

ORDINANCE NO. 5009

AN ORDINANCE TO DETERMINE THE ASSESSMENTS AGAINST THE PROPERTIES SPECIFICALLY BENEFITTED BY A SOUND BARRIER FOR SB-88-01, LEHIGH ACRES - SOUND BARRIER LOCAL IMPROVEMENT DISTRICT, AND DECLARING AN EMERGENCY.

RECITALS:

1. The assessments as referred to in this ordinance and previous resolutions are for a wooden sound barrier to serve SB-88-01, Lehigh Acres - Sound Barrier Local Improvement District.
2. Preliminary resolutions prescribing the manner and extent of the improvements are set forth in Resolutions Nos. 2772, and 3191.
3. The assessments set forth in the following ordinance are based upon the request and recommendation of the City Recorder in compliance with Albany Municipal Code, Section 15.04.110.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The costs of the sound barrier to serve SS-88-01, Lehigh Acres - Sound Barrier Local Improvement District, are as follows:

<u>Project</u>	<u>Interest & Misc.</u>	<u>Construction Cost</u>	<u>E.L.A.</u>	<u>Total Cost</u>
SB-88-01	-0-	\$83,625.90	-0-	\$83,625.90

The assessable cost for this project is \$4,282.98. The Highway Division of the State Department of Oregon Transportation agreed to construct and fund \$76,729.75 and \$2,613.17, including interest earnings, was received from Albany Citizens.

Section 2: Property and assessment data are listed on the attached sheets.


Section 3: The City Recorder is hereby directed to enter a statement of the assessments as above provided in the docket of the City liens and give notice thereof as provided by law.

Section 4: Inasmuch as this ordinance is necessary for the immediate preservation of the peace, safety, and health of the City of Albany, Oregon, an emergency is hereby declared to exist; and this ordinance shall be in full force and effect immediately upon passage by the Council and approval by the Mayor.

Passed by the Council: August 26, 1992

Approved by the Mayor: August 26, 1992

Effective Date: August 26, 1992



Mayor

ATTEST:



City Recorder

INTERDEPARTMENTAL MEMORANDUM
Finance Department

TO: Albany City Council
VIA: Steve Bryant, City Manager
FROM: Gary Holliday, Finance Director
SUBJECT: Lehigh Acres Sound Barrier
DATE: August 5, 1992, for August 12, 1992, Council Meeting

Description of Project:

This project provided a wooden sound barrier for noise mitigation along Interstate 5 to a total of thirty properties. The affected properties are located in Eastgate Park, Lehigh Acres #2, and Lehigh Acres #3 Subdivisions, all bordering Lehigh Way, Exhibit A.

The project consisted of constructing a 1,000 foot long wall designed to deflect vehicle noise between Lehigh Way and Interstate 5. The Highway Division of the State Department of Transportation designed and constructed the sound wall (State Project: Santiam Highway Interchange). The wall began at the cul-de-sac, north of parcel 8200 and extends southerly to the southeast corner of parcel 600. The wall contains 12"x12" wooden posts set in concrete, with 3" thick tongue and groove timbers to a height of 12 feet.

The project was initiated in response to a petition received on March 9, 1988, from the benefiting residents of Lehigh Way and Lehigh Acres, requesting the City to create a local improvement district for the construction of a sound barrier along Interstate 5. The project was approved by Albany City Council on April 13, 1988 via Resolution No. 2772.

Summary of Project Costs:

The Highway Division of the State Department of Transportation agreed to pay for 92% of the construction cost. A local improvement district was created by Resolution 2772 to pay the remaining 8%. The State estimated the construction cost to be \$110,000.00 and requested an advance deposit from the City prior to the opening of bids of approximately 8%, or \$8,570.00. The final project cost was less than the estimated construction cost and the City received a refund of \$1,729.33.

Total Construction Cost	\$83,625.90
Less: Federal Funds	(76,223.00)
Less: State Share Equipment Cost	(506.75)
City's Cost (8% of Total Cost)	\$ 6,896.15
Less: Advance deposit by City	\$(8,570.00)
Less: Payment by City	(55.48)
Refund Received	<u>\$ 1,729.33</u>

Method of Assessment:

The method of assessment for the project will be determined on a "benefit/per lot" basis. Sound measurements were taken by the Oregon Department of Transportation and the results classified the degree of noise into three zones, see Exhibit A for a map.

