

ORDINANCE NO. O-02-2022

AN ORDINANCE CONFIRMING THE CITY ENGINEER'S ESTIMATE OF THE COST OF THE IMPROVEMENT AND CERTIFICATE OF APPORTIONMENT FOR THE IMPROVEMENT OF BEECHWOOD AVENUE FROM ITS INTERSECTION WITH ROBSON AVENUE TO ITS TERMINUS; CROWELL AVENUE FROM ITS INTERSECTION WITH ALEXANDRIA PIKE TO ITS CORPORATE LINE WITH CAMPBELL COUNTY; GREENWOOD AVENUE FROM ITS INTERSECTION WITH S. GRAND AVENUE TO ITS TERMINUS; HOLLY LANE FROM ITS INTERSECTION WITH N. FORT THOMAS AVENUE TO ITS INTERSECTION WITH STRATHMORE AVENUE; MAYFIELD AVENUE FROM ITS INTERSECTION WITH HIGHLAND AVENUE TO ITS INTERSECTION WITH HIGHLAND PARK DRIVE; MILITARY PARKWAY FROM ITS INTERSECTION WITH S. FORT THOMAS AVENUE TO ITS TERMINUS; N. FORT THOMAS AVENUE FROM ITS INTERSECTION WITH COVERT RUN PIKE TO ITS INTERSECTION WITH ITS CORPORATE LINE WITH THE CITY OF DAYTON; AND ROBSON AVENUE FROM ITS INTERSECTION WITH MILITARY PARKWAY TO ITS INTERSECTION WITH S. GRAND AVENUE; 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, DIRECTING THE CITY TREASURER TO PREPARE AND DISTRIBUTE THE ASSESSMENT BILLS REQUIRING ALL ABUTTING PROPERTY OWNERS TO PAY THE IMPROVEMENT ASSESSMENT.

BE IT ORDAINED BY THE CITY OF FORT THOMAS, CAMPBELL COUNTY, KENTUCKY:

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 Beechwood Avenue from its intersection with Robson Avenue to its terminus, Holly Lane from its intersection with N. Fort Thomas Ave. to its intersection with Strathmore Avenue, Greenwood Avenue from its intersection with S. Grand Avenue to its terminus, and Robson Avenue from its intersection with Military Parkway to its intersection with S. Grand Avenue; performed by mud-jacking as required to fill any voids or cavities underneath the pavement, full depth pavement repair as necessary, spot curb repair, depth bituminous asphalt pavement surface milling, 2.0" at edge of pavement. 0" at centerline. Asphalt resurfacing: 0.75" asphalt leveling and 1.25" fiber reinforced asphalt to be applied, adjust/raise manholes and other utility meters and valves as necessary, driveway alignment as necessary and adjust downspout leads at the curb as necessary; and add turn a around at the end of Robson Avenue.

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 Mayfield Avenue from its intersection with Highland Avenue to its intersection with Highland Park Drive; performed by mud-jacking as required to fill voids or cavities underneath the pavement as

necessary, full depth asphalt pavement repair as necessary; spot curb repair; variable depth bituminous asphalt pavement surface milling, 2" at edge of pavement, 0" at 6' from curb line; asphalt resurfacing 0.75 asphalt leveling and 1.25" fiber reinforced asphalt surface to be applied; adjust/raise manholes and other utility meters and valves, as necessary and adjust downspout leads at the edge of pavement 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 Crowell Avenue from its intersection with Alexandria Pike to its intersection with its corporate line with Campbell County; performed by mud-jacking 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, 2"+/- to existing concrete surface; asphalt resurfacing 0.75" asphalt leveling and 1.25" fiber reinforced asphalt surface to be applied; adjust/raise manholes and other utility meters and valves, as necessary; and adjust downspout leads at 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 Military Parkway from its intersection with Crowell Avenue from its intersection with Alexandria Pike to its intersection with its corporate line with Campbell County; performed by mud-jacking 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, 2"+/- to existing concrete surface; asphalt resurfacing 0.75" asphalt leveling and 1.25" fiber reinforced asphalt surface to be applied; adjust/raise manholes and other utility meters and valves, as necessary; and adjust downspout leads at 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 N. Fort Thomas Avenue from its intersection with Covert Run Pike to its intersection with its corporate line with Dayton, KY; performed by mud-jacking as required to fill any voids or cavities underneath the pavement; full depth pavement repair as necessary; bituminous asphalt pavement surface milling, 2"+/- to existing concrete surface; asphalt resurfacing 0.75" asphalt leveling and 1.25" fiber reinforced asphalt surface to be applied; adjust/raise manholes and other utility meters and valves, as necessary; and adjust downspout leads at 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 is 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	FRONT FT COST CITY PORTION	FRONT FT COST PPTY OWNR PORTION	FINAL COST
Beechwood Ave.	\$ 6.26	\$ 6.26	\$ 11,615.00
Crowell Ave.	\$ 11.48	\$ 11.48	\$ 36,266.70
Greenwood Ave.	\$ 6.14	\$ 6.14	\$ 13,721.50
Holly Lane	\$ 8.00	\$ 8.00	\$ 26,565.23
Mayfield Ave.	\$ 8.78	\$ 5.85	\$ 24,192.24 (60%/40%)
Military Pkwy.	\$ 5.08	\$ 5.08	\$ 34,558.03
Robson Ave.	\$ 6.23	\$ 6.23	\$ 30,788.68
N. Ft. Thomas Ave.	\$ 8.22	\$ 5.48	\$100,498.74 (60%/40%)
Waterworks Rd.	\$10.95	\$ 7.30	\$129,496.20 (60%/40%)

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%). An additional ten percent (10%) penalty 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 their 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 their bill over a three (3) year period with equal payments. Property owners with assessment bills of more than \$1,000 may finance their 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

1st Reading: March 21, 2022

ADOPTED: April 18, 2022

ATTEST:

Melissa K. Beckett, City Clerk

Published: Recorder