

ORDINANCE NO. O-01-2017

AN ORDINANCE CONFIRMING THE CITY ENGINEER'S ESTIMATE OF THE COST OF THE IMPROVEMENT AND CERTIFICATE OF APPORTIONMENT FOR THE IMPROVEMENT OF BARRETT DRIVE FROM ITS INTERSECTION WITH NORTH FORT THOMAS AVENUE TO ITS TERMINUS, DAISY LANE FROM ITS INTERSECTION WITH NEWMAN AVENUE TO ITS TERMINUS, GADDIS DRIVE FROM ITS INTERSECTION WITH HIGHLAND AVENUE TO ITS TERMINUS, HAYWOOD COURT FROM ITS INTERSECTION WITH WINDING WAY TO ITS TERMINUS, AND WINDING WAY FROM ITS INTERSECTION WITH CLOVER RIDGE TO ITS TERMINUS; ALL IN THE CITY OF FORT THOMAS, CAMPBELL COUNTY, KENTUCKY, AND ALL IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS THERETO AS SUBMITTED BY THE CITY ENGINEER AND AS APPROVED BY THE BOARD OF COUNCIL; APPROVING AND LEVYING A SPECIAL ASSESSMENT AGAINST THE ABUTTING PROPERTY OWNERS AND PROVIDING FOR ITS PAYMENT; DIRECTING THE CITY CLERK TO PUBLISH AN ABSTRACT OF THIS ORDINANCE; AND DIRECTING THE CITY TREASURER TO PREPARE AND DISTRIBUTE THE ASSESSMENT BILLS REQUIRING ALL ABUTTING PROPERTY OWNERS TO PAY THE IMPROVEMENT ASSESSMENT.

WHEREAS, a public hearing was conducted on March 22, 2016 regarding street resurfacing improvements to Barrett Drive, Daisy Lane, Gaddis Drive, Haywood Court, and Winding Way; and

WHEREAS, bids were solicited for street resurfacing improvements to the said streets; and

WHEREAS, an Ordinance ordering the street resurfacing improvements to said streets was adopted by the Board of Council on May 16, 2016 which established the assessments to abutting property owners; and

WHEREAS, the city, through is Public Works Committee of Council, staff and engineer, inspected said improvements and recommended acceptance of same.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FORT THOMAS, CAMPBELL COUNTY, KENTUCKY, AS FOLLOWS:

SECTION I

That the Public Works Committee of the Board of Council of the City of Fort Thomas, Kentucky, and the City Engineer of said City recommend the acceptance of the improvement of Barrett Drive from its intersection with N. Ft. Thomas Avenue to its terminus; mudjacking as required to fill any voids or cavities underneath the pavement, full depth pavement repair as necessary, construct new 4" vertical concrete curb, depressed at driveways and fill behind new curb with topsoil, bituminous asphalt pavement surface milling, Stress Absorbing Membrane

Interlayer (SAMI) installation, 2" asphalt surface applied on top of the SAMI, adjusting manholes and other utility meters and valves as necessary, and adjusting downspouts that lead to the curb as necessary, and in order to facilitate transition of new curb and road surface, driveways aprons and driveways will be replaced with a like material as necessary.

That the Public Works Committee of the Board of Council of the City of Fort Thomas, Kentucky, and the City Engineer of said City recommend the acceptance of the improvement of Gaddis Drive from its intersection with Highland Avenue to its terminus, mudjacking as required to fill any voids or cavities underneath the pavement, replacement of storm inlets as necessary (by City), full depth pavement repair as necessary, construct new 4" vertical concrete curb, depressed at driveways and fill behind new curb with topsoil, bituminous asphalt pavement surface milling, removing asphalt overlay to original concrete pavement and gutter line, stress absorbing membrane interlayer (SAMI) installation applied on top of existing concrete pavement to reduce and delay reflective cracking from concrete base pavement, 2" asphalt surface applied on top of the SAMI, adjusting manholes and other utility meters and valves as necessary, adjusting downspouts that lead to the curb as necessary, and in order to facilitate transition of new curb and road surface, driveways aprons and driveways will be replaced with a like material as necessary.