Zone 1	3 benefits/lot	10 lots	Total benefit = 30
Zone 2	2 benefits/lot	12 lots	Total benefit = 24
Zone 3	1 benefit/lot	8 lots	Total benefit = 8
			Total Benefit = <u>62</u>

The City of Albany received a total of \$2,166.35 in donations for the sound barrier from Albany Citizens, Exhibit B. Interest has accrued at 4.5% annually since June 1988 totaling \$446.82. The donations and interest earnings were credited to the final project cost and thereby reduced the amount to be assessed.

City's Portion of Project Cost	\$6,896.15
Less: Donations	(2,166.35)
Less: Interest Earnings	(446.82)
Assessable Cost	<u>\$4,729.80</u> \$4,282.98

~~\$4,729.80~~ \$4,282.98/62 benefits = ~~\$76.29~~ \$69.08 per benefit

Please refer to the attached assessment data sheets for the actual costs to be assessed individual property owners.

Recommendation:

It is recommended that the City Council accept the final engineer's report and by motion adopt the attached Resolution to schedule a public hearing to consider any objections to the proposed assessment.

Respectfully Submitted,



Diane M. Wood
Assessment Accountant

Approved by,



Gary Holliday
Finance Director

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FINANCIAL INVESTIGATION REPORT

18-Aug-92 11:05 AM

LEHIGH ACRES/SOUND BARRIER LID

Project SB-88-01

interest rate 12% (set by resolution 2772)

OWNER OF RECORD	PROPERTY DESCRIPTION	% OF PROJECT	ESTIMATED ASSESSMENT	BOND MAXIMUM	*****TRUE CASH VALUE*****			OTHER ASSMT	% TO TCV	SEMI-ANL
					LAND	IMPRVMTS	TOTAL			PMT 10YR @ 12%
Rodney & Russell Tripp PO Box 747 Albany, OR 97321 Site-1601 Lehigh Way SE	11-3W-9CB-00600	0.048	207.24	87,000	10,930	32,570	43,500	0.00	0.005	22.80
Harvey E. Kleinschmit 33840 Ford Mill Road Lebanon, OR 97355 Site-1599 Lehigh Way SE	11-3W-9CB-00602	0.048	207.24	110,200	10,350	44,750	55,100	0.00	0.004	22.80
Michael & Diane Cordle 1537 Lehigh Way SE Albany, OR 97321	11-3W-9CB-00601	0.048	207.24	132,140	10,350	55,720	66,070	0.00	0.003	22.80
Mary F. Shelton 1820 53rd Ave SW Albany, OR 97321 Site-3264 16th Ave SE New Owner - Lowell Campfield	11-3W-9CB-00510 PAID-REFUND DUE	0.032	138.16	168,760	12,080	72,300	84,380	0.00	0.002	15.20
Rayford E. Williams PO Box 673 Albany, OR 97321 Site- 3232 16th Ave SE New Owner - Cecil Turner	11-3W-9CB-00502 PAID - REFUND DUE	0.016	69.08	128,860	12,080	52,350	64,430	0.00	0.001	7.60
Roger & Linda Lamer 3220 16th Avenue SE Albany, OR 97321	11-3W-9CB-00503	0.016	69.08	161,900	12,650	68,300	80,950	0.00	0.001	7.60
Melvin & Viola Fallesen 3277 16th Avenue SE Albany, OR 97321	11-3W-9CB-00102	0.032	138.16	163,960	12,080	69,900	81,980	0.00	0.002	15.20
Christopher D. Townsend Linda M. Townsend 3235 16th Avenue SE Albany, OR 97321	11-3W-9CB-00101	0.032	138.16	148,880	12,080	62,360	74,440	0.00	0.002	15.20
Donny and Cheryl Johnson 3225 16th Avenue SE Albany, OR 97321	11-3W-9CB-00104	0.016	69.08	161,740	12,080	68,790	80,870	0.00	0.001	7.60
Ronald & Nancy Kruse-agt 1510 Lehigh Way SE Albany, OR 97321	11-3W-9CB-00106	0.032	138.16	133,340	12,080	54,590	66,670	0.00	0.002	15.20

