

**MINUTES**  
**BOARD OF COMMISSIONERS' MEETING**  
**Tuesday, June 14, 2016 6:00 P.M.**  
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A **REGULAR MEETING** of the Board of Commissioners of the City of Covington, Kentucky, was opened by Mayor Carran on Tuesday, June 14, 2016, at 6:00 p.m., in Commission Chambers, 20 West Pike Street, Covington, Kentucky.

Mayor Carran presiding with Commissioners Chuck Eilerman, Steve Frank, Jordan Huizenga, Bill Wells, City Manager Larry Klein, and Assistant City Solicitor Frank Warnock, present.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Huizenga to dispense with the reading of and approve the minutes of the May 3, 2016, meeting.

**Passed.** 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**PRESENTATIONS**

- Larry Klein, City Manager and Lisa Desmarais, Director of Finance and Operations gave a presentation of the FY 2016-2017 City budget.

**NEW BUSINESS – FIRST READING OF ORDINANCES**

**FISCAL STABILITY AMENDMENT**

**COMMISSIONERS' ORDINANCE NO. O-XX-16**

AN ORDINANCE THAT AMENDS THE ORDINANCE RELATING TO ENHANCING FISCAL STABILITY TO ENACT A FORMAL POLICY FOR THE ESTABLISHMENT, MAINTENANCE AND USE OF CERTAIN FUND BALANCES WITHIN THE CITY'S GENERAL FUND AND OTHER FUNDS.

**First Reading, No Vote**

**MUNICIPAL INSURANCE LICENSE FEE**

**COMMISSIONERS' ORDINANCE NO. O-XX-16**

AN ORDINANCE AMENDING SECTION 111.120 OF THE COVINGTON CODE OF ORDINANCES TO AMEND THE MUNICIPAL INSURANCE PREMIUM LICENSE FEE FROM 10% OF PREMIUMS COLLECTED TO 12% OF PREMIUMS COLLECTED, EXCLUDING THOSE PREMIUMS EXEMPT FROM LICENSE FEES AND TAXES PURSUANT TO KRS 91S.080, ASSESSING A 10% PENALTY FOR A TAX OR FEE NOT PAID WITHIN THIRTY DAYS AFTER THE DUE DATE, AND FURTHER PROVIDING FOR A SUNSET CLAUSE TO REVERT THE INSURANCE PREMIUM TAX RATE BACK TO 10% SIX YEARS FROM THE EFFECTIVE DATE OF THIS ORDINANCE; AND, RESTRICTING THE TAX REVENUE GENERATED BY THE 2% INCREASE, CALCULATED A ONE-SIXTH OF THE ACTUAL INSURANCE PREMIUM LICENSE FEE RECEIVED, TO CAPITAL EXPENDITURES AND NOT TO BE USED FOR GENERAL FUND EXPENDITURES.

**First Reading, No Vote**

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**OLD BUSINESS – SECOND READING OF ORDINANCES**

**NAMING OF ALLEY**

**COMMISSIONERS' ORDINANCE NO. O-10-16**

AN ORDINANCE NAMING AN ALLEY "EIFERT FAMILY WAY" THAT IS LOCATED BEHIND HOLY CROSS HIGH SCHOOL BEGINNING AT THE NORTH END OF THE ALLEY NEAR THE RAILROAD TRACKS AND ENDING AT EAST SOUTHERN AVENUE IN HONOR OF THE EIFERT FAMILY'S CONTRIBUTIONS TO THE CITY OF COVINGTON.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Frank.  
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**NEW BUSINESS – ORDER/RESOLUTIONS**

**HOMELAND SECURITY GRANT** – The application for and approval of the Kentucky Office of Homeland Security fund imposes certain obligations and responsibilities, one of which is the execution of the application by the Mayor.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-163-16**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN APPLICATION WITH THE KENTUCKY OFFICE OF HOMELAND SECURITY FOR A GRANT FOR THE COVINGTON POLICE DEPARTMENT TO BE USED FOR EQUIPMENT AND PHYSICAL IMPROVEMENT PROJECTS AT POLICE HEADQUARTERS.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Wells.  
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**ANNUAL RISK ASSESSMENT** – The Risk Assessment and Audit Plan details the Internal Auditor's work schedule for fiscal year 2017. This plan was recommended for approval by the Audit Committee in May 2016.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-164-16**

