



**CITY OF COVINGTON, KENTUCKY
LEGISLATIVE MEETING
BOARD OF COMMISSIONERS
TUESDAY, APRIL 28, 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 April 14, 2015, (or motion to dispense with reading and approve minutes).

PRESENTATIONS

- Presentation of Donation to the Covington Fire Department by Griffin Contracting – Chief Dan Mathew
- COV200 Bicentennial Update – Norm Desmarais, Chair, COV200
- Update of the FYI 2015 Budget as of March 31, 2015 – Lisa Goetz, Finance Director

ITEMS FOR CONSIDERATION:

OLD BUSINESS – SECOND READING OF ORDINANCES

1. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE AMENDING § 34.50, OF THE COVINGTON CODE OF ORDINANCES, NON-UNIFORMED, NON-CIVIL SERVICE EMPLOYEES, AND COMMISSIONERS' ORDINANCE NO. O-27-13, CREATING THE POSITION OF ECONOMIC DEVELOPMENT MANAGER AND**

ESTABLISHING THE SALARY FOR THAT POSITION. *The position of Economic Development Manager replaces the position of Business Development Manager. The position will cover all of the duties previously assigned to the Business Development Manager with the addition of oversight of the City's Tax Increment Financing District, the Economic Development Program and the HUD 108 Loan Pool program. One additional staff member will also be assigned to this person.*

Staff Reporting: Larisa Sims, Assistant City Manager for Development

Recommendation: Approve Ordinance

2. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE AMENDING § 34.50 OF THE COVINGTON CODE OF ORDINANCE, NON-UNIFORMED, NON-CIVIL SERVICE EMPLOYEES, AND COMMISSIONERS' ORDINANCE NO O-27-13, CREATING THE POSITION OF COMPLIANCE OFFICER AND ESTABLISHING A SALARY FOR THE POSITION.** *The Compliance Officer will conduct compliance audits that will provide an independent, objective assessment designed to test and confirm legal compliance with applicable state, federal, and local laws and regulations, contractual agreements and internal policies and procedures. This staff member will assist departments by identifying where compliance risks may exist, recognize areas for improvement, provide recommendations to improve controls, and perform follow-up audits to assure compliance.*

Staff Reporting: Lisa Desmarais, Operations Director

Recommendation: Approve Ordinance

NEW BUSINESS – FIRST READING OF ORDINANCES

3. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE CREATING § 90.22 TITLED “GOATS, SHEEP AND GUARDIAN ANIMALS” AND AMENDING § 90.30 OF THE CITY OF COVINGTON CODE OF ORDINANCES TO ALLOW GOATS IN THE CITY FOR THE PURPOSE OF LAND MANAGEMENT PRACTICES SUBJECT TO RESTRICTIONS AND CITY APPROVAL.** *The City desires to promote urban farming practices to promote healthy living and best land management practices. Part of this effort is to allow the efficient use of goats in the City to control overgrowth of plants, and clear land of shrubbery and weeds. Gus Wolf, Loren VanDyke Wolff and Emily Wolff have joined together with others to promote urban farming practices in the city. A \$5,000 Creative Community Grant has been awarded to fund the*

use of 7-13 female goats to clear invasive plants and overgrowth in Goebel Park this summer.

Staff Reporting: Frank Warnock, City Solicitor/Assistant City Manager
First Reading, No Vote

4. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE READOPTING THE CITY OF COVINGTON CODE OF ORDINANCES, 1984 EDITION, TO INCLUDE THE 2015 S-26 SUPPLEMENT AND ALL PREVIOUSLY ADOPTED SUPPLEMENTS.** *The Code of Ordinances contains all ordinances currently in effect in the City. New Ordinances passed by the Board of Commissioners must be periodically added to the Code. American Legal Publishing has prepared the 2015 S-26 supplement which includes all ordinances adopted in 2014.*

Staff Reporting: Frank Warnock, City Solicitor/Assistant City Manager
First Reading, No Vote

NEW BUSINESS – ORDER/RESOLUTIONS

5. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION OF KEVIN PRIGGE, RECREATION INTERN, EFFECTIVE MARCH 30, 2015.** *Mr. Prigge was with the City for almost two years assisting with various recreation related duties. He has joined the Peace Corps and will be stationed somewhere in the Caribbean teaching English.*

Staff Reporting: Natalie Gardner, Programs and Strategic Projects Manager
Recommendation: Approve Order/Resolution

6. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF JOHN MAIROSE, AS A PART-TIME CADET IN THE COVINGTON POLICE DEPARTMENT, EFFECTIVE MAY 3, 2015.** *Mr. Mairose is the second part-time cadet in the department.*

Staff Reporting: Spike Jones, Police Chief
Recommendation: Approve Order/Resolution

7. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION FOR RETIREMENT OF ENGINEER PATRICK MALEY OF THE COVINGTON FIRE DEPARTMENT, EFFECTIVE APRIL 30, 2015.** *Engineer Maley has almost 23 years of service with the Department and is currently the engineer on Truck 7 in Latonia. He also maintains over 100 small engines annually for the department.*