OWNER OF RECORD	PROPERTY DESCRIPTION	% OF PROJECT	ESTIMATED ASSESSMENT	BOND MAXIMUM	*****TRUE CASH VALUE*****			OTHER ASSMT	% TO TCY	SEMI-ANL
					LAND	IMPRVMTS	TOTAL			PMT 10YR @ 12%
Louis D. Waring Helen Waring 3220 15th Avenue SE Albany, OR 97321	11-3W-9BC-07900	0.016	69.08	130,680	11,500	53,840	65,340	0.00	0.001	7.60
Margaret L. Hobbs 3230 15th Avenue SE Albany, OR 97321	11-3W-9BC-08000	0.032	138.16	132,740	11,500	54,870	66,370	0.00	0.002	15.20
Donald R. Higgins Janette M. Higgins 3240 15th Avenue SE Albany, OR 97321	11-3W-9BC-08100	0.032	138.16	137,640	11,500	57,320	68,820	0.00	0.002	15.20
Eldon L. Bragg Bette J. Bragg 1515 Lehigh Way SE Albany, OR 97321	11-3W-9BC-08800	0.048	207.24	154,120	9,780	67,280	77,060	0.00	0.003	22.80
Kevin Turcott-agt Evelyn Turcott-agt 1505 Lehigh Way SE Albany, OR 97321	11-3W-9BC-08700	0.048	207.24	131,080	9,780	55,760	65,540	0.00	0.003	22.80
Michael Stoddard 9710 Alto Drive LaMesa, CA 92041 Site--3235 14th Avenue SE	11-3W-9BC-13200	0.016	69.08	214,420	11,500	95,710	107,210	0.00	0.001	7.60
Erle O. Anderson Harryette J. Anderson 3245 15th Avenue SE Albany, OR 97321	11-3W-9BC-13300	0.032	138.16	114,120	11,500	45,560	57,060	0.00	0.002	15.20
Jerry J. Gray Ceceliz A. Gray 1420 Lehigh Way SE Albany, OR 97321	11-3W-9BC-13400 PAID-REFUND DUE	0.032	138.16	137,300	11,500	57,150	68,650	0.00	0.002	15.20

FINANCIAL INVESTIGATION REPORT
 LEHIGH ACRES/SOUND BARRIER LID
 Project SB-88-01

18-Aug-92 11:05 AM

interest rate 12% (set by resolution 2772)

OWNER OF RECORD	PROPERTY DESCRIPTION	% OF PROJECT	ESTIMATED ASSESSMENT	BOND MAXIMUM	*****TRUE CASH VALUE*****			OTHER ASSMT	% TO TCV	SEMI-ANL
					LAND	IMPRVMTS	TOTAL			PMT 10YR @ 12%
Hugo W. Ehrlich Jr. Roger A Ehrlich 4419 Hyacinth Street Eugene, OR 97404 site-1310 Lehigh Way SE	11-3W-9BC-12700	0.032	138.16	112,640	11,500	44,820	56,320	0.00	0.002	15.20
Rhea H. Carpenter 3215 14th Avenue SE Albany, OR 97321	11-3W-9BC-12800	0.016	69.08	93,280	11,500	35,140	46,640	0.00	0.001	7.60
Persis Wright 1320 Lehigh Way SE Albany, OR 97321	11-3W-9BC-12900	0.032	138.16	130,260	11,500	53,630	65,130	0.00	0.002	15.20
Randall W. Harrison Phoebe G. Harrison 1410 Lehigh Way SE Albany, OR 97321	11-3W-9BC-13000	0.032	138.16	132,720	11,500	54,860	66,360	0.00	0.002	15.20
Mark F. Gengler Deborah K. Gengler 3225 14th Avenue SE Albany, OR 97321	11-3W-9BC-13100	0.016	69.08	117,320	11,500	47,160	58,660	0.00	0.001	7.60
Bob Akers-agt Doreen Akers-agt 3205 14th Avenue SE Albany, OR 97321	11-3W-9BC-12500	0.016	69.08	130,020	11,500	53,510	65,010	0.00	0.001	7.60
Larry D. Flanagan Kathy M. Flanagan 3240 13th Avenue SE Albany, OR 97321	11-3W-9BC-12600	0.032	138.16	134,440	11,500	55,720	67,220	0.00	0.002	15.20
George L. Eldredge Shirley C. Eldridge 1425 Lehigh Way SE Albany, OR 97321	11-3W-9BC-08600	0.048	207.24	122,880	9,780	51,660	61,440	0.00	0.003	22.80
Hildra D. Craft Phyllis I. Craft 1415 Lehigh Way SE Albany, OR 97321	11-3W-9BC-08500	0.048	207.24	91,860	9,780	36,150	45,930	0.00	0.005	22.80

