

**OFFICIAL PROCEEDINGS**  
**Special Assessment Board**  
**September 20, 2016 9:00AM**  
**Broadway Commons – Williston, North Dakota**

1. Roll Call of Commissioners

PRESENT: Nancy Hoffelt, Jore Meyer, Craig Mclvor

OTHERS PRESENT: John Kautzman, Bob Hanson, Bob Moberg, Tom Scott , Rachel Laqua, Diane Satermo, Melissa Elletson, Bren D'Angelo

2. Special Assessment Districts:

Bob Hanson, City Engineer, explained this is a public hearing for special assessment districts and to hear any objections or questions to the methodology of calculations of these districts.

**Craig Mclvor opened the public hearing.**

District 15-17 11<sup>th</sup> Street (48<sup>th</sup> Ave to 32<sup>nd</sup> Ave)

This is a water, sewer and street improvement district for Hawkeye Village and involves the construction of 11<sup>th</sup> Street west of the round-a-about to Baker Hughes. Developer George Kropinski stated they built approximately one mile of Bison Drive with sewer and water facilities capable of handling all of Hawkeye Village. They paid their license fees for water and sewer from 32<sup>nd</sup> Avenue, 90% of the site is being serviced by Bison and now they're being assessed for 11<sup>th</sup> Street which is a regional street sized to accommodate a major amount of traffic. Mr. Hanson explained the sewer line on 11<sup>th</sup> Street was installed for the Hawkeye Subdivision and there are portions of the subdivision where the only way to get the gravity sewer system is to run it down 11<sup>th</sup> Street. Primarily this is the residential areas on the west side and to lower the cost to everybody, the assessment was spread across the entire Hawkeye subdivision. Mr. Hanson stated the assessments could be corrected and assign the sewer costs to the areas being serviced but it will increase the sewer component of the assessments. The cost of the sewer system would not change and only the people connected to the sewer system are in the Hawkeye subdivision. The overall assessment would not change but how it's assigned to Mr. Kropinski's parcels would change. The water line is a trunk line that services the Hawkeye subdivision, which also provides fire flow to them and is assessed to the apartments and commercial areas to the west. Mr. Hanson also confirmed that 11st Street is oversized to accommodate traffic generated by the development of the area. Mr. Kropinski was asked if he wanted to have the sewer assessments recalculated and just assigned to the shaded areas on the map included in the packet. The assessments cannot be pushed to an area or a lot within the subdivision where there is no intention to build. Mr. Kropinski will take this into consideration and defer a decision while the meeting continues with the remaining districts.

**Craig Mclvor called for public comment a second time.**

District 16-7 Parking Lot Improvements

John Kautzman, City Auditor, explained this is a maintenance assessment for the public parking lots in the downtown area and provides for parking enforcement personnel. A letter was sent to everyone in the district and was incorrectly identified as a three-year payment but should have indicated it was annual assessment. Both the bond attorney and city attorney have determined the letter does not have any legal precedence and because it is an annual assessment, assuming it goes forward and is reassessed next year, those in the district could protest. The formula did change this year and the market value of properties

has been incorporated. Rachel Laqua of Planning and Zoning explained that in order to maintain and upgrade the parking lots, the formula includes a .03% of market value and a base rate of \$150 for existing renaissance zone members and \$100 for new renaissance zone members. The assessment is based on zoning and intended to include industrial and commercial properties but there are some residential properties located in the zone. Parking Authority Chairperson, Diane Satermo, stated the assessment numbers are higher this year but the formula for last year did not cover the expenses and now includes the parking enforcement officer.

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

**Craig McIvor called for public comment a third time.  
Craig McIvor closed the public hearing.**

District 15-2 High School Area (Onsite)

This assessment district was created at the request of the high school for the city to assist in the provision of parking lots, street lighting and landscaping in the area of the new high school. The city agreed to this with the understanding that the assessment district would be responsible for all of those costs.

**Motion by Hoffelt, Seconded by Meyer, to approve District 15-2.  
UNANIMOUS BY VOICE VOTE**

District 15-8 Schlumberger Drainage Improvements

This was created on the west side of the Schlumberger property going back to some long standing drainage issues. The city share was approximately \$23,000 with the remainder assessed to Schlumberger.

**Motion by Hoffelt, Seconded by Meyer, to approve District 15-8.  
UNANIMOUS BY VOICE VOTE**

District 15-11 Wegley Green Acres – Phase II (Areas 1, 2A, 3 and 6)

This assessment district was created for water, sewer and street improvements between 1<sup>st</sup> Avenue West and University Avenue and between 34<sup>th</sup> Street East and 42<sup>nd</sup> Street East. The city is picking up the cost of all water and most sewer improvements with the street assessments based on square footage of the front street. Section A2 was protested out then half requested to re-enter. On the east section of 1<sup>st</sup> Avenue (Section A6), the city entered into agreement with the NDDOT for some funding where this will be used as a backage road on the highway where the frontage road at 42<sup>nd</sup> Street has been closed.

**Motion by Hoffelt, Seconded by Meyer, to approve District 15-11.  
UNANIMOUS BY VOICE VOTE**

District 15-12 Williston Park – Phase II

This is similar to District 15-11 with the city picking up the cost of all water improvements and some sewer improvements. It includes 46<sup>th</sup> Street West to 49<sup>th</sup> Street West between 14<sup>th</sup> Avenue West and 16<sup>th</sup> Avenue West. The water improvements include replacing an undersized rural water line and adding fire hydrants.

**Motion by Meyer, Seconded by Hoffelt, to approve District 15-12.  
UNANIMOUS BY VOICE VOTE**

Mr. McIvor asked Mr. Kropinski if he had made a decision yet on how to proceed with District 15-17 to which Mr. Kropinski replied he would stay with the proposal. This item will be approved in order of the districts being presented.

