

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, December 1, 2020, 6:00 P.M.

SPECIAL NOTICE OF A MEETING

As a result of the state of emergency declared by the President of the United States, Governor of Kentucky, and Mayor of the City of Covington due to the global COVID-19 pandemic, and in accordance with recommended and mandated precautions related thereto and Kentucky Opinion of the Attorney General 20-05, the following Meeting Notice is issued:

The undersigned, as Mayor of the City of Covington, Kentucky, hereby gives notice to all of the members of the Board of Commissioners of said City that an meeting of said Board of Commissioners is hereby called and will be convened at 6:00 p.m., at the Commission Chambers, City Hall, 20 West Pike Street, Covington, Kentucky, on Tuesday, December 1, 2020 for the purpose of consideration of various Commissioners' orders. An agenda is attached hereto and incorporated by reference.

Per KRS 61.826, this meeting is a video teleconference meeting. One or more members of the Board of Commissioners may participate via Skype or a similar video teleconferencing system. The primary location will be in the City of Covington Commission Chambers, City Hall, 20 West Pike Street.

Per KY Attorney General Opinion 20-05, **public attendance will not be permitted** at this meeting because, due to the highly contagious nature of COVID-19, it is not feasible for the City to provide a central physical location for public viewing.

The meeting will be broadcast on Fioptics channel 815, Spectrum channel 203, the Telecommunications Board of Northern Kentucky (TBNK) website (<https://tbnk.vod.castus.tv/vod/?nav=programs%2FCity%20of%20Covington>) and (<https://www.covingtonky.gov/government/mayor-commissioners>).

Please see the attached Executive Order (2020-EO-03) and www.covingtonky.gov for additional information.

WITNESS my hand and seal of said City this 30th day of November 2020.



 /s/ Joseph U. Meyer
MAYOR

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ACCEPTANCE AND WAIVER OF NOTICE

The undersigned, being all of the members of the Board of Commissioners of the City of Covington, Kentucky, do hereby acknowledge receipt of said Notice upon each of us, and do hereby accept said Notice, and do hereby waive any possible informality or irregularity as to time, place, or manner or service of the same upon each of us, and do hereby agree and consent that a special meeting of said Board of Commissioners may be held at the time and place, and for the purposes stated in the foregoing Notice; and that said meeting may be recessed from time to time until such business has been completed.

Date:_____ Time:_____ _____
COMMISSIONER

Date:_____ Time:_____ _____
COMMISSIONER

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A MEETING of the Board of Commissioners of the City of Covington, Kentucky, was opened by Mayor Meyer on Tuesday, December 1, 2020, at 6:00 p.m., via video conferencing, Covington, Kentucky.

Mayor Meyer presiding with Commissioners Denny Bowman, Tim Downing, Shannon Smith and Michelle Williams, City Manager David Johnston, and City Solicitor Michael Bartlett, present.

MOTION of Commissioner Downing, seconded by Commissioner Smith to dispense with the reading of and approve the minutes of November 17, 2020, meeting.

Passed. **5** Yeas. Commissioners Bowman, Downing, Smith, Williams, and Mayor Meyer.

NEW BUSINESS – CONSENT AGENDA

COMMISSIONERS' ORDER NO. ORD-199-20

AN ORDER DESIGNATING THE TWO-BLOCK AREA BOUNDED BY SCOTT STREET ON THE EAST, 11th STREET ON THE NORTH, RAILROAD TRACKS ON THE WEST AND 12th STREET ON THE SOUTH AS "CATHEDRAL ALLEY".

COMMISSIONERS' ORDER NO. ORD-200-20

AN ORDER CENTER AUTHORIZING THE MAYOR TO EXECUTE A SETTLEMENT AND RELEASE AGREEMENT WITH DUKE ENERGY FOR LOSS OF CITY TREES ON LEE STREET.

COMMISSIONERS' ORDER NO. ORD-201-20

AN ORDER OF THE CITY OF COVINGTON, KENTUCKY APPROVING THE TRANSFER OF CONTROL OF CINCINNATI BELL, INC. AND CINCINNATI BELL EXTENDED TERRITORIES, LLC TO RED FIBER PARENT LLC AND RF MERGER SUB INC.

COMMISSIONERS' ORDER NO. ORD-202-20

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE A RECIPROCAL EASEMENT AGREEMENT PERMITTING ON GOING PEDESTRIAN

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ACCESS TO THE YMCA ALLEY AND CONSENTING TO THE EASEMENT AS LENDER.

COMMISSIONERS' ORDER NO. ORD-203-20

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE A SECOND AMENDED AND RESTATED LICENSE AGREEMENT WITH 638 MADISON, LLC TO REFLECT THAT THE YMCA ALLEY IS NO LONGER PART OF THE LICENSED PREMISES.

COMMISSIONERS' ORDER NO. ORD-204-20

AN ORDER APPROVING THE EMPLOYMENT OF SUSAN B. SMITH AS BUSINESS ATTRACTION MANAGER IN THE ECONOMIC DEVELOPMENT DEPARTMENT, EFFECTIVE DECEMBER 8, 2020.