That the Public Works Committee of the Board of Council of the City of Fort Thomas, Kentucky, and the City Engineer of said City recommend the acceptance of the improvement of Daisy Lane from its intersection with Newman Avenue to its terminus, performed by spot curb repair for areas which have deteriorated, mudjacking as required to fill any voids or cavities underneath the pavement, full depth pavement repair as necessary, bituminous asphalt pavement surface milling, removing asphalt overlay to original concrete pavement and gutter line, stress absorbing membrane interlayer (SAMI) installation applied on top of existing concrete pavement to reduce and delay reflective cracking from concrete base pavement, 2" asphalt surface applied on top of the SAMI, adjusting manholes and other utility meters and valves as necessary, and adjusting downspouts that lead to the curb as necessary.

That the Public Works Committee of the Board of Council of the City of Fort Thomas, Kentucky, and the City Engineer of said City recommend the acceptance of the improvement of Haywood Court from its intersection with Winding Way to its terminus; performed by spot curb repair for areas which have deteriorated, mudjacking as required to fill any voids or cavities underneath the pavement, full depth pavement repair as necessary, bituminous asphalt pavement surface milling, removing asphalt overlay to original concrete pavement and gutter line, stress absorbing membrane interlayer (SAMI) installation applied on top of existing concrete pavement to reduce and delay reflective cracking from concrete base pavement, 2" asphalt surface applied on top of the SAMI, adjusting manholes and other utility meters and valves as necessary, and adjusting downspouts that lead to the curb as necessary.

That the Public Works Committee of the Board of Council of the City of Fort Thomas, Kentucky, and the City Engineer of said City recommend the acceptance of the improvement of Winding Way from its intersection with Clover Ridge to its terminus, performed by spot curb repair for areas which have deteriorated, mudjacking as required to fill any voids or cavities underneath the pavement, full depth pavement repair as necessary, bituminous asphalt pavement surface milling, removing asphalt overlay to original concrete pavement and gutter line, stress absorbing membrane interlayer (SAMI) installation applied on top of existing concrete pavement to reduce and delay reflective cracking from concrete base pavement, 2" asphalt surface applied

on top of the SAMI, adjusting manholes and other utility meters and valves as necessary, and adjusting downspouts that lead to the curb as necessary.

All of these improvements have been constructed in accordance with the plans and specifications thereof as submitted by the City Engineer, and the Board of Council, on the advice of the Public Works Committee and the City Engineer, who deem the work completed; and said work is hereby declared to be completed and the City Engineer’s estimate of the cost to said improvement and the Certificate of apportionment are hereby accepted, approved, and confirmed.

SECTION II

That special assessment rates as set out below per linear foot and fronting on listed streets, be and the same are hereby apportioned, levied, and assessed against said real estate and the owners thereof (see attached Exhibit “A”) at the stated cost per foot, as set out as follows:

STREET	CITY PORTION	FRONT FT COST PROPERTY OWNER PORTION	TOTAL COST
Barrett Drive	\$ 10.73	\$ 10.73	\$ 21.46
Daisy Lane	\$ 9.09	\$ 9.09	\$ 18.18
Gaddis Drive	\$ 11.55	\$ 11.55	\$ 23.10
Haywood Court	\$ 9.79	\$ 9.79	\$ 19.58
Winding Way	\$ 10.11	\$ 10.11	\$ 20.22

SECTION III

Payments for all improvements shall be due within forty-five (45) days of the publication of the Ordinance of Apportionment and any assessment levied that is not paid when due shall bear a penalty of five percent (5%) per annum. An additional ten percent (10%) penalty per annum will be levied thirty-one (31) days after the due date, and any unpaid assessment shall accrue eight percent (8%) per annum interest, except for those property owners participating in the Installment Payment Plan, as outlined below, and shall continue to accrue and be liable as provided by law. The City’s portion of the entire improvement cost shall be paid within thirty (30) days from the acceptance of said work under the contract.

INSTALLMENT PAYMENT PLAN

A property owner may have the option to finance the payment of his/her assessment bill over a specified period of time subject to the total amount of their assessment. Property owners with assessment bills of more than \$400, but less than \$1,000 may finance the bill over a three (3) year period with equal payments. Property owners with assessment bills of more than \$1,000, but less than \$1,500 may finance the bill over a four (4) year period with equal payments. Property owners with assessment bills of more than \$1,500 may finance the bill over a five (5) year period with equal payments. The total amount of the assessment to qualify for the improvement installment plan shall not be less than \$400. An interest rate of eight per cent (8%) per annum shall be levied on the unpaid portion of the balance. The first annual installment shall become due and payable on July 1, following the year in which the project was completed.