AN ORDER/RESOLUTION ADOPTING THE OFFICE OF THE INTERNAL AUDITOR'S ANNUAL RISK ASSESSMENT AND AUDIT PLAN FOR FISCAL YEAR 2016-2017.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Huizenga.  
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**CCDI** – This is the third iteration of CCDI and once again engages pre-qualified developers to rehab vacant and abandoned structures as well as adjacent land owners to maintain vacant lots. Under both scenarios, the City is able to avoid the costs of ongoing maintenance related to grass cuts and code enforcement procedures. Additionally, the return of these properties to tax producing status represents an increase in revenue for the City.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-165-16**

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AN ORDER/RESOLUTION AUTHORIZING THE LEGAL DEPARTMENT TO ENFORCE, THROUGH FORECLOSURE ACTIONS, THE INTERESTS THAT THE CITY HOLDS IN VARIOUS VACANT AND/OR ABANDONED PROPERTIES ON ACCOUNT OF STATUTORY LIENS FOR DELINQUENT AD VALOREM TAXES AND/OR NUISANCE LIENS, AND UPON ACQUISITION, DECLARE AS SURPLUS AND TRANSFER SAID PROPERTY FOR ECONOMIC DEVELOPMENT PURPOSES, PURSUANT TO KRS 82.083, TO THOSE DEVELOPERS LISTED IN THE ATTACHED SCHEDULE, ON THE CONDITION THAT SAID DEVELOPERS PAY FOR THE COSTS ASSOCIATED WITH THE FILING OF ANY LEGAL ACTIONS, AND THE COST OF ACQUISITION OF THE PROPERTIES AT THE TIME OF THE MASTER COMMISSIONER SALE.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Wells. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**PUBLIC RIGHT-OF-WAY CLOSING** – Pursuant to KRS 82.405, the closure of a public right-of-way requires consent of all property owners abutting the right-of-way. The City owns the parking lot that abuts the portion of the alley that will be vacated.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-166-16**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONSENT TO CLOSE A PORTION OF THE PUBLIC RIGHT-OF-WAY OF THE CITY-OWNED PARKING LOT LOCATED AT 20-30 WEST EIGHTH STREET.

**MOTION** of Commissioner Huizenga, seconded by Commissioner Wells. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**REVOCABLE LICENSE AGREEMENT** – The owners of a new sports bar to be located at 302 Court Street would like to mirror the improvements that were done to the sidewalks in front of Keystone. The improvements would include wider sidewalks, brick pavers, new street trees, and new catch basins. Court Street is wide enough to accommodate the proposed changes without having to eliminate any parking spaces.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-167-16**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A REVOCABLE LICENSE AGREEMENT WITH BLUE SOX BAR AND GRILLE, LLC TO ALLOW FOR THE OPERATION OF OUTDOOR DINING AND THE INSTALLATION OF CERTAIN PUBLIC IMPROVEMENTS WITHIN THE PUBLIC RIGHT OF WAY AT PARK AND COURT STREETS.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Huizenga. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**CHANGE ORDER** – Rainbow was hired to abate the asbestos in properties that were included on the most recent demo contract. They also supervised asbestos removal on the fire 1602-1604 Scott which was emergency work not included in their contract. They also provided services during the demo at 1104 Locust because the building condition was too bad to allow for abatement prior to the demolition.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-168-16**