FINANCIAL INVESTIGATION REPORT
 LEHIGH ACRES/SOUND BARRIER LID
 Project SB-88-01

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interest rate 12% (set by resolution 2772)

OWNER OF RECORD	PROPERTY DESCRIPTION	% OF PROJECT	ESTIMATED ASSESSMENT	BOND MAXIMUM	*****TRUE CASH VALUE*****			OTHER ASSMT	% TO TCV	SEMI-ANL
					LAND	IMPRVMTS	TOTAL			PMT 10YR @ 12%
Clyde F. Finegan Berniece Finegan 1405 Lehigh Way SE Albany, OR 97321	11-3W-9BC-08400	0.048	207.24	88,440	9,780	34,440	44,220	0.00	0.005	22.80
Stanley R. Hack 1315 Lehigh Way SE Albany, OR 97321	11-3W-9BC-08300	0.048	207.24	94,420	9,780	37,430	47,210	0.00	0.004	22.80
Jeff Andrews Lori Andrews 1305 Lehigh Way SE Albany, OR 97321	11-3W-9BC-08200	0.048	207.24	101,660	9,780	41,050	50,830	0.00	0.004	22.80
TOTALS.....		1.000	4,282.96	3,898,820	334,720	1,614,690	1,949,410	0.00	0.0022	471.13
***sb2.wk1**			4,282.96							

08/19/92

SOUNDBAR.WK1

SOUND BARRIER ASSESSMENTS

TOTAL PROJECT COST=\$83,625.90

Reserve Acct = \$2,613.17

(Donations/Interest)

Asmt Acct #	Name	Pending Asmts- Estimates	8% of Project Cost = \$6,896.15 Asmts w/b:	Asmt reduced by Reserve Acct = \$4,282.98	Refunds
SB88010024S	Akers, Bob	129.03	111.23	69.08	
SB88010017S	Anderson, Erle	258.06	222.46	138.16	
SB88010030S	Andrews, Jeff	387.09	333.68	207.24	
SB88010014S	Bragg, Eldon & Bette	387.09	333.68	207.24	
SB88010020S	Carpenter, Rhea	129.03	111.23	69.08	
SB88010003S	Cordle, Michael	387.09	333.68	207.24	
SB88010027S	Craft, Hildra	387.09	333.68	207.24	
SB88010026S	Eldredge, George	387.09	333.68	207.24	
SB88010019S	Erhrlich Jr, Hugo	258.06	222.46	138.16	
SB88010007S	Fallesen, Melvin	258.06	222.46	138.16	
SB88010028S	Finegan, Clyde	387.09	333.68	207.24	
SB88010025S	Flanagan, Larry	258.06	222.46	138.16	
SB88010023S	Gengler, Mark	129.03	111.23	69.08	
SB88010018S	Gray, Jerry (refinance)	258.06	222.46	138.16	119.90
SB88010029S	Hack, Stanley	387.09	333.68	207.24	
SB88010022S	Harrison, Randall	258.06	222.46	138.16	
SB88010013S	Higgins, Donald	258.06	222.46	138.16	
SB88010012S	Hobbs, Margaret	258.06	222.46	138.16	
SB88010009S	Johnson, Donny	129.03	111.23	69.08	
SB88010002S	Kleinschmit, Harvey	387.09	333.68	207.24	
SB88010010S	Kruse, Ronald	258.06	222.46	138.16	
SB88010006S	Lamer, Roger	129.03	111.23	69.08	
SB88010004S	Shelton Mary F (new owner:Campfield)	258.06	222.46	138.16	119.90
SB88010016S	Stoddard, Michael	129.03	111.23	69.08	
SB88010008S	Townsend, Christopher	258.06	222.46	138.16	
SB88010001S	Tripp, Rodney	387.09	333.68	207.24	
SB88010015S	Turcott, Kevin	387.09	333.68	207.24	
SB88010011S	Waring, Louis	129.03	111.23	69.08	
SB88010005S	Williams, Ray (new owner:Turner)	129.03	111.23	69.08	59.95
SB88010021S	Wright, Persis	258.06	222.46	138.16	
TOTALS.....		7,999.86	6,896.15	4,282.98	-299.75



250 BROADALBIN SW
PO BOX 490
ALBANY, OR 97321

(503) 967-4300
FAX (503) 967-4330

ASSESSMENTS - PAYMENT OPTIONS

The property which you own is being considered for assessment by the City of Albany for public improvements made as noted in the attached property assessment and data sheet. This assessment is the final cost of the project.

