.55

F. STREET IMPROVEMENT DISTRICT NO. 546

Nature of Improvements: Construct New Pavement

***Unit #1: Tyndale Drive – 860’ north of Meigs Drive to 155’ south of Fairchild Drive
Meigs Drive – Tyndale Drive to 185’ west of Tyndale Drive
Springham Drive – Tyndale Drive to 170’ east of Tyndale Drive
Fairchild Drive – Tyndale Drive to 170’ east of Tyndale Drive
Assessment: Per lot Residential: \$11,013.91

Term: 15 years

Total Assessed
and Financed: \$418,528.43

G. STREET IMPROVEMENT DISTRICT NO. 547

Nature of Improvements: Construct New Pavement and Storm Sewer

*/***Unit #1: Prairie Hawk Drive – 135’ west of Elk Ridge Drive to Tyler Parkway
Monarch Avenue – 140’ west of Elk Ridge Drive to Ivory Lane
Antler Avenue – 150’ west of Elk Ridge Drive to Ivory Lane
Rohan Avenue – 155’ west of Elk Ridge Drive to Elk Ridge Drive

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Tule Lane – 155' west of Elk Ridge Drive to Ivory Lane
Frisco Way – 340' west of Ivory Lane to Tyler Parkway
Elk Ridge Drive – 145' north of Prairie Hawk Drive to Tule Lane
Ivory Lane – 100' north of Prairie Hawk Drive to 440' south of Frisco Way
Red Tail Drive – 100' north of Prairie Hawk Drive to Prairie Hawk Drive
Assessment: New Pavement per lot Residential: \$16,385.00
New Pavement per square foot Commercial: \$.6339
Storm Sewer per square foot Residential: \$.1632
Storm Sewer per square foot Commercial: \$.3264

Term: 15 years

Total Assessed
and Financed: \$2,304,875.07

H. STREET IMPROVEMENT DISTRICT No. 548

Nature of Improvements: Construct New Pavement and Storm Sewer
***Unit #1: Crest Road – 185' west of Crest Place to Cul-De-Sac
High Creek Place – 225' west of High Creek Road to Cul-De-Sac
Assessment: Per lot Residential: \$22,713.87

Term: 15 years

Total Assessed
and Financed: \$488,348.27

I. STREET IMPROVEMENT DISTRICT No. 549

Nature of Improvements: Construct New Pavement and Storm Sewer
***Unit #1: Iron Drive – 280' west to 155' east of Platinum Street
Platinum Street – Iron Drive to 135' south of Titanium Drive
Steel Place – Titanium Drive to 545' north
Steel Street – Titanium Drive to 135' south
Titanium Drive – Platinum Street to 215' west of Steel Street
Assessment: Per lot Residential: \$12,681.32

Term: 15 years

Total Assessed
and Financed: \$993,384.98

J. STREET IMPROVEMENT DISTRICT No. 551

Nature of Improvements: Construct New Pavement
***Unit #1: Holmes Drive – Mehrer Drive to 160' east
Fettig Drive – 160' west to 165' east of Mehrer Drive
Mehrer Drive – Fettig Drive to 180' north of Holmes Drive
Orgaard Drive – Fettig Drive to 140' south
Assessment: Per lot Residential: \$20,870.76

Term: 15 years

Total Assessed
and Financed: \$448,721.42

K. STREET IMPROVEMENT DISTRICT No. 552

Nature of Improvements: Construct New Pavement and Storm Sewer
***Unit #1: Valley Drive – Mclintock Drive to Wrangler Lane
Wrangler Lane – Valley Drive to 445' north

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Frisco Way – Valley Drive to 425' north
McIntock Drive – Valley Drive to 180' north
Assessment: Per lot Residential: \$39,028.58

Term: 15 years

Total Assessed
and Financed: \$1,385,514.62

L. STREET IMPROVEMENT DISTRICT NO. 553

Nature of Improvements: Construct New Pavement and Storm Sewer

***Unit #1: Sonora Way – 188' south of Cornerstone Lane to 64th Avenue
Cornerstone Lane – Sonora Way to Community Loop
Collective Lane – Sonora Way to 133' west of Community Loop
Community Loop – Sonora Way to Select Lane
Assessment: Per lot Residential: \$21,161.52

Term: 15 years

Total Assessed
and Financed: \$1,793,438.71

M. STREET IMPROVEMENT DISTRICT NO. 554

Nature of Improvements: Construct New Pavement

***Unit #1: Midwest Drive – 52nd Street to 300' east of 52nd Street
Assessment: Per square foot Commercial: \$2.6342

Term: 15 years

Total Assessed
and Financed: \$151,192.03

N. CONTINUOUS DISTRICTS

Nature of Improvements: Park, Rural Roads and Storm Sewer Fees assessed to property that was outside of the city limits at the time of construction. The districts are for the parcel's share of the cost in established special assessment districts that the parcel would have been assessed had the parcel been annexed at the time the district was created.

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| *Park Improvement District No. 200 (144 parcels) | \$202,740.07 |
| *Storm Sewer Improvement District No. 100 (172 parcels) | \$373,355.25 |
| *Street Improvement District No. 100 (30 parcels) | \$255,258.71 |

Term: 15 years

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

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QUESTIONS AND COMMENTS

Gabe stated there were properties in both Park Improvements 004 and 005 that were not currently annexed into the city. Commissioner Ibach asked if both districts were complete. Kevin Klipfel from BPRD stated they would be complete within the next month.

Gabe explained that SE578 allowed Meadow Village Addition to move its storm water into the regional storm water system that was constructed in Cottonwood Parkview Addition.

Gabe asked to have SE579 be moved to the next meeting. There were some new and existing homes in this district and not all the lots are owned by the developer. Letters were not sent out to the owners prior to this meeting and before we assess the district the city should send out letters to those property owners. Commissioner Ibach motioned to move to the next meeting. Commissioner Lundby seconded. All members voted Aye. The motion carried.

Commissioner Ibach asked if the city pays the interest on the held in abeyance balance. Tawny stated that Parks and Recreation pays interest because the amount that benefits the properties outside the city is assessed to their property. For storm or rural roads, the Storm Water Fund or the Highway Construction Fund pays the balance in full. When any property is annexed into the city then they will start to accumulate interest.

Darcy Rosendahl – 3602 Clairmont Rd

Mr. Rosendahl was in attendance to state that the way the special assessments for Park Improvements are being allocated is unfair. He talked to Kathy Feist from BPRD last week and she explained how the assessment was calculated. He feels it should be based off a per lot like street improvement districts. He has neighbors across the street that benefit from the park, but they are not being assessed. Chairman Lee asked if this needs to go before the Park Board to be changed. Kathy Feist stated this is part of the Joint Powers Agreement between Bismarck Parks and Recreation and the City of Bismarck. At the time the Joint Powers was created the City had the same methodology but has since changed the way they allocate special assessments and the Joint Powers was never changed. Gabe explained we can look at changing the process but that would only affect future improvement districts. There is nothing the Commission could do at this time to reallocate the amounts. Kevin Klipfel explained that the size of the subdivision determines the size of the park and what type of equipment is installed.

APPROVAL OF ASSESSMENT LIST

Commissioner Ibach motioned to approve the balance of the special assessment districts on the agenda as present, excluding SE579. Commissioner Lundby seconded. All members voted Aye. The motion carried.

ADJOURNMENT

Commissioner Ibach motioned to adjourn the meeting. The motion was seconded by Commissioner Lundby. The meeting was adjourned by Chairman Lee at 3:22 p.m.