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AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CHANGE ORDER WITH RAINBOW ENVIRONMENTAL IN AN AMOUNT OF \$4,160.00 FOR ADDITIONAL ASBESTOS REMOVAL REQUIRED TO COMPLETE THE DEMOLITION CONTRACT.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Frank.  
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**CONTRACT** – CT Consultants was hired to perform the design work in 2011. The construction of the site at the time was cost prohibitive and the project was postponed. After meeting with DPAC members, changes were made to the proposal to reduce costs. CT Consultants are familiar with the project and have much of the source material at hand and staff recommends execution of a new contract with them.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-169-16**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH CT CONSULTANTS FOR PROFESSIONAL DESIGN SERVICES RELATED TO THE REALIGNMENT OF PRISONER'S LAKE ROAD IN AN AMOUNT NOT TO EXCEED \$8,800.00, PAYABLE FROM THE DEVOU MASTER PLAN FUND.

**MOTION** of Commissioner Huizenga, seconded by Commissioner Eilerman.  
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**CONTRACT** – An RFP was issued for these services and the City received five proposals. Sherrill-Morgan, our current provider, submitted the best responsible bid.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-170-16**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE CONTRACTS AND ALL OTHER NECESSARY DOCUMENTS WITH SHERRILL-MORGAN & ASSOCIATES, INC., SUN LIFE INSURANCE, AND MED BEN, FOR BROKERAGE SERVICES ASSOCIATED WITH STOP-LOSS MEDICAL COVERAGE PROVIDED THROUGH SUN LIFE INSURANCE COMPANY WITH MED BEN AS THE THIRD PARTY ADMINISTRATOR.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Huizenga.  
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**CONTRACT EXTENSION** – An RFP was issued for insurance and five responses were received. We are still in the process of negotiating and evaluating vendors for our property insurance coverage and worker's comp coverage. Our current policies for these services expire on July 1, 2016 and staff is requesting a one month extension for these policies to have additional time to select the best possible broker.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-171-16**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A ONE MONTH EXTENSION WITH ARTHUR J. GALLAGHER & CO., CINCINNATI INSURANCE COMPANY AND KENTUCKY EMPLOYER'S MUTUAL INSURANCE TO PROVIDE THE CITY'S PROPERTY INSURANCE COVERAGE AND WORKER'S COMPENSATION COVERAGE.

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**MOTION** of Commissioner Eilerman, seconded by Commissioner Huizenga.  
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and  
Mayor Carran.

**CONTRACT**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-172-16**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY  
MANAGER TO EXECUTE A CONTRACT AND ALL OTHER NECESSARY  
DOCUMENTS, WITH ALACK REFRIGERATION CO. FOR THE  
PURCHASE OF DEVOU PARK GOLF COURSE CLUBHOUSE KITCHEN  
EQUIPMENT, AND REJECTING ALL OTHER BIDS, IN AN AMOUNT  
NOT TO EXCEED \$120,866.91, PAYABLE FROM THE DEVOU PARK  
MASTER PLAN FUND.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Wells.  
Passed. 4 Yeas. Commissioners Eilerman, Huizenga, Wells, and Mayor Carran.  
1 Nay. Commissioner Frank

**DISBURSEMENT OF FUNDS**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-173-16**

AN ORDER/RESOLUTION APPROVING A DISBURSEMENT OF FUNDS  
TO NON-UNION EMPLOYEES, PURSUANT TO SECTION 4.1 OF THE  
FISCAL STABILITY ORDINANCE, O-50-15, TO SHARE TO PROCEEDS  
OF THE ALLOCATION OF THE CARRYOVER OF FUNDS PROVIDED  
FOR COMPENSATION OF CITY EMPLOYEES IN THE EVENT THAT  
FUNDS ARE AVAILABLE AFTER OTHER OBLIGATIONS HAVE BEEN  
SATISFIED.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Huizenga.  
Passed. 4 Yeas. Commissioners Eilerman, Huizenga, Wells, and Mayor Carran.  
1 Nay. Commissioner Frank

**ADJOURNMENT**

Mayor Carran adjourned the meeting at 8:40 p.m.

s/ Sherry Carran  
MAYOR

ATTEST:

/s/ Margaret M. Nyhan  
CITY CLERK

APPROVED: July 12, 2016