



**CITY OF COVINGTON, KENTUCKY
LEGISLATIVE MEETING
BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 17, 2015, 6:00 PM**

**20 WEST PIKE STREET
COVINGTON, KENTUCKY**

AGENDA

CALL TO ORDER: Mayor Sherry Carran

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

Reading of Minutes of the meetings of February 3, 2015, (or motion to dispense with reading and approve minutes).

PRESENTATIONS

None

ITEMS FOR CONSIDERATION:

OLD BUSINESS – SECOND READING OF ORDINANCES

1. Consider Ordinance No. O-02-15 entitled: **AN ORDINANCE REPEALING § 32.04 AND § 152.03 OF THE COVINGTON CODE OF ORDINANCES TO ELIMINATE THE LOCAL BOARD OF HOUSING, BUILDING, AND CONSTRUCTION APPEALS.** *The Local Board of Housing, Building, and Construction Appeals is a defunct City board. The appointments of all of its members have expired, and its functions are now handled by Planning and Development Services of Kenton County (PDS). This ordinance eliminates an unnecessary board from the Code of Ordinances.*

Staff Reporting: Larry Klein, City Manager

Recommendation: Approve Ordinance. Approval eliminates a defunct and obsolete City Board. All appointments to this Board have expired. There is no need to continue this Board since its functions are now handled on a countywide basis by Planning and Development Services of Kenton County (PDS).

NEW BUSINESS – FIRST READING OF ORDINANCES

2. Consider Ordinance No. O-xx-15 entitled: **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 91A.080, AND ASSESSING A 10% PENALTY FOR A TAX OR FEE NOT PAID WITHIN THIRTY DAYS AFTER THE DUE DATE.**

Staff Reporting: Larry Klein, City Manager

Recommendation: First Reading, No Vote

NEW BUSINESS – ORDER/RESOLUTIONS

3. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION RECOGNIZING THE COVINGTON FIREFIGHTERS BALL TO BE HELD FEBRUARY 28, 2015, AND CELEBRATING THE COVINGTON FIRE DEPARTMENT FOR ITS 150 YEARS OF SERVICE TO THE CITIZENS OF COVINGTON, KENTUCKY, AND HONORING RETIRED AND ACTIVE FIREFIGHTERS.** *On February 28, 2015, the Covington Firefighters Auxiliary along with IAFF Local 38 will host a formal firefighters' ball in celebration of the 150th anniversary of the formation of the fire company that became the Covington Fire Department.*

Staff Reporting: **Recommendation:** Approve Order/Resolution. Approval recognizes the ongoing celebratory activities of the Covington Fire Department for its 150th anniversary in 2014. Much appreciation is extended for their invaluable contribution to public safety in the City since 1864.

4. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION FOR RETIREMENT OF SERGEANT BRYAN FRODGE FROM THE COVINGTON POLICE DEPARTMENT, EFFECTIVE FEBRUARY 28, 2015.** *Sgt. Frodge started his career with the Covington Police Department on February 27, 1995. He has held the positions of*

Patrol Officer, Field Training Officer, Bike Patrol Specialist, Detective, SWAT Team Member, SWAT Team Leader and Patrol Sergeant. Bryan's calm demeanor and his sense of humor will be missed by his fellow officers.

Staff Reporting: Spike Jones, Police Chief

Recommendation: Approve Order/Resolution. Approval accepts Sergeant Frodge's resignation for retirement purposes. Best wishes are extended for his future endeavors as well as much appreciation for his many years of service to the City.

5. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF TRENTON PEACE AS A PART-TIME POLICE CADET IN THE COVINGTON POLICE DEPARTMENT, EFFECTIVE FEBRUARY 22, 2015.** *Mr. Peace will be filling the vacant Cadet position with the recent hiring of Cadet Gier has a Police Officer.*

Staff Reporting: Spike Jones, Police Chief.

Recommendation: Approve Order/Resolution. Approval accepts the appointment of Trenton Peace as a Part Time Cadet in the Police Department. Mr. Peace is well qualified and was selected from approximately 17 candidates. This position previously was full time. The City will be replacing that one full time position with two part time positions with no pension or health benefits, providing the same total amount of hours of service.

6. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE PROMOTION OF GENE KOEHL TO CEMENT BRICK MASON IN THE DEPARTMENT OF PUBLIC IMPROVEMENTS, EFFECTIVE FEBRUARY 18, 2015.** *Due to a retirement, a position was open for a Cement Brick Mason. Testing and interviews were conducted and Mr. Koehl was selected to fill the position. Mr. Koehl is currently a Ground Worker in the Urban Forestry Division of DPI.*

Staff Reporting: Rick Davis, Director Department of Public Improvements/
Assistant City Engineer

Recommendation: Approve Order/Resolution. Approval accepts Mr. Koehl's promotion to Cement Brick Mason in the Department of Public Improvements. Mr. Koehl was selected as the most qualified among internal candidates. He is very well qualified for this position and has demonstrated so to date.

7. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION REAPPOINTING FRITZ KUHLMAN TO THE CODE ENFORCEMENT HEARING BOARD FOR A THREE-YEAR TERM, EFFECTIVE FEBRUARY 21, 2015, AND EXPIRING FEBRUARY 20, 2018.**

Staff Reporting: Mike Yeager, Community Services Manager/City Engineer

Recommendation: Approve Order/Resolution

8. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING A SIXTY-DAY EXTENSION OF THE SERVICES PROVIDED UNDER THE SOLID WASTE FRANCHISE AGREEMENT BETWEEN THE CITY OF COVINGTON AND REPUBLIC SERVICES OF KENTUCKY, INC. D/B/A CSI, EFFECTIVE MAY 1, 2015.** *The City and CSI entered into a five-year franchise agreement in April 2008 which included a two year extension and which is set to expire April 30, 2015. The City is currently accepting RFPs for solid waste removal services and CSI and the City have agreed to a sixty day extension of the current agreement.*

Staff Reporting: Frank Warnock, City Solicitor/Assistant City Manager

Recommendation: Approve Order/Resolution. Approval extends the City's current Solid Waste Franchise Agreement with CSI from its expiration date of April 30, 2015, by 60 days, until approximately June 30, 2015, in order to provide sufficient time for the City's pending approval of new Franchise Agreement to be implemented.

9. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE PUBLICATION OF A REQUEST FOR PROPOSALS FOR THE RESURFACING OF MADISON AVENUE FROM MARTIN LUTHER KING, JR. BOULEVARD TO 20th STREET.** *As part of the State's budgeting process this year, the City was awarded \$175,000 for the resurfacing of Madison Avenue from MLK, Jr. Blvd. to 20th Street. This funding will cover the resurfacing and restriping costs associated with the work. The City will run the project from advertising for bids to overseeing the work.*

Staff Reporting: Mike Yeager, Community Services Director/City Engineer

Recommendation: Approve Order/Resolution. Approval allows the City to issue a Request for Proposals for the resurfacing of Martin Luther King, Jr. Boulevard to 20th Street. This project is funded entirely by the state but the City is implementing it in order to expedite the time line.

10. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE PUBLICATION OF A REQUEST FOR QUALIFICATIONS FOR DEVELOPERS AND/OR CONTRACTORS FOR REHABILITATION OF VACANT OR ABANDONED PROPERTIES WITHIN THE CITY.** *One of the most serious problems facing the City and our neighborhoods is the large volume of privately owned vacant properties. These properties are either abandoned, bank owned, or otherwise without a responsible owner that is moving to redevelop them or in most cases even properly maintain them. In most cases the City is maintaining these properties in the interest of public safety and neighborhood stability, at great expense to our taxpayers and the City's other priorities. These properties cost the City a lot of time and money to maintain and are an eyesore to the neighborhoods where they are located. City staff have been researching a variety of ideas on how to reduce the number of vacant properties and get them into the hands of a responsible owner who has the desire and capacity to bring them back into useful condition. If this doesn't happen in a timely manner, due to continued exposure to the elements and further degradation, the majority of these properties will unfortunately end in demolition. These vacant and abandoned properties are a threat to public safety; destabilize neighborhoods and; diminish the value of otherwise valuable properties and investment by their owners. In 2014 the City Commission approved the Covington Community Development Initiative (CCDI) pilot program that allows developers who have an interest in acquiring privately owned vacant or abandoned properties to apply to the program. City staff reviews the properties upon being contacted by such developers to see if the City has the legal grounds (tax or nuisance liens) to bring a foreclosure action. If the City holds such legal grounds, an estimate of the cost of foreclosure is calculated for the developer who then is required to commit to paying for the costs of bringing the foreclosure action, and must deposit in escrow the funds sufficient to acquire the property from the City should the City prevail in acquiring the property through foreclosure. By doing this, the City does not expend its funds, rather the qualified and interested developer must pay this expense since they will benefit too. The City then moves forward with filing the foreclosure. In the event that a third party prevails in the foreclosure process, someone other than the City for example bids an amount higher than the value of the City's liens, then the developer will be reimbursed by the City from the escrow account for their deposit. Gathering a pool of qualified developers will only strengthen the CCDI program moving forward. This will allow the City to properly qualify any developer who is interested in pursuing multiple properties through the CCDI program and ensure that the finished product is professional and the high quality that our neighborhoods deserve and will cause property values to increase. Pursuant to the RFQ, potential developers will be required to show that they are*

