

ORDINANCE NO. O-01-2019

AN ORDINANCE CONFIRMING THE CITY ENGINEER'S ESTIMATE OF THE COST OF THE IMPROVEMENT AND CERTIFICATE OF APPORTIONMENT FOR THE IMPROVEMENT OF PENTLAND PLACE FROM ITS INTERSECTION WITH HIGHLAND AVENUE TO ITS INTERSECTION WITH GRAND AVENUE, SABRE COURT FROM ITS INTERSECTION WITH DAVID DRIVE TO ITS INTERSECTION WITH PENTLAND PLACE, AND DAVID DRIVE FROM ITS INTERSECTION WITH SABRE COURT 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 February 8, 2018 regarding street resurfacing improvements to Pentland Place, Sabre Court, and David Drive; 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 March 19, 2018 which established the assessments to abutting property owners; and

WHEREAS, the city, through its 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 David Drive from its intersection with Sabre Court south to its terminus be improved by removing existing concrete pavement, reshaping and compaction of subgrade, undercutting of subgrade at soft spots, installation of Geogrid as necessary for subgrade stabilization, installation of eight inches (8") of No 2 aggregate base, installation of four inches (4") of dense grade aggregate DGA base, installation of 30" wide concrete rolled curb, placement of seven inches (7") of asphalt base course with 1.25" of asphalt surface course, replace driveway aprons as necessary, replace concrete sidewalk as necessary, and adjust downspout leads at the curb as necessary. The total preliminary cost estimate for this improvement is \$57,500.00 with costs being shared on a 50%-50% basis between the City and property owner

(for standard resurfacing equivalency only). All additional expenditures shall be paid by the City. Using the front foot basis as the fair basis of assessment, the preliminary estimated cost to the City is \$10.07 and to the property owner is \$10.07 per front foot (f.f.). Please see the attached schedule listing property description, frontages, and anticipated costs.

SECTION II

That Pentland Place from its intersection with Highland Avenue south to its intersection with Grand Avenue be improved by removing existing concrete pavement, reshaping and compaction of subgrade, undercutting of subgrade at soft spots, installation of Geogrid as necessary for subgrade stabilization, installation of eight inches (8") of No 2 aggregate base, installation of four inches (4") of dense grade aggregate DGA base, installation of 30" wide concrete vertical curb, placement of seven inches (7") of asphalt base course with 1.25" of asphalt surface course, replace driveway aprons as necessary, replace concrete sidewalk as necessary, and adjust downspout leads at the curb as necessary. The total preliminary cost estimate for this improvement is \$515,000.00 with costs being shared on a 60%-40% basis between the City and property owner (for standard resurfacing equivalency only). All additional expenditures shall be paid by the City. Using the front foot basis as the fair basis of assessment, the preliminary estimated cost to the City is \$18.05 and to the property owner is \$12.05 per front foot (f.f.). Please see the attached schedule listing property description, frontages, and anticipated costs.

SECTION III

That Sabre Court from its intersection with David Drive west to its terminus be improved by removing existing concrete pavement, reshaping and compaction of subgrade, undercutting of subgrade at soft spots, installation of Geogrid as necessary for subgrade stabilization, installation of eight inches (8") of No 2 aggregate base, installation of four inches (4") of dense grade aggregate DGA base, installation of 30" wide concrete rolled curb, placement of seven inches (7") of asphalt base course with 1.25" of asphalt surface course, replace driveway aprons as necessary, replace concrete sidewalk as necessary, and adjust downspout leads at the curb as necessary. The total preliminary cost estimate for this improvement is \$57,500.00 with costs being shared on a 50%-50% basis between the City and property owner (for standard resurfacing equivalency only). All additional expenditures shall be paid by the City. Using the front foot basis as the fair basis of assessment, the preliminary estimated cost to the City is \$11.41 and to the property owner is \$11.41 per front foot (f.f.). Please see the attached schedule listing property description, frontages, and anticipated costs.

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:

<u>STREET</u>	<u>CITY PORTION</u>	<u>FRONT FT COST PROPERTY OWNER PORTION</u>	<u>TOTAL COST</u>
Pentland Place	\$18.05	\$12.05	\$515,000
Sabre Court	\$11.41	\$11.41	\$68,150
David Drive	\$10.07	\$10.07	\$57,500

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 six per cent (6%) 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 Beckett, City Clerk

