

**OFFICIAL PROCEEDINGS
Special Assessment Board
September 19, 2017 9:00AM
City Hall – Williston, North Dakota**

1. Roll Call of Board Members

PRESENT: Nancy Hoffelt, Jore Meyer, Craig McIvor

OTHERS PRESENT: John Kautzman, Bob Hanson, Melissa Elleston, Kathy Kimley

CHANGES TO AGENDA: None

**Motion by Hoffelt, Seconded by Meyer to approve the agenda as amended.
UNANIMOUS BY VOICE VOTE**

2.

1. Public Hearings:

A. Water, Sewer and Street Improvement District 16-2 58th Street

City Engineer Bob Hanson presents the following:

This project's location is on 58th Street between Rural Electric going west to 16th Avenue; the City reconstructed the street with new water and sewer lines. The water and sewer assessment were done by the running foot, and the \$272,000.00 received from the State Water Commission Water Grant was applied to that. The City received \$2 million from state highway department to use on 11th Street as a detour route over a highway construction project and that was applied to this project. The City paid two-thirds of the construction costs for the remaining costs while the one-third of the remaining costs was assessed to the properties along the street and the arterial service area. Sixty percent of that one-third cost was assessed to the properties directly fronting the street, and the properties away from the street that use 58th Street as access, were assessed 30 percent of that cost. These assessments were determined as a square foot basis. Hanson gave the property owners the project cost prior to construction, and the assessments are lower than those original estimates. The City has not received any protests on this project and Bob Hanson recommends approval.

Hanson clarified that he applies funds according to finance committee decision. City Auditor John Kautzman confirmed it was a political decision.

Hanson clarified that some residents on other projects were part of a backbone infrastructure projects similar to University Avenue and 2nd Street where they paid for the residential assessments and did not assess existing residential properties that were here prior to the boom, and the City is going to grant deferments to the very large properties that have homes on them. The city paid for the residential component of that and reduced the assessment by a residential credit and the rest is deferred until they sell the property to a developer or split the property for development purposes. The properties with the oil well pads are leased to the Oil Companies and the City is paying for the assessments that would be assigned to these oil well pads in exchange for the funds collected.

The amount of \$554,284.15 is proposed to be assessed over 20 years at the indicated rate at 5.25 percent, but this rate will be locked in once the bond is issued. The bond has not yet been sold.

Public hearing closed by Board Member McIvor.

**Motion by Hoffelt, Seconded by Meyer to approve District 16-2.
UNANIMOUS BY VOICE VOTE**

B. Concrete Alley Improvement District 16-5:

The City paid two-thirds of the reconstruction cost for the concrete alley improvements on the properties listed below. The remaining third of each project was assessed to the property owners on that block on a square foot basis. The assessment came right in line with what the City quoted to those involved. The only one that went over was Select Ford at 10 percent higher than original estimate due to construction difficulties. The assessments for the post office alley is paid by the City since the post office does not pay assessments, the City also owns the gas, the parking lot, and bought Select Ford's lot; so the City has to pay for these as well. The rest of the assessments of District 16-5 came right at or below what was originally estimated. There was one protest on the JC Penny alley, but the City hasn't heard from them since, and this did not slow the project down.

- i. Section I Service Drug Alley
- ii. Section II Post Office Alley
- iii. Section III Hedderich's Alley

- iv. Section IV JC Penny Alley

**Motion by Meyer, Seconded by Hoffelt to approve District 16-5.
UNANIMOUS BY VOICE VOTE**

C. Asphalt Alley Improvement District 16-6:

There were ten different sections that were proposed to be projected for improvements. Three sections were protested out of this project, and one alley is still under construction so there is no cost determined yet and will be assessed next year. For the remaining alleys, the City paid two-thirds of the cost for this overlay project with the exception of Section 9, which is new construction and was fully assessed to those properties. Properties that were in account for this project were assessed by the square foot and came within the amount or just less than their estimated amounts.

