



Engineering Department

DATE: July 7, 2021
FROM: Gabe Schell, City Engineer
ITEM: Street Improvement District SI 555

REQUEST:

Request to Hear Insufficiency of Protests on Resolution of Necessity for Street Improvement District SI 555.

Please place this item on the July 13, 2021 City Commission meeting agenda.

BACKGROUND INFORMATION:

Street Improvement District No. 555 consists of one unit of concrete pavement repair in Downtown Bismarck including full and partial depth pavement repairs, curb and gutter, ADA curb ramps, joint sealing, crack sealing, water main replacement, lighting improvements and related work (see attached map).

This project will receive federal funding through the North Dakota Department of Transportation. City water utility funding will be used for all water main replacement costs. City street lighting utility funding will be used for all street lighting items. Special assessments will cover the remaining project costs not covered by the federal grant or utility funding.

The Resolution of Necessity was published in the newspaper on June 2, 2021 and June 9, 2021. Letters were sent to parcel owners notifying them of this project along with their estimate special assessment cost and their right to protest this improvement per NDCC Chapter 40-22. The protest period ended on July 2, 2021. An insufficient number of protests were received for the project to be protested out. A summary of the protests received is attached.

Unit No. 1

4th Street – Main Avenue to Thayer Avenue

5th Street – Main Avenue to Thayer Avenue

6th Street – Main Avenue to Rosser Avenue

Broadway Avenue – 4th Street to 6th Street

Thayer Avenue – 3rd Street to 6th Street

Project Schedule

Protest Period Ends: July 2, 2021

Public Reading of Sufficiency of Protest: July 13, 2021

Authorization to Advertise: August 10, 2021

Receipt and Opening of Bid: November 19, 2021

Award of Bid: November 23, 2021

Project Completion: November 2022

RECOMMENDED CITY COMMISSION ACTION:

Accept Insufficiency of Protests on Resolution of Necessity for Street Improvement District SI 555 for which staff may proceed with the project.

STAFF CONTACT INFORMATION:

Gabe Schell, PE | City Engineer, 355-1505 or gschell@bismarcknd.gov

SI 555 - Unit 1



SI 555 Unit 1 - Summary of Written Protests

Property Owner(s)	Property Address	Square Footage
<u>ACCEPTED:</u>		
1 MORRIS, SUSAN MAE LIVING TRUST	101 N 5TH ST	9,750

NOT ACCEPTED:

Total Protested Square Footage	<u>9,750</u>
Total Unit Square Footage	<u>517,705</u>
<u>Percentage of Protest</u>	<u>1.88%</u>

Total Parcel Count in Unit (Excluding Political Subdivisions) 39

RECEIVED 6.29.21

June 23, 2021

Finance Office – Special Assessments
Bismarck City County Building
221 N. 5th St. – 3rd Floor
Bismarck, ND 58501

Good afternoon,

This assessment of \$1.92 million should not be passed on to such a small area and number of properties. This project benefits a broader population than just the property owners of the special assessment district.

Do hospitals pay their share of the special assessment?

Downtown property taxes have increased substantially in the last two years; they are among the highest property taxes in the city.

Help the assessment district by freezing property taxes.

It's unfair to burden the downtown businesses with this project following the pandemic.

Snow plows, garbage trucks and delivery vehicles will cause maintenance issues for the proposed curb extensions. Their scattered locations will confuse drivers. They will be here today, gone tomorrow expense. Are they really necessary relative to all the costs associated with them?

The formula of using only parcel square footage and not factoring in building square footage puts a heavy burden on one and two-story buildings. Three-plus story buildings do not pay their fair share. All occupants of a building benefit. Using parcel square footage does not factor in the larger tenant usage and benefits and the higher revenue that occurs in buildings with more lease-able square footage.

If you owned a smaller building, lower in square footage, would you think it's fair for you to pay a similar assessment as the larger buildings? The financial burden is not distributed equitably.

Please consider looking at alternate methods of financing the \$1.92 million assessment or find a compromise that would ease the financial burden placed on adjacent property owners.

Thank you for considering my comments.

Sincerely,



Susan Morris
101 through 111 N. 5th St.
Bismarck, ND 58501
District SI 555, Unit 1

0001-046-025