# MINUTES
# BOARD OF COMMISSIONERS' MEETING
# Tuesday, February 18, 2014 6:00 P.M.

**A REGULAR MEETING** of the Board of Commissioners of the City of Covington, Kentucky, was opened by Mayor Carran, on Tuesday, February 18, 2014, at 6:00 p.m., in Commission Chambers, 20 West Pike Street, Covington, Kentucky.

Mayor Carran presiding with Commissioners Chuck Eilerman, Steve Frank, Mildred Rains, Michelle Williams, City Manager Larry Klein, and City Solicitor Frank Warnock, present.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Frank to dispense with the reading of and approve the minutes of the February 4 and 7, 2014, meeting minutes.
**Passed.** 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

**PRESENTATIONS:**

The Awesome Collective gave a presentation on their 2013 accomplishments, community impact, and their future goals and objectives. Members of the group presenting included Michael Monks, Tess Burns, Chris Burns, Lydia Cook, Jerod Theobald, and Blair Grayson.

**NEW BUSINESS – FIRST READING OF ORDINANCES**

**TEXT AMENDMENT** – A public hearing was held before the Kenton County Planning Commission on Thursday, February 6, 2014, and the Commission unanimously recommended approval of the proposed text amendment. While the definition of New Vehicle & Equipment Sales, Light is broad, the proposed use restrictions would prohibit large scale automobile dealerships and service stations within the CBD zone.

**COMMISSIONERS' ORDINANCE NO. O-05-14**

AN ORDINANCE APPROVING A TEXT AMENDMENT TO THE OFFICIAL ZONING ORDINANCE OF THE CITY OF COVINGTON, KENTUCKY (O-37-06) ALLOWING NEW VEHICLE & EQUIPMENT SALES, LIGHT USES IN THE CENTRAL BUSINESS DISTRICT (CBD) ZONING DISTRICTS THROUGH THE CONDITIONAL USE PROCESS SUBJECT TO USE SPECIFIC STANDARDS.

First Reading, No Vote

**NEW BUSINESS – SECOND READING OF ORDINANCES**

**AMENDMENT CHAPTER 92** – The City's current procedure for the demolition of private structures is outdated. This ordinance will provide an updated hearing procedure. Repair/demolish orders will be issued by a code enforcement officer and can be appealable to the Code Enforcement Hearing Board.

**COMMISSIONERS' ORDINANCE NO. O-02-14**

AN ORDINANCE AMENDING CHAPTER 92 OF THE COVINGTON CODE OF ORDINANCES TO PROVIDE A PROCEDURE FOR ABATEMENT OF NUISANCE PROPERTY BY DEMOLITION WHEN DEMOLITION IS NECESSARY TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE OR IS OTHER WISE IN THE PUBLIC INTEREST.

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

**CREATION OF NEW POSITION** – Finance Department Special Projects Director Darryl Strong is retiring February 28, 2014. Darryl has served as Special Projects Director responsible for the Department's financial software application and other related duties. Darryl's duties will be absorbed into the position of "Information Technology and Data Manager" that will provide City department-wide information technology and data management services in order to provide the City staff and Commission with greater data-driven decision making capabilities. This revised job position will allow a City department-wide coordination of effort and reduce some of the expenditures currently outsourced to technology vendors. Further, with the pending implementation of new financial software in the Finance Department that will provide greater internal controls, this revised job position will be a great resource to the Finance Department.

**COMMISSIONERS' ORDINANCE NO. O-03-14**

AN ORDINANCE AMENDING § 34.50 AND O-27-13 OF THE COVINGTON CODE OF ORDINANCES, NON-UNIFORMED, NON-CIVIL SERVICE EMPLOYEES, CREATING THE POSITION OF INFORMATION TECHNOLOGY AND DATA MANAGER AND ESTABLISHING PAY FOR THAT POSITION.

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

**MAP AMENDMENT** – This map amendment was initiated by a property owner based on future plans for a small farm winery and other ancillary uses. Kenton County Planning Commission heard the map amendment on January 2, 2014, and unanimously recommended approval.

**COMMISSIONERS' ORDINANCE NO. O-04-14**

AN ORDINANCE APPROVING A MAP AMENDMENT TO THE OFFICIAL ZONING ORDINANCE OF THE CITY OF COVINGTON, KENTUCKY (O-37-06) CHANGING AN APPROXIMATE 19.1 ACREA AREA GENERALLY LOCATED ALONG THE SOUTH SIDE OF HIGHLAND PIKE BETWEEN HANSER DRIVE AND WRIGHTS POINT DRIVE AND ALONG THE NORTH SIDE OF KUHRS LANE IN THE CITY OF COVINGTON FROM SUBURBAN RESIDENTIAL, RS-7.5 TO AGRICULTURAL, AG.

