MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, September 9, 2014 6:00 P.M.

A MEETING of the Board of Commissioners of the City of Covington, Kentucky, was opened by Mayor Carran, on Tuesday, September 9, 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, Assistant City Manager Larisa Sims, and Assistant City Manager/City Solicitor Frank Warnock, present.

PRESENTATIONS: There were no presentations

NEW BUSINESS – FIRST READING OF ORDINANCES

AMEND ORDINANCES – The City Operations Director is a new position and job description, recommended to be filled by Lisa Desmarais, our Information Technology and Data Manager, that will retain the responsibilities of her existing position, but add functional areas of responsibility that include purchasing and procurement, facilities maintenance, contract management and compliance, and certain elements of risk management, not currently covered by any department or position in the city. These "gaps" and the inefficiencies and risks they create are noted in the State Auditor's report, and have been identified and discussed by the Mayor's Task Force to Restore Public Confidence. It is highly recommended that the City consolidate these various tasks and functional areas of responsibility that are currently not being performed or are very fragmented, into one new position of City Operations Director, rather than establishing serveral new positions and hiring several new employees. The recommended salary is $88,300. Also in this ordinance amendment is creating the position of "Interim City Solicitor" with the recommended salary of $78,500.

COMMISSIONERS' ORDINANCE NO. O-XX-14

AN ORDINANCE AMENDING § 34.50 AND O-27-13, OF THE COVINGTON CODE OF ORDINANCES, NON-UNIFORMED, NON-CIVIL SERVICE EMPLOYEES, CREATING THE POSITIONS OF CITY OPERATIONS DIRECTOR AND INTERIM CITY SOLICITOR, AND ESTABLISHING THE SALARY FOR THOSE POSITIONS.

First Reading, No Vote

OLD BUSINESS – SECOND READING OF ORDINANCES

CITY TAX BILL – Beginning in 2015, this amendment would change current date of September 1 by which Finance Department is required to mail property tax bills to September 15. In addition, and also beginning in 2015, the due date for property tax bills to be paid would be extended from the current September 30 to October 15. This change is recommended in order to allow City staff and City Commission sufficient time to consider property tax rates each year and subsequent printing and mailing of property tax bills.

COMMISSIONERS' ORDINANCE NO. O-21-14

AN ORDINANCE AMENDING SECTION 97.02 OF THE COVINGTON CODE OF ORDINANCES CHANGING THE DUE DATE FOR CITY TAXES.

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

NEW BUSINESS – ORDER/RESOLUTIONS

ENGAGEMENT LETTER – Clark Schaefer Hackett performed the audit for the City for Fiscal Year 2012-2013 and is being recommended to be retained again this year. The City's Audit Committee has recommended that the City retain Clark Schaefer Hackett for a second year. Typically, external auditors are retained for three years at a time then new audit firms are solicited in order to maintain a fresh objective look at a City's financial statements and position.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-204-14

AN ORDER/RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN ENGAGEMENT LETTER WITH CLARK SCHAEFER HACKETT TO PERFORM THE AUDIT FOR FISCAL YEAR 2013-2014, IN AN AMOUNT OF $39,700.00, PAYABLE FROM THE GENERAL FUND.

MOTION of Commissioner Eilerman, seconded by Commissioner Frank.
Passed. 3 Yeas. Commissioners Eilerman, Frank, and Mayor Carran.
2 Nays. Commissioners Rains and Williams

ACCEPT BID – City staff has been working very closely with SD1 over the past few years to determine the best, most cost effective ways to help reduce the flooding in the Peaselburg area during heavy rain events. SD1 agreed to pay for costs associated with the event/project modeling as well as the design. This work is "Phase 1" and will include a new basin above Ray's Lane, a new inlet structure at the top of Ray's Lane, and construction of the Benton Road Basin.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-205-14

AN ORDER/RESOLUTION ACCEPTING THE BID OF LONKARD CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF DETENTION BASINS TO ALLEVIATE FLOODING IN PEASELBURG, AND REJECTING ALL OTHER BIDS, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH LONKARD CONSTRUCTION COMPANY, IN AN AMOUNT NOT TO EXCEED $254,450.00, PAYABLE FROM KIA GRANTS AND CAPITAL BOND FUNDS.