1st Reading: January 2, 2019

Adoption: February 19, 2019

Publication: February 28, 2019

Owner	Address	City	State	Zip	No.	Street	Suff.	PIDN	% of Proj.	Frontage	PerFoot	Total
BLEVINS WILLIAM R & CLYDEANNE	16 PENTLAND PLACE	FT THOMAS	KY	41075-0000	16	PENTLAND	PL	12-535.00	1.48%	75.00	12.05	\$903.75
OETJEN GREGORY W & HAZEL	19 PENTLAND PLACE	FT THOMAS	KY	41075-0000	19	PENTLAND	PL	15-608.00	2.90%	146.80	12.05	\$1,768.94
WORKMAN BLAIN R & AMI C	24 PENTLAND PL	FT THOMAS	KY	41075-0000	24	PENTLAND	PL	15-495.00	1.48%	75.00	12.05	\$903.75
BEASEY JON & SARAH	28 PENTLAND PL	FT THOMAS	KY	41075-0000	28	PENTLAND	PL	12-948.00	1.48%	75.00	12.05	\$903.75
GRIMME LAURA S	31 PENTLAND PLACE	FT THOMAS	KY	41075-0000	31	PENTLAND	PL	16-360.00	1.58%	80.00	12.05	\$964.00
REYNOLDS ROMIEY A JR & TINA	34 PENTLAND PLACE	FT THOMAS	KY	41075-0000	34	PENTLAND	PL	16-486.00	1.64%	83.00	12.05	\$1,000.15
BAE JAE KEUN & SEHJOONG	39 PENTLAND PLACE	FT THOMAS	KY	41075-0000	39	PENTLAND	PL	12-290.00	1.58%	80.00	12.05	\$964.00
WEHBY THOMAS E & KIMBERLY A	42 PENTLAND PLACE	FT THOMAS	KY	41075-0000	42	PENTLAND	PL	13-022.00	1.48%	75.00	12.05	\$903.75
LONNEMAN ELLEN F	45 PENTLAND PL	FT THOMAS	KY	41075-0000	45	PENTLAND	PL	13-189.00	1.58%	80.00	12.05	\$964.00
HARGIS JASON M & JENNIFER	50 PENTLAND PL	FT THOMAS	KY	41075-0000	50	PENTLAND	PL	17-233.00	2.55%	129.19	12.05	\$1,556.74
WALKENHORST JACK C & BARBARA K	51 PENTLAND PLACE	FT THOMAS	KY	41075-0000	51	PENTLAND	PL	17-110.00	1.78%	90.00	12.05	\$1,084.50
HAMBLIN BRETT HAMBLIN HENRY & BARBARA	67 PENTLAND PLACE	FT THOMAS	KY	41075-0000	67	PENTLAND	PL	14-796.00	3.39%	171.37	12.05	\$2,065.01
BURNHAM RALPH E	70 PENTLAND PL	FT THOMAS	KY	41075-0000	70	PENTLAND	PL	17-330.00	3.87%	195.74	12.05	\$2,358.67
SHIPP SCOTT & JODI	73 PENTLAND PL	FT THOMAS	KY	41075-0000	73	PENTLAND	PL	14-607.01	0.49%	25.00	12.05	\$301.25
KITE MICHAEL & KRYSTAL MARIE	79 PENTLAND PL	FT THOMAS	KY	41075-0000	79	PENTLAND	PL	14-607.00	3.35%	169.79	12.05	\$2,045.97
HAGERTY LORI M	410 HIGHLAND AVE	FT THOMAS	KY	41075-0000		PENTLAND	PL	13-161.00	1.80%	91.00	12.05	\$1,096.55
TALLENT CHRISTOPHER	414 HIGHLAND AVE	FT THOMAS	KY	41075-0000		PENTLAND	PL	12-350.00	2.39%	120.76	12.05	\$1,455.16
FENNELL CLEM R IV & CASEY	404 S GRAND AVE	FT THOMAS	KY	41075-0000		PENTLAND	PL	16-245.00	3.77%	190.71	12.05	\$2,298.06
CARNER ANTHONY D SR & BRIDGID	320 S GRAND AVE	FT THOMAS	KY	41075-0000		PENTLAND	PL	13-708.00	1.41%	71.40	12.05	\$860.37
									40.00%	2024.76		\$24,398.36

Owner	Address	City	State	Zip	No.	Street	Suff.	PIDN	% of Proj.	Frontage	PerFoot	Total
JONES SHELBY & ALLYSON	4 SABRE CT	FT THOMAS	KY	41075-0000	4	SABRE	CT	12-306.00	12.58%	79.57	11.41	\$907.89
PALAZZOLO EVAN SCHWARTZ, SHERRI	11 SABRE CT	FT THOMAS	KY	41075-0000	11	SABRE	CT	14-191.00	5.93%	37.50	11.41	\$427.88
CHINN GARY & ROSE	10 DAVID DR	FT THOMAS	KY	41075-0000		SABRE	DR	16-484.00	4.59%	29.03	11.41	\$331.23
BURNHAM RALPH & VICTORIA	70 PENTLAND PL	FT THOMAS	KY	41075-0000		SABRE	CT	17-330.00	21.00%	132.90	11.41	\$1,516.39
HARGIS JASON & JENNIFER	50 PENTLAND	FT THOMAS	KY	41075-0000		SABRE	CT	17-233.00	5.91%	37.37	11.41	\$426.39
									50.00%	316.37		\$3,609.78

Owner	Address	City	State	Zip	No.	Street	Suff.	PIDN	% of Proj.	Frontage	PerFoot	Total
CHINN GARY & ROSE	10 DAVID DR	FT THOMAS	KY	41075-0000	10	DAVID	DR	16-484.00	7.16%	40.26	10.07	\$405.42
THOMPSON KEITH W	11 DAVID DR	FT THOMAS	KY	41075-0000	11	DAVID	DR	16-908.00	13.34%	75.00	10.07	\$755.25
DESYLVA MICHAEL J & JULIE R	13 DAVID DR	FT THOMAS	KY	41075-0000	13	DAVID	DR	16-245.05	8.89%	50.00	10.07	\$503.50
JONES SHELBY & ALLYSON	4 SABRE CT	FT THOMAS	KY	41075-0000		DAVID	DR	12-306.00	20.60%	115.83	10.07	\$1,166.41
									50.00%	281.09		\$2,830.58