**District 15-14 Bakken Industrial Park**

This is a number of streets and a few water improvements in the Bakken Industrial area. The improvements were the construction of a concrete street on 84<sup>th</sup> Street from the highway to 135<sup>th</sup> Avenue and construction of a concrete street for Energy Street from the highway to Oil Street and also a short section of a concrete street going in on 135<sup>th</sup> Avenue north of 84<sup>th</sup> Street. The only water main that has been installed is an extension of 135<sup>th</sup> Avenue from 84<sup>th</sup> Street to Energy Street. Other street improvements were done with Permenzyme to assist with dust control. This was assessed with the city picking up two-thirds of the cost and the property owners one-third. The water main improvements would be fully assessed but the city was able to secure some state water commission money so that amount was removed from the assessments. The properties fronting any of the concrete streets were assessed 60% of the street cost based on frontage feet and the additional 40% assessed to the remaining properties in the district based on area assessment. Properties on Permenzyme streets are being assessed based on frontage feet.

**Motion by Meyer, Seconded by Hoffelt, to approve District 15-14.  
UNANIMOUS BY VOICE VOTE**

**District 15-15 2015 Street Reconstruction**

This is a street utility reconstruction project including 3<sup>rd</sup> and 4<sup>th</sup> Avenue East between 6<sup>th</sup> and 11<sup>th</sup> Street East. All of the sewer and water costs will be paid for by the city. As with other districts, two-thirds of the cost will be covered by the city and one-third by the property owners. This project also has some properties that requested additional concrete or sidewalk work done which was then included in their assessments. The assessment formula included full assessments on the short side and half assessments on the long side for corner lots.

**Motion by Hoffelt, Seconded by Meyer, to approve District 15-15.  
UNANIMOUS BY VOICE VOTE**

**District 15-16 14<sup>th</sup> Avenue**

This is a development driven project on 14<sup>th</sup> Avenue between 42<sup>nd</sup> Street and 45<sup>th</sup> Street. Both the street and water improvements were determined by the amount of front footage on the east side of 14<sup>th</sup> Avenue. On the west side, for properties that did not have direct frontage, the dollar amount associated was spread on an area basis.

**Motion by Hoffelt, Seconded by Meyer, to approve District 15-16.  
UNANIMOUS BY VOICE VOTE**

**District 15-17 11<sup>th</sup> Street (48<sup>th</sup> Ave to 32<sup>nd</sup> Ave)**

**Motion by Meyer, Seconded by Hoffelt, to approve District 15-17.  
UNANIMOUS BY VOICE VOTE**

**District 15-19B Alley Reconstruction (Block 8 Bruegger's Amended)**

This is a revision to District 15-19. In the first revision there were three alleys with one that protested out and of the remaining two one was approved last year and assessed as District 15-19. This alley was carried forward in 2016 and assigned District 15-19B. This was precipitated by some issues that Lutheran Social Services had with some improvements

completed last year. The city is proposing to pick up the cost of the east half of the alley and Lutheran Social Services will be assessed the cost of the west half.

**Motion by Hoffelt, Seconded by Meyer, to approve District 15-19B.**

**UNANIMOUS BY VOICE VOTE**

District 16-1 Sidewalk Improvements

This is an annual sidewalk repair/replacement program. These are requested by property owners.

**Motion by Hoffelt, Seconded by Meyer, to approve District 16-1.**

**UNANIMOUS BY VOICE VOTE**

District 16-3 Sand Creek Trunk Sewer & 32<sup>nd</sup> Avenue Lift Station

This is for sanitary sewer improvements. A trunk sewer that was extended south from 26<sup>th</sup> Street to a new lift station installed west of 32<sup>nd</sup> Avenue and north of Sand Creek. For the lift station, the costs were spread across the 1,800 acre service area to figure out the cost per acre and then determined the assessments. The sewer line was 18" and larger than standard which included some oversizing costs. A lateral assessment was figured as if this was an 8" line extended through the Hagan properties and is a deferred assessment. The incremental cost of going with the larger pipe was then spread on a larger basis for everything north of 26<sup>th</sup> Street as those properties are benefitting from the oversized pipe. A number of these assessments are deferred until development of the properties occurs.

**Motion by Meyer, Seconded by Hoffelt, to approve District 16-3.**

**UNANIMOUS BY VOICE VOTE**

District 16-4 Street Reconstruction – Part I (I – 13<sup>th</sup> St, 19<sup>th</sup> Ave, 15<sup>th</sup> St, Gate Ave) (II – Gate Ave) (III – Frontage Rd N/o Box Elder)

This covers three areas including 19<sup>th</sup> avenue and 15<sup>th</sup> Street just west of Dakota Parkway, Gate Avenue off 11<sup>th</sup> Street and frontage road north of Box Elder. One-third is assessed to the property owners on a front footage basis and two-thirds will be covered for by the city. The city was assigned 600 feet on Section III for the frontage road that is against the highway.

**Motion by Hoffelt, Seconded by Meyer, to approve District 16-4.**

**UNANIMOUS BY VOICE VOTE**

~~District 16-7 Parking Lot Improvements~~

Mr. Hanson explained the publication process for districts and also indicated there are no plans for new construction but there are some areas in mind for reconstruction next year. The city has been asked by property owners in the Borsheim subdivision about doing something similar to the Bakken Industrial Park. There are also requests on the west end of town for paving of gravel streets and water and sewer lines.

3. Adjourn

**Motion by Meyer, Seconded by Hoffelt, to adjourn.**

**UNANIMOUS BY VOICE VOTE**