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

CONTRACT – This inspection work is highly specialized and outside of the ability of City staff. The inspection services are needed to ensure the walls are built per plan specifications so that they will be functional for many years to come. Three bids were received for this work and Cardno ATC was the best responsible bid.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-206-14

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH CARDNO ATC FOR CONSTRUCTION INSPECTION SERVICES FOR THE DEVOU DRIVE AND WESTERN AVENUE RETAINING WALLS, IN AN AMOUNT NOT TO EXCEED $27,434.00, PAYABLE FROM CAPITAL BOND FUNDS.

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

LICKING RIVER GREENWAY TRAILS – Approval of this integral phase of the trails will complete about 50% of the city's section of the Licking River Greenway Trails.

This approval is necessary to allow shared use by both vehicles and bicyclists of KY-177, a KYTC maintained road.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-207-14

AN ORDER/RESOLUTION ADOPTING THE PLAN FOR THE SOUTHERN PHASE OF THE LICKING RIVER GREENWAY TRAILS, WHICH WILL EXTEND FROM THE TRAIL ENTRY LOCATION AT LEVASSOR AND EASTERN AVENUES SOUTH TO EAST 47TH STREET.

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

UNIFORM CONTRACT – Per the AFSCME union contract, Article 29, Section 11, the City agrees to provide and maintain uniforms for union employees. The City received three quotes and one no bid for these services.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-208-14

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH AMERIPRIDE SERVICES, INC. FOR UNIFORM RENTAL AND LAUNDERING SERVICES FOR THE DEPARTMENT OF PUBLIC IMPROVEMENTS, IN AN ANNUAL AMOUNT OF $8,905.00, PAYABLE FROM THE GENERAL FUND.

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

ESTOPPEL CERTIFICATES – The owner of the air rights to the space occupied by Embassy Suites and Marriott hotels is seeking a re-financing arrangement and is going to pledge the air rights space and other rights as collateral for the loan. The estoppel certificates are representations by the city regarding the status of the legal rights between the city and the owners of the air rights space.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-208-14

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE TWO LANDLORD ESTOPPEL CERTIFICATES ON BEHALF OF THE CITY OF COVINGTON AND THE CITY OF COVINGTON, KENTUCKY MUNICIPAL PROPERTIES CORPORATION.

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

A motion by Commissioner Rains and second by Commissioner Frank to recess the legislative meeting and enter into a City of Covington, Kentucky Municipal Properties Corporation meeting of the Board of Directors to discuss and approve the following resolution. Motion passed 5-0.

RESOLUTION NO. R-02-14

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE TWO LANDLORD ESTOPPEL CERTIFICATES ON BEHALF OF THE CITY OF COVINGTON AND THE CITY OF COVINGTON, KENTUCKY MUNICIPAL PROPERTIES CORPORATION.

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

Motion of Commissioner Williams and second by Commissioner Rains to adjourn the Board of Directors meeting of the City of Covington, Kentucky Municipal Properties Corporation and return to the Board of Commissioners Legislative meeting. Motion passed 5-0.

JOB DESCRIPTION – As there is no job description for the position of City Manager that has been adopted by the Board of Commissioners, it is an oversight that should be corrected. The recommended job description is based on a review of other City Manager job descriptions from larger cities in the state with a City Manager form of government, and also based on KRS 83A.150 that defines the roles and responsibilities of a City Manager.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-209-14

AN ORDER/RESOLUTION APPROVING THE JOB DESCRIPTION FOR THE POSITION OF CITY MANAGER.

After a brief discussion, it was agreed that under "Desirable Training and Experience" the job description be amended with the following being added: "...supplemented by a minimum of ten years of progressively responsible experience in local government management."

MOTION of Commissioner Eilerman, seconded by Commissioner Frank.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran. The motion passed as amended.

JOB DESCRIPTION – When the City reorganized and consolidated several departments into one department three years ago, the job description for the Assistant City Manager who was assigned to oversee this newly formed Department of Development, was never formally revised. This O/R will correct this oversight.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-210-14

AN ORDER/RESOLUTION APPROVING THE JOB DESCRIPTION FOR THE POSITION OF ASSISTANT CITY MANAGER FOR DEVELOPMENT.

After a brief discussion, it was noted that some of the basic heading information had not been included on the job description, including the salary range of $96,869 - $154,991. It was agreed that the Job Description was to be amended with the additional information included.

MOTION of Commissioner Eilerman, seconded by Commissioner Frank.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran. The motion passed as amended.

ADJOURNMENT

MAYOR CARRAN adjourned the meeting at 7:25 p.m.

Sherry Carran
MAYOR

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, September 9, 2014 6:00 P.M.

ATTEST:

Margaret M Ryhan
CITY CLERK

APPROVED: 9-23-14