Any interested property owner qualifying for the improvement Installment Payment Plan shall initiate this process by completing an Installment Agreement Form with the City's Director of Finance within thirty (30) days of the publication of the Ordinance of Apportionment. A non-refundable administrative fee of thirty-five dollars (\$35) shall be required to process the Installment Agreement Application Form. Installment payments shall be made to the Finance Office on or before July 31 of each year as outlined in the Agreement.

If any property owner fails to make their installment payment by July 31 of each year as outlined in the Agreement, the entire unpaid balance will become due immediately and payable in full with no recourse. The City shall exercise its rights to proceed to collect all amounts in default of improvement assessment bills by initiating appropriate legal action.

SECTION IV

The City Clerk is hereby directed to publish an abstract of this Ordinance in the manner provided by law for general ordinances of the City.

SECTION V

The City Treasurer shall, at the time that the afore-mentioned Ordinance is published, or one week thereafter, give notice by distribution of assessment bills requiring all property owners to pay the improvement tax levied in accordance with Section III of this Ordinance.

SECTION VI

This Ordinance shall be in full force and effect from and after its passage, approval and publication as designated by law.

APPROVED:

Eric Haas, Mayor

ATTEST:

Melissa Kaye Kelly, City Clerk

1st Reading: February 21, 2017

Adoption: March 20, 2017

Publication: March 30, 2017

Owner	No.	Street	Suf	PIDN	Frontage	PerFoot	Total
HEAD WM R & ALISON B	5	BARRETT	DRIVE	14-125.00	159.96	10.73	\$1,716.37
SCHWEGMAN MARC W TRUST	10	BARRETT	DRIVE	16-409.00	169.43	10.73	\$1,817.98
FITZGERALD GERALD & LAUREL L	19	BARRETT	DRIVE	13-547.00	100.00	10.73	\$1,073.00
HEAD PATRICIA FAMILY TRUST	27	BARRETT	DRIVE	14-124.00	100.00	10.73	\$1,073.00
SCHWEGMAN MARC W TRUST	28	BARRETT	DRIVE	16-885.00	100.00	10.73	\$1,073.00
WITTE ERIN K	28	BARRETT	DRIVE	16-886.00	41.00	10.73	\$439.93
FRANZEN STEVEN J & DEBBIE	29	BARRETT	DRIVE	13-605.00	100.00	10.73	\$1,073.00
BOURKE DOLORES Z	42	BARRETT	DRIVE	12-583.00	85.38	10.73	\$916.13
RUFF PETER & MELISSA	43	BARRETT	DRIVE	13-688.00	100.00	10.73	\$1,073.00
TIMMERMAN MARIA A REV TRUST	51	BARRETT	DRIVE	16-927.00	110.00	10.73	\$1,180.30
SARAKATSANNIS GREGORY P & JULI	52	BARRETT	DRIVE	16-543.00	90.00	10.73	\$965.70
HEIERT CHRISTINA	60	BARRETT	DRIVE	16-770.00	90.00	10.73	\$965.70
CARRIS TODD	65	BARRETT	DRIVE	16-422.00	190.00	10.73	\$2,038.70
WENDLING HAL & LORI	76	BARRETT	DRIVE	15-109.00	180.00	10.73	\$1,931.40
STEINMAN ERIC & PATRICIA	90	BARRETT	DRIVE	16-697.00	303.76	10.73	\$3,259.34
CANN ANDY L & ANGELA	11	DAISY	LANE	12-397.00	60.00	9.09	\$545.40
BURKART BRAD & STEPHANIE	12	DAISY	LANE	14-173.00	60.00	9.09	\$545.40
LEWIS BENTON T & ANABEL	16	DAISY	LANE	14-947.00	56.20	9.09	\$510.86
MCCOY ROBERT D	17	DAISY	LANE	13-350.00	70.23	9.09	\$638.39
BURKART DAVID & PATTI	20	DAISY	LANE	12-755.00	53.80	9.09	\$489.04
TURNER GREGORY S & MARY KAY	21	DAISY	LANE	14-579.00	67.39	9.09	\$612.58
CHRZANOWSKI DAVID & KELLY	25	DAISY	LANE	16-725.00	60.00	9.09	\$545.40
HERINGER RHONDA R	26	DAISY	LANE	12-344.00	58.18	9.09	\$528.86
CORNETT GREGORY K & KIMBERLY A	30	DAISY	LANE	15-076.00	60.00	9.09	\$545.40
PRICE TIMOTHY	31	DAISY	LANE	13-064.00	60.00	9.09	\$545.40
COWIE ROBT E & BARBARA	34	DAISY	LANE	13-006.00	62.00	9.09	\$563.58
LITMER KAREN M	35	DAISY	LANE	13-600.00	60.00	9.09	\$545.40
TIERNEY BRAD & TONYA	38	DAISY	LANE	12-524.00	60.00	9.09	\$545.40
ZINK RALPH A & STELLA M	39	DAISY	LANE	17-477.00	60.00	9.09	\$545.40
GRONECK PATRICIA	42	DAISY	LANE	15-435.00	60.00	9.09	\$545.40
STEPHENS LIVING TRUST	43	DAISY	LANE	16-706.00	60.00	9.09	\$545.40

