

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, October 8, 2013 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, October 8, 2013, at 6:00 p.m., in Commission Chambers, 638 Madison Avenue, 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 Rains to dispense with the reading of and approve the minutes of the September 24, 2013, meeting minutes.

Passed. 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

PRESENTATIONS

NEW BUSINESS – FIRST READING OF ORDINANCES

AMEND CHAPTER 111 CODE OF ORDINANCES – Senate Bill 13 was enacted into law during the 2013 regular session of the Kentucky General Assembly and became effective June 25, 2013. SB13 modified existing state law related to alcoholic beverage control and licensing. SB13 necessitates the amendment of the City's ordinances concerning alcoholic beverages in order to bring City alcoholic beverage license regulations into compliance with respect to license types and fees.

COMMISSIONERS' ORDINANCE NO. O-36-13

AN ORDINANCE AMENDING THE ALCOHOLIC BEVERAGES SUBCHAPTER OF CHAPTER 111 OF THE COVINGTON CODE OF ORDINANCES TO PROVIDE FOR UPDATED ALCOHOLIC BEVERAGE LICENSES AND FEES, TO ESTABLISH HOURS OF OPERATION FOR LICENSED BUSINESSES, TO AMEND THE PROCEDURES AND CONDITIONS RELATED TO THE ISSUANCE OF 2:30 A.M. PERMITS, AND TO REPEAL AND AMEND OBSOLETE PROVISIONS OF THE SUBCHAPTER.

FIRST READING, NO VOTE

AMEND CHAPTER 132 CODE OF ORDINANCES – The Gateway Community and Technical College is developing a campus in the City of Covington between Fourth and Seventh Streets, and Madison Avenue and Legacy Way. The City has enacted a panhandling ordinance. This amendment would expand the area where aggressive panhandling would not be allowed to include the Gateway campus.

COMMISSIONERS' ORDINANCE NO. O-37-13

AN ORDINANCE AMENDING SECTION 132.09, PANHANDLING, CHAPTER 132 OF THE COVINGTON CODE OF ORDINANCES TO ENLARGE THE GEOGRAPHICAL SCOPE OF THE AREA OF REGULATION TO INCLUDE THE GATEWAY COMMUNITY AND TECHNICAL COLLEGE CAMPUS.

FIRST READING, NO VOTE

OLD BUSINESS – SECOND READING OF ORDINANCES

INTERNAL AUDITOR POSITION – The new position of Internal Auditor will help to ensure that all departments are following approved policies and procedures. The Internal Auditor will develop an annual plan in conjunction with the Audit Committee and City Manager after evaluating and prioritizing various exposures of risk to the City. The City's Audit Committee is recommending the establishment of this position as well.

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COMMISSIONERS' ORDINANCE NO. O-34-13

AN ORDINANCE AMENDING § 34.50 OF THE COVINGTON CODE OF ORDINANCES, NON-UNIFORMED, NON-CIVIL SERVICE EMPLOYEES, CREATING THE NEWLY ESTABLISHED POSITION OF INTERNAL AUDITOR.

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

INTERNAL AUDITOR SALARY – This ordinance amendment will establish the salary range for Internal Auditor from \$60,000 to \$66,000. The position of Internal Auditor was included in the FY 14 annual budget.

COMMISSIONERS' ORDINANCE NO. O-35-13

AN ORDINANCE AMENDING O-27-13 TO ADD THE NEWLY CREATED POSITION OF INTERNAL AUDITOR TO THE NON-UNION CLASSIFICATION SYSTEM.

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

NEW BUSINESS – ORDER/RESOLUTIONS

SOLID WASTE COORDINATOR This position was vacated in August 2013. It was advertised and over 100 applications were received. Ms. Fields exceeded the qualifications and experience criteria, and she has extensive experience as a Covington resident working in volunteer leadership positions with the City. She has been active in the Keep Covington Beautiful campaign promoting recycling, litter abatement and beautification of public spaces.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-277-13

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF SHEILA FIELDS AS SOLID WASTE COORDINATOR IN THE CITY OF COVINGTON DEPARTMENT OF PUBLIC IMPROVEMENTS, AT AN ANNUAL SALARY OF \$51,683.00, EFFECTIVE OCTOBER 23, 2013.

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

AGREEMENT AMENDMENT – On July 9, 2013, the Board of Commissioners approved an O/R authorizing an agreement for the purchase of a completed office complex and real property located at 1324 Madison Avenue. This agreement needs modification to acknowledge the satisfaction of conditions precedent to the Agreement, modifying the closing date and other dates in the Agreement.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-278-13

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO AN AGREEMENT BETWEEN THE CITY OF COVINGTON AND THE LIFE LEARNING CENTER, INC. RELATED TO THE PURCHASE BY THE CITY OF AN OFFICE COMPLEX AND REAL ESTATE LOCATED AT 1324 MADISON AVENUE REFERRED TO AS THE ONE STOP OR OLD ROBKE SITE OR NORTHERN KENTUCKY CAREER CENTER, AND ANY DOCUMENTS NECESSARY TO EFFECTUATE THE TRANSACTION.

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MOTION of Commissioner Eilerman, seconded by Commissioner Frank.
Passed. 3 Yeas. Commissioners Eilerman, Frank, and Mayor Carran.
1 Nay. Commissioner Rains
Commissioner Williams present, not voting.