As owner or contract buyer of the property, you have three options for paying your assessment: (1) you may pay the amount of the assessment in full, without interest, within 10 days from the assessing date, (2) you may pay by installment over 10 years, or (3) you may qualify for the Oregon Senior Citizen Deferral Program.

If you elect to pay the assessment by installment, you will receive a year's supply of payment coupons annually. You may make your payments monthly (120 payments) or semi-annually (20 payments). The interest rate will be set by the Albany City Council and there are no penalties imposed for prepayment.

To apply for the installment method of payment, you must notify the City of Albany Finance Department within 10 days from the date you receive your "Installment Payment Application--Notice of Assessment." Otherwise, the assessment plus interest must be paid within 30 days or it will be subject to foreclosure proceedings. This notice will be mailed after the project has been completed and the City Council has adopted the final Engineer's Report.

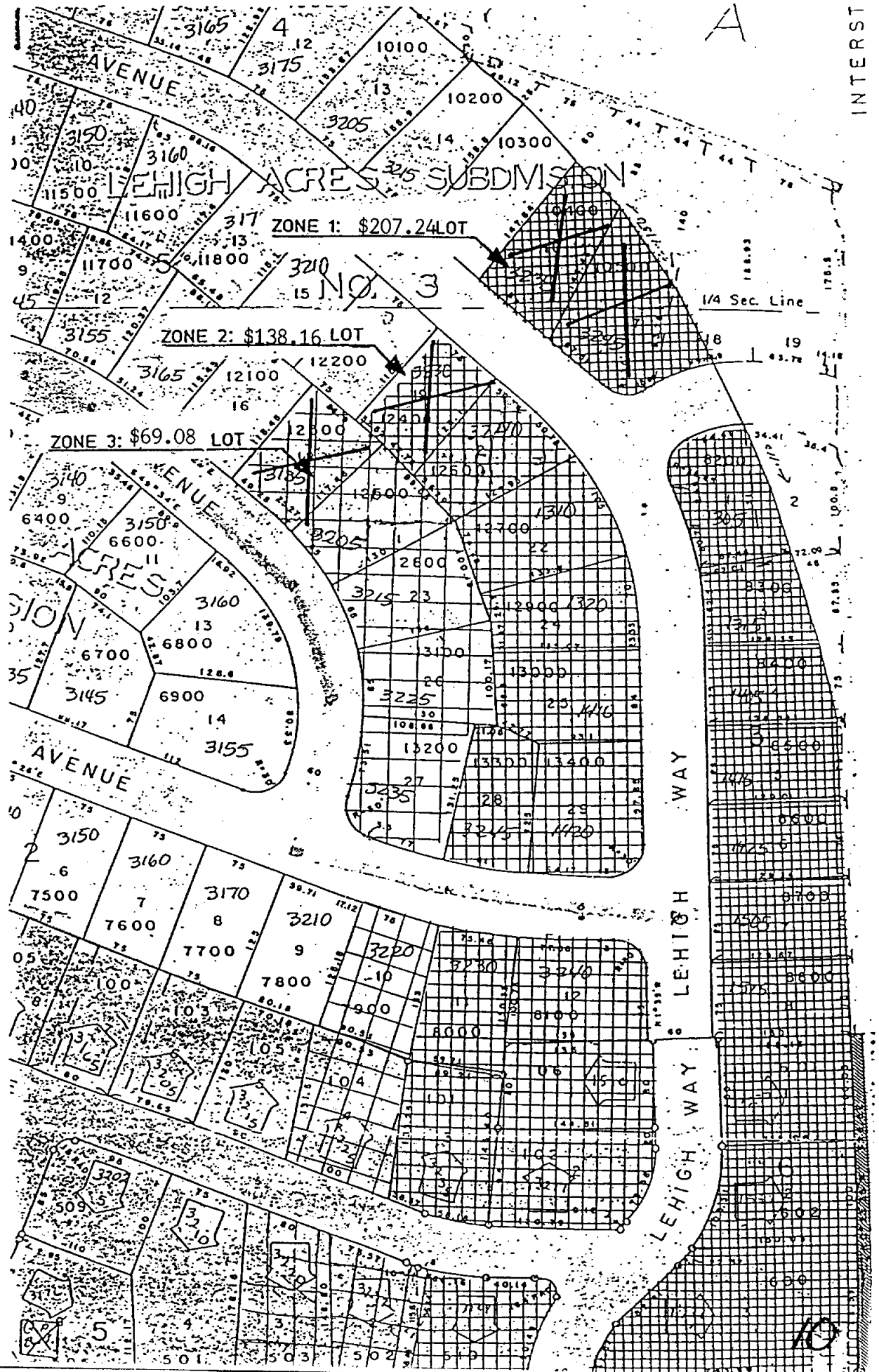
Homeowners who qualify for the Oregon Senior Citizen Deferral Program can defer their special assessment payments. To qualify for this program (1) you must be age 62 or older, (2) your annual income cannot exceed \$17,500.00, and (3) you must reside on the assessed property. If you qualify, the Department of Revenue will make your installment payments until the lien is satisfied. The annual interest rate for the program is 6%. However, if you move, sell, or otherwise change title to the property, the assessment plus interest becomes due in full to the State and the outstanding balance due to the City.