GRIMM GREGORY J	49	DAISY	LANE	16-076.00	60.00	9.09	\$545.40
MCINTOSH KEVIN M & REBEKAH L	50	DAISY	LANE	13-665.00	63.00	9.09	\$572.67
POYNTER VICTORIA L	53	DAISY	LANE	15-027.00	62.47	9.09	\$567.85
MULLEN ROBERT J & HELEN	54	DAISY	LANE	15-451.00	59.98	9.09	\$545.22
BYERLY ROBIN S	57	DAISY	LANE	14-736.00	39.10	9.09	\$355.37
RODERICK THOS J & NANCY	58	DAISY	LANE	16-066.00	58.12	9.09	\$528.31
SINGARD SUSAN	62	DAISY	LANE	16-064.00	39.10	9.09	\$355.37
BEINEKE JAMES D & DEANNE	66	DAISY	LANE	12-410.00	39.10	9.09	\$355.37
MOHR MARILOU		DAISY	LANE	17-148.00	125.70	9.09	\$1,142.61
JUETT JOSEPH & THERESA		DAISY	LANE	16-750.00	125.70	9.09	\$1,142.61
ZIMMERMAN MELISSA J	15	GADDIS	DRIVE	17-469.00	50.00	11.55	\$577.50
POMPILIO ANTHONY M & KELLY	19	GADDIS	DRIVE	13-255.00	50.00	11.55	\$577.50
COOPER BRENT M & LISA S	20	GADDIS	DRIVE	12-611.00	100.00	11.55	\$1,155.00
HOLT ROBERT M	21	GADDIS	DRIVE	13-828.00	50.00	11.55	\$577.50
BARRETT RUSSELL	24	GADDIS	DRIVE	14-553.00	50.00	11.55	\$577.50
KREUTZER STEPHEN J & MARY	27	GADDIS	DRIVE	14-788.00	60.00	11.55	\$693.00
BARTON SCOTT W	28	GADDIS	DRIVE	13-724.00	50.00	11.55	\$577.50
WARD AMY M	31	GADDIS	DRIVE	13-112.00	50.00	11.55	\$577.50
CONLEY SEAN P & REBECCA L	32	GADDIS	DRIVE	12-726.00	50.00	11.55	\$577.50
KANE ROBERT B	35	GADDIS	DRIVE	14-549.00	50.00	11.55	\$577.50
ZIEGLER THOMAS F & JODI P	36	GADDIS	DRIVE	15-726.00	50.00	11.55	\$577.50
SCHULTZ MARGARET A REV TRUST	39	GADDIS	DRIVE	16-369.00	50.00	11.55	\$577.50
ADAMS ROBERT E & JANET M	40	GADDIS	DRIVE	12-199.00	50.00	11.55	\$577.50
SCHUH J MICHAEL	43	GADDIS	DRIVE	16-178.00	50.00	11.55	\$577.50
44 GADDIS LLC	44	GADDIS	DRIVE	16-095.00	50.00	11.55	\$577.50
ZENNI BRENDEN & JACLYN	47	GADDIS	DRIVE	14-465.00	50.00	11.55	\$577.50
GIBSON GRADY & SUZANNE	48	GADDIS	DRIVE	13-949.00	50.00	11.55	\$577.50
SELIGMAN VICKI	51	GADDIS	DRIVE	12-958.00	50.00	11.55	\$577.50
MOHR STANLEY JOHN JR & JO ANN	52	GADDIS	DRIVE	15-388.00	50.00	11.55	\$577.50
ARAYA SHIRLEY ANNE	55	GADDIS	DRIVE	14-535.00	50.00	11.55	\$577.50
MEADE AARON & NICOLETTE	56	GADDIS	DRIVE	15-658.00	50.00	11.55	\$577.50
GILLUM DARRELL L & KAREN K	59	GADDIS	DRIVE	14-706.00	50.00	11.55	\$577.50
BURHANS KAREN E	60	GADDIS	DRIVE	14-570.00	50.00	11.55	\$577.50