TEXT AMENDMENT APPLICATION – Staff has researched and proposed the text amendment based on requests from the public, deficiencies of the current ordinance, planning practices, and numerous requests from prospective businesses.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-279-13

AN ORDER/RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION TO THE KENTON COUNTY PLANNING COMMISSION FOR A TEXT AMENDMENT TO THE CITY OF COVINGTON ZONING ORDINANCE TO ALLOW PERSONAL IMPROVEMENT SERVICES IN THE INDUSTRIAL-PARK (IP) AND INDUSTRIAL-LIMITED (IL) ZONING DISTRICTS THROUGH THE CONDITIONAL USE PROCESS.

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

AMEND APPROVED AGREEMENTS – This O/R accommodates a reasonable request from dbaDirect, Inc. to include their affiliate companies within the City's business development incentive program that was the original intent but not specifically referenced within the agreement.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-280-13

AN ORDER/RESOLUTION AMENDING COMMISSIONERS' ORDER/RESOLUTION NO. O/R-222-13 AND COMMISSIONERS ORDER/RESOLUTION NO. O/R-223-13 TO REFLECT THAT INCENTIVE AGREEMENTS ENTERED INTO WITH dbaDIRECT, INC. SHALL BE BETWEEN dbaDIRECT, INC. AND ITS AFFILIATE COMPANIES.

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

AMEND O/R – The Board of Commissioners previously approved the lease of VoIP servers and related software and services from Cincinnati Bell. After an analysis of the transaction, it has been determined that an outright purchase of VoIP servers and related software and services would be in the best financial interest of the City instead of a three-year agreement originally specified in the O/R.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-281-13

AN ORDER/RESOLUTION AMENDING COMMISSIONERS' ORDER/RESOLUTION NO. O/R-254-13 TO PROVIDE FOR A PURCHASE OF VOICE OVER INTERNET PROTOCOL (VoIP) SERVERS AND RELATED SOFTWARE AND SERVICES FROM CINCINNATI BELL TECHNOLOGY SERVICES, IN AN AMOUNT NOT TO EXCEED \$127,411.92, PAYABLE FROM THE GENERAL FUND.

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

SURPLUS REAL PROPERTY – The City purchased this property utilizing CDBG funds. It is an empty lot and individuals from the abutting property are interested in its purchase. Once the property is declared surplus, advertisement for sealed bids will be issued.

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COMMISSIONERS' ORDER/RESOLUTION NO. O/R-282-13

AN ORDER/RESOLUTION DECLARING CERTAIN REAL PROPERTY LOCATED AT 606-608 THOMAS STREET AS SURPLUS REAL PROPERTY AND AUTHORIZING ITS SALE BY SEALED BID PURSUANT TO KRS §§ 82.083 AND 45A.425.

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

ACCEPT BID – The mobile homes on the site have been removed but the concrete mobile home pads, other amenities and utilities remain. This project will remove remaining undesirable fixtures, level the site, and install seed and straw. Four bids were received for this work and JP Construction was the best responsible bid.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-283-13

AN ORDER/RESOLUTION ACCEPTING THE BID OF JP EXCAVATING, INC. FOR THE DEMOLITION AND GRADING OF THE FORMER MOBILE HOME PARK ON PATTON STREET, AND REJECTING ALL OTHER BIDS, IN AN AMOUNT OF \$23,500.00, PAYABLE FROM CAPITAL FUND.

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

PLACE MATTERS INITIATIVE – The City's Annual Action Plan was approved in May 2013 which included allocation of CDBG funds in the amount of \$35,000 to the Center for Great Neighborhoods. The funds were allocated as part of the Place Matters initiative.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-284-13

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT ALLOCATING \$35,000 TO THE CENTER FOR GREAT NEIGHBORHOODS OF COVINGTON, INC. AS PART OF THE PLACE MATTERS INITIATIVE, PAYABLE FROM COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE 2013-2014 PROGRAM YEAR.

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

SURPLUS PROPERTY – Property to be declared as surplus property and auctioned include trucks, police vehicles, and snow plows.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-285-13

AN ORDER/RESOLUTION DECLARING CERTAIN CITY PROPERTY AS SURPLUS AND AUTHORIZING ITS SALE AND TRANSFER PURSUANT TO KRS §§ 82.083 AND 45A.425.

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

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EMPLOYEE RECOGNITION – the John Russell Groves Citizens Laureate Award honors an individual and advocate who has consistently supported and encouraged the values of quality architecture in their community

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-286-13

AN ORDER/RESOLUTION RECOGNIZING BETH JOHNSON FOR RECEIVING THE JOHN RUSSELL GROVES CITIZENS LAUREATE AWARD FROM THE AMERICAN INSTITUTE OF ARCHITECTS, KENTUCKY CHAPTER.

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

EMPLOYEE TERMINATION

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-287-13

AN ORDER/RESOLUTION APPROVING THE TERMINATION OF KATHY THOMPSON, SECTION 8 CLERK/TYPIST, EFFECTIVE AUGUST 30, 2013.

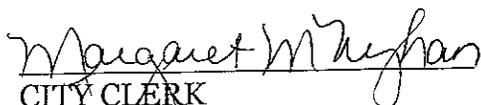
MOTION of Commissioner Rains, seconded by Commissioner Carran. Passed. 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

ADJOURNMENT

MAYOR CARRAN adjourned the meeting at 7:50 p.m.


MAYOR

ATTEST:


CITY CLERK

APPROVED: 10-22-13