ORDINANCE NO. O-03-2023

AN ORDINANCE CONFIRMING THE CITY ENGINEER'S ESTIMATE OF THE COST OF THE IMPROVEMENT AND CERTIFICATE OF APPORTIONMENT FOR THE IMPROVEMENT OF WILBERS LANE FROM ITS INTERSECTION WITH HIGHLAND AVENUE TO ITS INTERSECTION WITH GRAND AVENUE; LOCATED IN THE CITY OF FORT THOMAS, CAMPBELL COUNTY, KENTUCKY, AND 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 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 Wilbers Lane from its intersection with Highland Avenue to its intersection with Grand Avenue; performed by removing existing concrete & asphalt pavements, re-profiling of the roadway as necessary for smooth continuous construction, subgrade reshaping and compaction, undercutting of subgrade, as necessary, if unsuitable material encountered, installation of Geogrid, as necessary, for subgrade stabilization, installation of 8" layer of No. 2 Aggregate Base, installation of 4" layer of Dense Graded Aggregate (DGA) Base, storm sewer, including Trench Drain, Edge Drains & Inlets construction, as necessary, adjust downspout leads at the curb or extend to storm sewer, as necessary. Installation of 24" Wide Concrete Vertical Curb & Gutter. Placement of 7" Asphalt Base Course, placement of 1.25" Asphalt Surface Course. Replace Driveways Aprons & Sidewalk, including ADA Ramps, 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 street, 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
Wilbers Lane	\$ 13.30	\$ 13.30	\$ 20,548.65

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, may finance their bill over a three (3) year period, bills with assessments over \$1,000 may finance their bill over a four (4) year period and bills that are more than \$1,500, may be financed over a five (5) year period with equal payments. The total amount of the assessment to quality 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 or before 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: January 23, 2023

ADOPTED: February 21, 2023

ATTEST:

Melissa K. Beckett, City Clerk

Published: Kentucky Enquirer

4 WILBERS LN FTTHOMAS KY 41075 4 WILBERS LN 74-0-156% 53-41 11 WILBERS LN FTTHOMAS KY 41075 14 WILBERS LN 665.00 1-17% 4000 14 WILBERS LN FTTHOMAS KY 41075 14 WILBERS LN 673.00 2-10% 7200 15 WILBERS LN FTTHOMAS KY 41075 16 WILBERS LN 673.00 1-43% 49.00 22 WILBERS LN FTTHOMAS KY 41075 15 WILBERS LN 676.00 1-43% 49.00 22 WILBERS LN FTTHOMAS KY 41075 23 WILBERS LN 675.00 1-43% 49.00 27 WILBERS LN FTTHOMAS KY 41075 27 WILBERS LN 136.00 1-43% 49.00 28 WILBERS LN FTTHOMAS KY 41075 27 WILBERS LN 145.00 1-43% 49.00 35 WILBERS LN </th <th>Owner</th> <th>Owner 2</th> <th>Mailing Address</th> <th>City</th> <th>State</th> <th>Zip</th> <th>N.</th> <th>Street</th> <th>Suff</th> <th>NCIA</th> <th>% of</th> <th>Frontage</th> <th>ParEcot</th> <th>Total</th>	Owner	Owner 2	Mailing Address	City	State	Zip	N.	Street	Suff	NCIA	% of	Frontage	ParEcot	Total
11 WILBERS LN FITHOMAS KY 41075 11 WILBERS LN 686.00 1,17% 40.00	KOHAKE BETTY R & ROBT J		4 WILBERS LN	FT THOMAS	Κ	41075	4	WILBERS	Z	14- 737.00	1.56%	53.41	13.30	\$710.35
14 WILBERS LN FTTHOMAS KY 41075 15 WILBERS LN 643.00 2.10% 72.00 1.5 WILBERS LN FTTHOMAS KY 41075 15 WILBERS LN 643.00 1.43% 49.00 1.6 WILBERS LN FTTHOMAS KY 41075 15 WILBERS LN 10.005.00 1.43% 49.00 1.2 WILBERS LN FTTHOMAS KY 41075 22 WILBERS LN 115.00 1.43% 49.00 1.2 WILBERS LN FTTHOMAS KY 41075 23 WILBERS LN 116.00 1.43% 49.00 1.43% 49.00 1.43% 1.40%	KELLER MARY E		11 WILBERS LN	FT THOMAS	₹	41075	11	WILBERS	Z	14- 585.00	1.17%	40.00	13.30	\$532.00
15 WILBERS LN FT THOMAS KY 41075 15 WILBERS LN 12-0 1-43% 4900 16 WILBERS LN FT THOMAS KY 41075 16 WILBERS LN 12-0 1-43% 4900 22 WILBERS LN FT THOMAS KY 41075 22 WILBERS LN 115-00 1-43% 4900 23 WILBERS LN FT THOMAS KY 41075 23 WILBERS LN 15-0 1-43% 4900 27 WILBERS LN FT THOMAS KY 41075 24 WILBERS LN 15-0 1-43% 4900 27 WILBERS LN FT THOMAS KY 41075 27 WILBERS LN 15-0 1-43% 4900 31 WILBERS LN FT THOMAS KY 41075 27 WILBERS LN 15-0 1-43% 4900 35 WILBERS LN FT THOMAS KY 41075 32 WILBERS LN 16-0 1-43% 4900 35 WILBERS LN	QUEEN MATTHEW W & JOAN		14 WILBERS LN	FT THOMAS	₹	41075	14	WILBERS	Z	17- 032.00	2.10%	72.00	13.30	\$957.60
16 WILBERS LN FITHOMAS KY 41075 16 WILBERS LN 626.00 143% 49.00 13 WILBERS LN FITHOMAS KY 41075 22 WILBERS LN 115.00 143% 49.00 12 WILBERS LN FITHOMAS KY 41075 22 WILBERS LN 116.00 143% 49.00 12 WILBERS LN FITHOMAS KY 41075 23 WILBERS LN 116.00 143% 49.00 13 WILBERS LN FITHOMAS KY 41075 24 WILBERS LN 1657.00 143% 49.00 13 WILBERS LN FITHOMAS KY 41075 27 WILBERS LN 1657.00 143% 49.00 13 WILBERS LN FITHOMAS KY 41075 28 WILBERS LN 1657.00 143% 49.00 13 WILBERS LN FITHOMAS KY 41075 31 WILBERS LN 1657.00 143% 49.00 13 WILBERS LN FITHOMAS KY 41075 35 WILBERS LN 1657.00 143% 49.00 1457 49.00 14	MURPHY JAMES K		15 WILBERS LN	FT THOMAS	ΚΥ	41075	15	WILBERS	Z	12- 643.00	1.43%	49.00	13.30	\$651.70
19 WILBERS LN FTTHOMAS KY 41075 12 WILBERS LN 626.00 1.43% 49.00 22 WILBERS LN FTTHOMAS KY 41075 22 WILBERS LN 648.00 1.43% 49.00 24 WILBERS LN FTTHOMAS KY 41075 24 WILBERS LN 648.00 1.43% 49.00 25 WILBERS LN FTTHOMAS KY 41075 27 WILBERS LN 657.00 1.43% 49.00 28 WILBERS LN FTTHOMAS KY 41075 27 WILBERS LN 657.00 1.43% 49.00 28 WILBERS LN FTTHOMAS KY 41075 28 WILBERS LN 657.00 1.43% 49.00 31 WILBERS LN FTTHOMAS KY 41075 31 WILBERS LN 1396.00 1.43% 49.00 32 WILBERS LN FTTHOMAS KY 41075 35 WILBERS LN 139.00 1.43% 49.00 33 WILBERS LN FTTHOMAS KY 41075 35 WILBERS LN 139.00 1.43% 69.00 36 WILBERS LN FTTHOMAS KY 41075 36 WILBERS LN 160.00 1.43% 69.00 36 WILBERS LN FTTHOMAS KY 41075 36 WILBERS LN 112.00 1.43% 69.00 36 WILBERS LN FTTHOMAS KY 41075 36 WILBERS LN 112.00 1.43% 69.00 40 WILBERS LN FTTHOMAS KY 41075 39 WILBERS LN 150.00 1.45% 69.00 40 WILBERS LN FTTHOMAS KY 41075 36 WILBERS LN 150.00 1.45% 69.00 38 WILBERS LN FTTHOMAS KY 41075 39 WILBERS LN 150.00 1.45% 69.00 40 WILBERS LN FTTHOMAS KY 41075 40 WILBERS LN 360.00 1.45% 69.00	VOET RANDY & DIANE		16 WILBERS LN	FT THOMAS	Κ	41075	16	WILBERS	Z	17- 059.00	1.43%	49.00	13.30	\$651.70
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31 WILBERS LN FTTHOMAS KY 41075 31 WILBERS LN 379.00 1.43% 49.00 181-1/2	BROCK ROBERTA & JAMES		28 WILBERS LN	FT THOMAS	ξ	41075	28	WILBERS	Z L	13- 396.00	1.43%	49.00	13.30	\$651.70
181-1/2 KENTUCKY DR NEWPORT KY 41071 32 WILBERS LN 184.00 143% 49.00 143%	CARROLL BRENNAN P & KERRI M		31 WILBERS LN	FT THOMAS	₹	41075	31	WILBERS	LN	15- 379.00	1.43%	49.00	13.30	\$651.70
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35 KATHY LN FT THOMAS KY 41075 43 WILBERS LN 360.00 146% 50.00	BRAY DOMINIQUE A		40 WILBERS LN	FT THOMAS	₹	41075	40	WILBERS	LN	15- 355.00	1.60%	55.00	13.30	\$731.50
00:00	JANOSICK THOMAS RAY & SHARYN			FT THOMAS	₹	41075	43	WILBERS	3	13- 360.00	1.46%	50.00	13.30	\$665.00

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