in good standing, provide examples of similar work, prove they have the capacity and staffing to do the work, provide references and certifications, and enter into a master agreement with the City, which will govern the parties obligations for redevelopment projects as these are identified.

Staff Reporting: Mike Yeager, Community Services Director/City Engineer

Recommendation: Approve Order/Resolution. Approval allows the City to issue a Request for Qualifications for developers and contractors to rehabilitate vacant or abandoned properties and structures in the City. This program has the potential to be a truly transformational one to improve property values, public safety, and to strengthen neighborhoods.

11. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE PUBLICATION OF A REQUEST FOR PROPOSALS FOR ANNUAL RESURFACING WORK AND ASSOCIATED ADA CURB RAMPS IN SECTION 2 OF THE CITY'S THREE-YEAR PAVING ROTATION.** *Section 2 of this year's three-year paving rotation includes Eastside, Austinburg, a portion of Wallace Woods, Peaselburg, Monte Casino, West Latonia and the Crystal Lake subdivision and West South Covington.*

Staff Reporting: Mike Yeager, Community Services Director/City Engineer

Recommendation: Approve Order/Resolution. Approval allows the City to move forward with a Request for Proposals for our annual resurfacing work and ADA curb ramp replacement program.

12. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING A REQUEST FOR PROPOSALS FOR WATERSTOP REPAIRS ALONG THE FLOODWALL PER GUIDANCE FROM THE UNITED STATES ARMY CORPS OF ENGINEERS.** *As part of the United States Army Corps of Engineer's annual floodwall/levee inspection, repairing the joints between two consecutive portions of the floodwall were called out and require repairs in order for the City to maintain certification. These two areas are in the portion of the Licking River floodwall just south of 21st Street.*

Staff Reporting: Mike Yeager, Community Services Director/City Engineer

Recommendation: Approve Order/Resolution. Approval allows the City to issue a Request for Proposals for regular repairs to the floodwall as required by the Army Corps of Engineers. This is important so that the City can maintain its floodwall/levee certification and that property owners do not have to purchase flood insurance.

13. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION AFFIRMING THE CITY OF COVINGTON'S SUPPORT FOR THE PROPOSED REVISIONS TO THE PAVEMENT DESIGN STANDARDS IN THE KENTON COUNTY SUBDIVISION REGULATIONS AS COMPILED BY PLANNING AND DEVELOPMENT SERVICES OF KENTON COUNTY.** *The Kenton County Mayors' Group initiated the current effort to update and improve Kenton County's subdivision regulation and pavement design standards due to the premature failure of numerous newly-constructed public streets throughout Kenton County built under the standard of the present 1980s-era document.*

Staff Reporting: Larry Klein, City Manager.

Recommendation: Approve Order/Resolution. Approval endorses the proposed revisions to the Kenton County Subdivision Regulations including the new pavement design standards that are the result of a collaborative effort between the Planning and Development Services of Kenton County; cities in Kenton County; Kenton County; the Homebuilders Association of Kenton County and; the Northern Kentucky Society of Professional Engineers. The City of Covington was very involved in this effort as well.

14. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH HOUSING OPPORTUNITIES OF NORTHERN KENTUCKY, INC. FOR THE REHABILITATION OF A SINGLE FAMILY HOME LOCATED AT 225 EAST TWENTIETH STREET, COVINGTON, KENTUCKY, IN AN AMOUNT NOT TO EXCEED \$84,910.00, PAYABLE FROM PROGRAM YEAR 2014 COVINGTON HOME CHDO DEVELOPMENT PROJECT FUNDS.** *This property, which has been vacant for at least a year, was donated to HONK. HONK will rehab the home and will utilize a lease-purchase model to sell the home within 3 years to an income-qualified household. The total development cost of the project is \$102,495.00.*

Staff Reporting: Natalie Gardner, Programs and Strategic Projects Manager

Recommendation: Approve Order/Resolution. Approval allows HONK to rehabilitate the single family dwelling 225 East Twentieth Street with some of the City's federal HOME funds.

15. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE PUBLICATION OF A REQUEST FOR PROPOSALS FOR CRIME ANALYSIS SOFTWARE FOR USE BY THE POLICE DEPARTMENT.** *The Covington Police Department is in need of robust crime*

analysis software that will provide mapping of crimes, calls for service, heat density maps for hotspots analysis, and searching capabilities for investigative purposes.

Staff Reporting: Spike Jones, Police Chief

Recommendation: Approve Order/Resolution. Approval allows the City to issue the Request for Proposals for the crime analysis software.

16. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A FIRING RANGE USE AGREEMENT WITH THE CITY OF FLORENCE FOR USE OF THE CITY OF FLORENCE FIRING RANGE BY THE COVINGTON POLICE DEPARTMENT, WHICH INCLUDES PAYMENT OF A \$500.00 FIRING RANGE USE FEE.**

Staff Reporting: Spike Jones, Police Chief

Recommendation: Approve Order/Resolution

17. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE CITY OF CINCINNATI TO BORROW A LADDER TRUCK FOR USE BY THE COVINGTON FIRE DEPARTMENT.** *The City's only operational ladder truck is in need of engine work and the city of Cincinnati is willing to loan the Fire Department a spare ladder truck until such time that Truck 7 can be repaired and returned to service.*

Staff Reporting: Dan Mathew, Fire Chief

Recommendation: Approve Order/Resolution

18. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION DECLARING CERTAIN CITY MEDICAL EQUIPMENT AS SURPLUS AND AUTHORIZING ITS DISPOSITION PURSUANT TO KRS §§ 82.083 AND 45A.425.**

Staff Reporting: Dan Mathew, Fire Chief

Recommendation: Approve Order/Resolution. Approval allows the City to dispose of obsolete and/or inefficient equipment and to maximize the resale potential.

19. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE SUBMITTAL OF A LETTER COMMITTING TO THE LONG-TERM OBLIGATIONS OF THE FEDERAL EMERGENCY**

MANAGEMENT AGENCY SAFER GRANT. *During the application phase of a Staffing for Adequate Fire & Emergency Response (SAFER) Grant through FEMA, the grant application requires that the governing body submit a letter of commitment to the terms of the grant with the application as noted on page 5 of the SAFER Application Checklist. The terms of the grant are that the “grantees maintain their [pre grant] staffing levels and incur no lay-offs during the period of performance of the grant.” No further commitment is required beyond this request as application is just the first phase of the grant process and committing to the terms does not commit the City to acceptance of the grant. A subsequent request for acceptance would be made should the City receive the grant. The hiring of firefighters under a SAFER grant is a complex and careful calculation to provide improved service at responsible levels, so in 2 years, the City is not burdened with a financial obligation it cannot handle or the potential of having to lay-off employees. The Fire Department is working to calculate the final number(s) which will be approved by Order/ Resolution should the City receive the grant.*

Staff Reporting: Dan Mathew, Fire Chief

Recommendation: Approve Order/Resolution. Approval allows the City to proceed to apply for a SAFER grant and to commit to the long term obligations of the program.

20. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION ACCEPTING BID OF CUNNINGHAM GOLF, SPORT & UTILITY VEHICLES FOR THE LEASE OF 72 NEW GOLF CARTS FOR USE AT THE DEVOU PARK GOLF COURSE AND REJECTING ALL OTHER BIDS, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH CUNNINGHAM GOLF, SPORT & UTILITY VEHICLES IN AN AMOUNT NOT TO EXCEED \$53,884.00 ANNUALLY FOR FOUR YEARS, PAYABLE FROM THE DEVOU PARK GOLF COURSE OPERATING BUDGET.**

Staff Reporting: Lisa Desmarais, Operations Director

Recommendation: Approve Order/Resolution

NEXT REGULAR BOARD OF COMMISSIONERS MEETING: March 10, 2015

PUBLIC COMMENTS

COMMISSIONERS' COMMENTS

CITY MANAGER'S COMMENTS

CITY SOLICITOR'S COMMENTS

MAYOR'S COMMENTS

ADJOURNMENT