- i. Section III Langsdorf Addition Alley
- ii. Section IV College Hill Addition Alley
- iii. Section V Barnfather/West Lawn Addition Alley
- iv. Section VII Highland Heights Addition Alley
- v. Section VIII Knollcrest Addition Alley
- vi. Section IX Sorenson 4th Addition Alley

**Motion by Hoffelt, Seconded by Meyer to approve District 16-6.
UNANIMOUS BY VOICE VOTE**

D. Parking Lot Improvement District 16-7:

John Kautzman presented the following:

This is a proposed assessment for a three year window carrying a zero percent interest rate. The amount of \$58,745.33 is going each year to the individual properties listed to cover the costs.

This comes at the recommendation of the Parking Authority; it is requested to the City to move forward with the assessment process. The set of numbers were put together with the planning

department. They had a study done that implied that the Downtown Parking Authority was needed in order to have a downtown parking plan that would work. The study concluded that in order to enforce the plan, ticketing was the only way it was going to happen. The accounted for properties were assessed at \$176,236.50 over three years. The City has not received complaints about this assessment, only about fines. There is an appeal process through the court system for those with these complaints and can be utilized if desired. City Auditor John Kautzman confirms that this amount is for covering the enforcement cost, with some maintenance costs included.

**Motion by Hoffelt, Seconded by Meyer to approve District 16-7.
UNANIMOUS BY VOICE VOTE**

E. Mill & Overlay Improvement District 16-8:

Presented by City Engineer Bob Hanson:

The City performed the mill and overlay improvements on the area east of University Avenue, at Home of Economy, and the west side of the downtown area. Costs were split between the City and properties at 50/50. The 50 percent assessed to the property owners were on a square foot basis. Bob Hanson had found an error in original estimated cost in Section 1 which resulted in some of the assessments going up by about 10 percent more than what was originally estimated.

- i. Section I Area east of University Avenue
- ii. Section II Home of Economy
- iii. Section III Westside of Downtown Area

**Motion by Meyer, Seconded by Hoffelt to approve District 16-8.
UNANIMOUS BY VOICE VOTE**

F. Permenzyme Improvement District 17-3:

This improvement project is for the surfacing of the streets listed below with permenzyme. Permenzyme is a biological enzyme mixed in with the gravel surface and forms a solid base protected by a seal for the road. The county has made extensive use of this permenzyme, and to clarify, it is not an asphalt or concrete pavement, but it puts roadways together and controls dust at a lower cost. This surface will have to be redone in around 15-20 years. Anderson Wood had received a special use permit with certain conditions and one condition was to improve their roadway and this was the solution for that portion. The Anderson Wood project is to be assessed of a five year period because Anderson Woods is a contractor working

extensively for Montrail Williams. When their heavy work is done with Montrail Williams, the City expects them to leave. As for the surface by Halliburton to the highway, the project costs were based on a front foot basis with no city cost participation.

Mr. Hanson informed the board that the City did a third street using this material on the west side of the high school and there was no one to assess that area, so the city paid for that project.

- i. Section I 58th Street—Anderson Wood
- ii. Section II 27th Avenue East—Halliburton

**Motion by Meyer, Seconded by Hoffelt to approve District 17-3.
UNANIMOUS BY VOICE VOTE**

2. New Business:

John Kautzman presented this item:

Three lots were identified for the need for mowing and the City advertised to ask to consider approving them. By ordinance, if a property owner does not react to the letter sent to them, their lot is then ordered to be mowed by the City. It is a contract job that the City puts out for bids and then once a bidder is awarded the contract, the mowing is performed. It is then assessed for the cost that was incurred and no profit is earned.

**Motion by Hoffelt, Seconded by Meyer to approve.
UNANIMOUS BY VOICE VOTE**

3. Adjourn:

**Motion by Meyer, Seconded by Hoffelt, to adjourn.
UNANIMOUS BY VOICE VOTE**

Time Adjourned: 9:32 a.m.

Craig McIvor, Acting President
of the Assessment Board

John Kautzman, City Auditor