HESCH JAMES E	63	GADDIS	DRIVE	14-906.00	50.00	11.55	\$577.50
STUDER MARY JO	64	GADDIS	DRIVE	16-190.00	50.00	11.55	\$577.50
HESCH JAMES E	67	GADDIS	DRIVE	15-709.00	50.00	11.55	\$577.50
BARTON CHRISTOPHER & NICOLE	68	GADDIS	DRIVE	16-222.00	50.00	11.55	\$577.50
STALEY RICHARD P & MARGUERITE	71	GADDIS	DRIVE	16-660.00	53.61	11.55	\$619.20
WAMSLEY LINDA S	72	GADDIS	DRIVE	14-463.00	54.68	11.55	\$631.55
FELDKAMP EDIE		GADDIS	DRIVE	13-417.00	117.22	11.55	\$1,353.89
TUPES WILLIAM & CONSTANCE		GADDIS	DRIVE	14-074.00	150.49	11.55	\$1,738.16
LUCAS TIMOTHY & ERIN	8	HAYWOOD	COURT	17-146.00	65.00	9.79	\$636.35
DOYLE ROSANNE L & RONALD	9	HAYWOOD	COURT	16-362.00	65.00	9.79	\$636.35
TERHAR STACIE T	15	HAYWOOD	COURT	16-225.00	59.99	9.79	\$587.26
TOLLE CARA M & BRIAN D	16	HAYWOOD	COURT	16-584.00	73.24	9.79	\$716.99
HENDERSON MELISSA M	21	HAYWOOD	COURT	14-556.00	59.76	9.79	\$585.08
BARONE STEVEN	22	HAYWOOD	COURT	13-965.00	76.10	9.79	\$744.98
GRAY JACK & MARY	25	HAYWOOD	COURT	33-533.00	59.76	9.79	\$585.08
GIESTING MARK T & KAREN	28	HAYWOOD	COURT	13-772.00	76.10	9.79	\$744.98
WOOD ROBERT E III	29	HAYWOOD	COURT	12-671.00	59.76	9.79	\$585.08
WARNDORF BEVERLY	34	HAYWOOD	COURT	17-159.00	79.85	9.79	\$781.77
MALMSTROM MARK & JENNIFER	35	HAYWOOD	COURT	15-075.00	59.76	9.79	\$585.08
2016 TRUST	39	HAYWOOD	COURT	15-436.00	63.55	9.79	\$622.15
MCMAHON JACOB C & ALEXANDRA	40	HAYWOOD	COURT	14-279.00	69.91	9.79	\$684.42
RAUKHORST HOLLY & ADAM R	44	HAYWOOD	COURT	15-377.00	36.30	9.79	\$355.41
THOME GRACE E	45	HAYWOOD	COURT	16-306.00	52.16	9.79	\$510.61
MINSTERMAN JOHN F & KAREN	49	HAYWOOD	COURT	15-359.00	36.30	9.79	\$355.41
TURNER VINCENT N & JULIE L	50	HAYWOOD	COURT	13-030.00	36.30	9.79	\$355.41
MOHR WM & ELIZ		HAYWOOD	COURT	15-390.00	117.85	9.79	\$1,153.75
GESENHUES JAMES		HAYWOOD	COURT	15-972.00	117.85	9.79	\$1,153.75
CAYTON JOHN J	1	WINDING	WAY	14-621.00	64.67	10.11	\$653.81
GORRIGAN AUSTIN R & HEATHER	5	WINDING	WAY	12-772.00	60.13	10.11	\$607.86
EARLE GREGORY S & MARY J	9	WINDING	WAY	17-074.00	54.58	10.11	\$551.84
BOLLINGER JENNIFER L	12	WINDING	WAY	17-150.00	105.72	10.11	\$1,068.79
HAGEDORN MICHAEL & LAURA M	15	WINDING	WAY	15-640.00	54.18	10.11	\$547.71
EICHELBERGER DAVID & CYNTHIA	19	WINDING	WAY	13-726.00	54.18	10.11	\$547.71