COMMISSIONERS' ORDER NO. ORD-205-20

AN ORDER APPROVING THE EMPLOYMENT OF BEN BROOMALL AS A FULL-TIME GROUNDWORKER IN THE FORESTRY DIVISION OF THE PUBLIC WORKS DEPARTMENT.

COMMISSIONERS' ORDER NO. ORD-206-20

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE A FIRST AMENDMENT TO THE AGREEMENT WITH PRUS CONSTRUCTION COMPANY FOR THE RIVERFRONT COMMONS PHASE I PLAZA DESIGN EXTENDING THE TIME OF THE CONTRACT TO MAY 1, 2021.

COMMISSIONERS' ORDER NO. ORD-207-20

AN ORDER APPROVING THE REAPPOINTMENT OF KRISTA DYER AS A FIREFIGHTER WITH THE COVINGTON FIRE DEPARTMENT, EFFECTIVE DECEMBER 7, 2020.

COMMISSIONERS' ORDER NO. ORD-208-20

AN ORDER APPROVING THE REAPPOINTMENT OF ANTHONY NOLL AND STEVE GOODPASTER TO THE TELECOMMUNICATIONS BOARD OF NKY (TBNK) FOR TWO-YEAR TERMS, EFFECTIVE JANUARY 1, 2021 THROUGH DECEMBER 31, 2022.

Orders No. ORD-199-20 through ORD-208-20 were passed by consent agenda as follows:

MOTION of Commissioner Williams, seconded by Commissioner Downing.

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Passed. 5 Yeas. Commissioners Bowman, Downing, Smith, Williams,
and Mayor Meyer.

NEW BUSINESS - ORDERS

COMMISSIONERS' ORDER NO. ORD-209-20

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE A MITIGATION SETTLEMENT AGREEMENT WITH BEAUMONT BUILDING GROUP RELATED TO TREE REMOVAL AT THE WESTERN AVENUE DEVELOPMENT SITE.

MOTION of Commissioner Smith, seconded by Commissioner Downing.
Passed. 5 Yeas. Commissioners Bowman, Downing, Smith, Williams,
and Mayor Meyer.

NEW BUSINESS – FIRST READING OF ORDINANCES

COMMISSIONERS' ORDINANCE NO. O-xx-20

AN ORDINANCE RENAMING CHAPTER 117 OF THE COVINGTON CODE OF ORDINANCES, CREATING A NEW SUBCHAPTER WITHIN CHAPTER 117 OF THE COVINGTON CODE OF ORDINANCES ENTITLED "SHORT-TERM RENTALS" AND AMENDING SECTION 117.00 "PENALTIES".

COMMISSIONERS' ORDINANCE NO. O-xx-20

AN ORDINANCE CLOSING A PORTION OF THE ALLEY COMMONLY KNOWN AS THE "YMCA ALLEY" EAST OF MADISON AVENUE PURSUANT TO KRS 82.405.

OLD BUSINESS – SECOND READING OF ORDINANCES

COMMISSIONERS' ORDINANCE NO. O-24-20

AN ORDINANCE AMENDING SECTION 91.06 OF THE COVINGTON CODE OF ORDINANCES TO UPDATE APPLICABLE FIRE INSPECTION FEES.

MOTION of Commissioner Downing, seconded by Commissioner Williams.
Passed. 5 Yeas. Commissioners Bowman, Downing, Smith, Williams,
and Mayor Meyer.

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COMMISSIONERS' ORDINANCE NO. O-25-20

AN ORDINANCE AMENDING SECTION 151.03 OF THE COVINGTON CODE OF ORDINANCES GRANTING AUTHORITY FOR FIRE CODE ENFORCEMENT TO THE FIRE CHIEF OR HIS OR HER DESIGNEE AND TO REMOVE REFERENCE TO AN OBSOLETE BOARD.

MOTION of Commissioner Williams, seconded by Commissioner Downing.
Passed. 5 Yeas. Commissioners Bowman, Downing, Smith, Williams,
and Mayor Meyer.

Prior to the second reading of the following ordinance, a motion was made by Commissioner Downing to approve the amended ordinance which would include "Caretaker" under Section 90.01, Definitions. Second by Commissioner Smith. Motion carried 5-0.

COMMISSIONERS' ORDINANCE NO. O-26-20

AN ORDINANCE AMENDING SECTIONS 90.01, 90.55, 90.56, AND 90.90 OF THE COVINGTON CODE OF ORDINANCES TO ADOPT COMMUNITY CATE MANAGEMENT REGULATIONS AND ASSOCIATED PENALTIES AND ADOPT OTHER REVISED PENALTIES.

The amended ordinance was passed as follows:

MOTION of Commissioner Smith, seconded by Commissioner Downing.
Passed. 5 Yeas. Commissioners Bowman, Downing, Smith, Williams,
and Mayor Meyer.

ADJOURNMENT

Mayor Meyer adjourned the meeting at 6:30 p.m.

MAYOR

ATTEST:

CITY CLERK

APPROVED: _____