If you have any questions regarding payment of assessments, please call Diane Wood at 967-4300, extension 228, or stop by City Hall II, 250 Broadalbin Street.

Thank you for your cooperation.

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INTERST



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EXHIBIT B

08/18/92

SOUNDBAR.WK1

SOUND BARRIER RESERVE ACCOUNT

Acct #26-985-48070

Donation Amount	Donations Made By:	Date Received
\$3.60	Akers, Robert & Doreen	06/09/88
\$10.00	Allen, John & Linda	06/09/88
\$20.00	Andersen, Emil R & Rachel	06/09/88
\$8.00	Arzner, Cedran & Andrea	06/09/88
\$147.70	Auction Proceeds	06/09/88
\$50.00	Averill, Raymond	06/09/88
\$1,186.40	Bragg, Beth	06/09/88
\$25.00	Chasteen, James & Obedience	06/09/88
\$35.00	Craig, Wilbur & Lena	06/09/88
\$29.75	Eastman, Pat & Jan	06/09/88
\$15.00	Eldredge, George & Shirley	06/09/88
\$50.00	Ferrante, Michael J	06/13/88
\$52.50	Finegan, Clyde & Bernice	06/09/88
\$75.00	Gengler, Mark & Debbie	06/09/88
\$35.00	Haumea, Helen	06/09/88
\$15.00	Hawkins, Harlan	06/09/88
\$23.00	Higgins, Donald	06/09/88
\$109.95	Kimball, Geraldine	06/09/88
\$5.00	MISC	06/09/88
\$44.00	McDermott, B & Charlotte	06/09/88
\$25.00	Mundt, William & Carla	06/09/88
\$8.00	Pace, Lester & Judy	06/09/88
\$15.00	Penner, Larry & Maleah	06/09/88
\$65.00	Rogers, Edward & Florence	06/09/88
\$20.00	Shackelford, W. E.	06/09/88
\$7.50	Spegel, Jim & Kathleen	06/09/88
\$7.95	Sprague, Russel & Aldine	06/09/88
\$50.00	Tra, Sherry	06/09/88
\$20.00	Trachsel, Edward	06/09/88
\$8.00	Wacek, Christine	06/09/88

\$2,166.35		

INTEREST EARNINGS @ 4.5% COMPOUNDED ANNUALLY:

1988	\$56.87
1989	\$100.04
1990	\$104.55
1991	\$109.25
1992	\$76.11

	\$446.82

TOTAL DONATIONS/RESERVE ACCOUNT: \$2,166.35 + \$446.82 = \$2,613.17

PURPOSE: To be applied against the assessable cost of the Sound Barrier Project.

08/18/92

SOUNDBAR.WK1

LEHIGH - SOUND BARRIER PROJECT
PENDING ASSESSMENTS PAID OFF

Acct #	Property Owner	Legal Desc	Property address	Lien payments	Date Paid
SB88010018S	Gray, Jerry J & Ceceliz	11-03W-09BC-13400	1420 Lehigh Way SE	258.06	04/21/92
SB88010004S	Shelton, Mary F	11-03W-09CB-00510	3264 SE 16th	258.06	09/13/89
SB88010005S	Williams, Rayford	11-03W-09CB-00502	3232 SE 16th	129.03	08/10/89
TOTAL OF PENDING ASMTS PAID OFF.....				645.15	