PRZYBYLSKI MICHAEL	20	WINDING	WAY	12-334.00	91.75	10.11	\$927.55
SUGGS SHIRLEY M ET AL	25	WINDING	WAY	16-803.00	54.18	10.11	\$547.71
HAMBERG RALPH L & ELIZ K	28	WINDING	WAY	14-015.00	91.75	10.11	\$927.55
LEMMONS MIKE J & KATHY M	29	WINDING	WAY	14-925.00	54.18	10.11	\$547.71
MOHR WM W & ELIZ A	33	WINDING	WAY	15-390.00	67.64	10.11	\$683.84
GIBSON GRADY & SUZANNE	36	WINDING	WAY	17-027.00	91.75	10.11	\$927.55
GESENHUES JAMES A	41	WINDING	WAY	15-972.00	54.34	10.11	\$549.33
GREELY ANDREW & ANDREA	42	WINDING	WAY	14-254.00	67.20	10.11	\$679.42
HERZOG IAN L ET AL	46	WINDING	WAY	13-249.00	57.93	10.11	\$585.69
SCHLARMAN WILLIAM C	47	WINDING	WAY	12-707.00	57.53	10.11	\$581.59
ZIX MARVALYN	52	WINDING	WAY	12-606.00	57.93	10.11	\$585.69
SANDFOSS STEPHEN P & MARY	53	WINDING	WAY	17-143.00	65.92	10.11	\$666.47
GABBARD ROBERT N & CONNIE S	58	WINDING	WAY	13-939.00	57.93	10.11	\$585.69
LANG SHAWN D & KATHLEEN M	59	WINDING	WAY	17-374.00	80.09	10.11	\$809.67
KRAMER TROY JAMES	62	WINDING	WAY	12-444.00	57.93	10.11	\$585.69
SCHIERER JOHN J	65	WINDING	WAY	17-135.00	80.09	10.11	\$809.67
HOUSTON WILLIAM A & KATRINA R	68	WINDING	WAY	17-253.00	57.93	10.11	\$585.69
FOSTER AMY	71	WINDING	WAY	16-946.00	80.09	10.11	\$809.67
TEAGUE JIM D & AIMEE J	74	WINDING	WAY	14-794.00	62.69	10.11	\$633.76
SUGGS STUART M	77	WINDING	WAY	16-802.00	65.00	10.11	\$657.15
CAUDILL AARON M & JENNIFER	78	WINDING	WAY	16-442.00	59.60	10.11	\$602.60
DELAGRANGE JOHN L & PAMELA S	81	WINDING	WAY	14-235.00	82.02	10.11	\$829.22
ZISER MICHELE	82	WINDING	WAY	17-163.00	65.96	10.11	\$666.84
GOLDEN DAVID C	85	WINDING	WAY	17-160.00	45.63	10.11	\$461.31
DELANEY STEVE A & JENNIFER M	86	WINDING	WAY	14-536.00	42.21	10.11	\$426.71
HAAS JEFFREY & AMY	89	WINDING	WAY	13-961.00	34.91	10.11	\$352.91
SULLIVAN MICHAEL E	93	WINDING	WAY	16-808.00	34.91	10.11	\$352.91
HARMS DAVID & AIMEE		WINDING	WAY	15-008.00	120.88	10.11	\$1,222.05