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

## NEW BUSINESS – ORDER/RESOLUTIONS

**EMPLOYMENT POLICE DEPARTMENT** – Mr. Denny is a Cum Laude graduate of Mount St. Joseph College. His appointment will bring the Police Department to 107 sworn personnel.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-39-14**

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF JOSHUA DENNY AS A POLICE OFFICER I IN THE COVINGTON POLICE DEPARTMENT, FOR A TWELVE MONTH PROBATIONARY PERIOD, EFFECTIVE MARCH 3, 2014.

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

**DREES PAVILION TEN YEAR ANNIVERSARY** – In 2003, the Drees Company built a $2 million, 10,000 square foot pavilion in Devou Park to commemorate the company's 75th Anniversary. The company donated the Drees Pavilion to the City and fees raised from the rental of the facility are invested back into Devou Park.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-40-14**

AN ORDER/RESOLUTION IN RECOGNITION OF THE TENTH ANNIVERSARY OF THE DREES PAVILION AT THE DEVOU MEMORIAL OVERLOOK IN DEVOU PARK AND IN APPRECIATION OF ALL ITS CONTRIBUTIONS TO AND INVESTMENT IN THE CITY OF COVINGTON AND DEVOU PARK IN ITS TEN YEARS OF OPERATION.

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

**MUTUAL BUILDING** – In 2013, the City executed both a purchase agreement and development agreement with Mutual Building, LLC for the property located at 619-629 Madison Avenue. Due diligence has identified financing gaps which the parties propose to fill through a restructuring of the terms of the purchase agreement and the development agreement.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-41-14**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO AMEND THE PURCHASE AGREEMENT AND DEVELOPMENT AGREEMENT BETWEEN THE CITY AND MUTUAL BUILDING, LLC FOR THE REDEVELOPMENT OF THE MUTUAL BUILDING AT 619-629 MADISON AVENUE TO INCLUDE INCENTIVES AVAILABLE THROUGH THE COVINGTON ECONOMIC DEVELOPMENT PROGRAM.

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

**DPAC APPOINTMENT** – Mr. Rodarte is a Covington resident and lives with his wife in Kenton Hills. He is a graduate of the College of Agriculture, School of Horticulture, Ohio State University. Mr. Rodarte will be filling a vacant position on the Board.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-42-14**

AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF DAVID M. RODARTE TO THE DEVOU PARK ADVISORY COMMITTEE, FOR A THREE-YEAR TERM, EFFECTIVE JANUARY 1, 2014, AND EXPIRING DECEMBER 31, 2016.

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

**HUMAN RIGHTS COMMISSION APPOINTMENT** – Ms. Rader has been recommended by the City's Human Rights Commission for appointment to fill a vacant position on said Commission.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-43-14**

AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF GERALDINE RADER TO THE COVINGTON HUMAN RIGHTS COMMISSION FOR A THREE-YEAR TERM, EFFECTIVE FEBRUARY 18, 2014, AND EXPIRING FEBRUARY 17, 2017.

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

**MEMORANDUM OF UNDERSTANDING** – The IRS has notified the City that certain items purchased by the City on behalf of FOP members as part of their uniform allowance in the collective bargaining agreement are subject to taxation. In order to resolve the matter to the satisfaction of the IRS and the collective bargaining agreement requirements, the City and FOP have agreed that uniform allowances will be increased to offset the additional cost of taxation to members, and paid annually to FOP members, who are then responsible for reporting and paying any applicable taxes, and responsible for directly purchasing uniform items.

**COMMISSIONS' ORDER/RESOLUTION NO. O/R-44-14**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A SECOND MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF COVINGTON, KENTUCKY AND THE FRATERNAL ORDER OF POLICE LODGE NO. 1.

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

**PRESENTATION:**

City Manager Larry Klein and Finance Director Lisa Goetz gave a presentation outlining the City's response and corrective action plan to the Kentucky State Auditor's report on the embezzlement by the former Finance Director.

**ADJOURNMENT**

MAYOR CARRAN adjourned the meeting at 8:15 p.m.

Sherry Carran
MAYOR

ATTEST:
Margaret Mehan
CITY CLERK

APPROVED: 3-4-14