Staff Reporting: Dan Mathew, Fire Chief

Recommendation: Approve Order/Resolution

8. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE PROMOTION OF FIREFIGHTER/EMT MICHAEL HILTON TO ENGINEER AND FIREFIGHTER/EMT CHRISTOPHER GREER TO ENGINEER, EFFECTIVE APRIL 28, 2015.** *With the recent retirements of Frank Glowatz and Patrick Maley, the department engineer ranks number 25 of 27. Hilton and Greer currently reside in the first and second positions respectively on the engineer's promotional examination list and both employees have shown the ability to fulfill the job duties of Engineer.*

Staff Reporting: Dan Mathew, Fire Chief

Recommendation: Approve Order/Resolution

9. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF GEOFF MILZ AS ECONOMIC DEVELOPMENT MANAGER IN THE BUSINESS DEVELOPMENT DIVISION OF THE DEVELOPMENT DEPARTMENT, EFFECTIVE JUNE 1, 2015.**

Staff Reporting: Larisa Sims, Assistant City Manager for Development

Recommendation: Approve Order/Resolution

10. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION REAPPOINTING CHARLES FANN, MAHER SARIEH AND LINDA COBBS-BANKS TO THE COVINGTON HUMAN RIGHTS COMMISSION FOR THREE-YEAR TERMS, EFFECTIVE APRIL 28, 2015, AND EXPIRING APRIL 27, 2018.**

Staff Reporting: Larry Klein, City Manager

Recommendation: Approve Order/Resolution

11. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPOINTING JONATHAN M. GROPE TO THE COVINGTON HUMAN RIGHTS COMMISSION FOR A THREE-YEAR TERM, EFFECTIVE MAY 16, 2015 AND EXPIRING MAY 15, 2018.**

Staff Reporting: Larry Klein, City Manager

Recommendation: Approve Order/Resolution

12. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION REQUESTING THAT SANITATION DISTRICT NO. 1 RESTORE ITS PROGRAM TO ADDRESS THE MAINTENANCE OF PRIVATE SANITARY SEWER LATERALS BETWEEN THE PRIVATE PROPERTY BOUNDARY AND THE CONNECTION TO THE PUBLIC SEWER.** *Prior to July 1, 2013, SD1 maintained the private sanitary sewer laterals between the private property and the connection to the public sewer as a service to its ratepayers as a matter of policy. There are currently over 40 sanitary sewer lateral issues in Covington alone that have resulted in the formation of sinkholes which create public health and safety issues. The elimination of this service has placed a burden on SD1 ratepayers who face repairs in the \$3,000 - \$15,000 range and it also requires the ratepayer to be responsible for replacing section of the public street. SD1 has the experience, expertise, and equipment to repair these laterals in a timely, cost effective, and high quality manner that would eliminate the public health and safety concerns these issues create.*

Staff Reporting: Larry Klein, City Manager

Recommendation: Approve Order/Resolution

13. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE ISSUANCE OF A REQUEST FOR BIDS FOR ASBESTOS INSPECTION OF STRUCTURES SLATED FOR DEMOLITION.** *This is part of the environmental guidelines that go along with demolishing multiple properties. The inspection reports that are generated will be used to solicit abatement companies to remove the asbestos and prepare the properties for demolition.*

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

Recommendation: Approve Order/Resolution

14. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION ACCEPTING THE BID OF EATON ASPHALT FOR THE ANNUAL RESURFACING WORK OF SECTION TWO OF THE CITY'S THREE-**

YEAR PAVING ROTATION, AND REJECTING ALL OTHER BIDS, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH EATON ASPHALT IN AN AMOUNT NOT TO EXCEED \$376,688.00, PAYABLE FROM CDBG FUNDS AND CAPITAL BOND FUNDS. *The City has been divided into three geographic areas with resurfacing occurring in one of the three areas on a three-year rotating basis. Area 2 includes Eastside, Austinburg, a portion of Wallace Woods, Peaselburg, Monte Casino, and West Latonia. Four bids were received for this work and Eaton Asphalt submitted the best responsible bid.*

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

Recommendation: Approve Order/Resolution

15. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION ACCEPTING THE BID OF HENDY, INC. FOR ANNUAL CONCRETE MAINTENANCE IN AN AMOUNT NOT TO EXCEED \$224,500.00, PAYABLE FROM CDBG FUNDS AND MUNICIPAL ROAD AID FUNDS, AND REJECTING ALL OTHER BIDS, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH HENDY, INC.** *The City advertised for a qualified concrete company to provide concrete services for one calendar year for the City. This work will include street repair, ADA curb ramps, curb replacement, paver work, and other concrete work the City does regularly. The bid package was set up so that unit prices are established for each bid item and Hendy will be paid based on the quantities that are actually performed. Money is saved by getting lower prices by bidding work out in bulk rather than bidding every small job separately.*

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

Recommendation: Approve Order/Resolution

16. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION ACCEPTING THE BID OF EATON ASPHALT FOR THE RESURFACING OF MADISON AVENUE FROM MARTIN LUTHER KING, JR. BOULEVARD TO TWENTIETH STREET, AND REJECTING ALL OTHER BIDS, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH EATON ASPHALT IN AN AMOUNT NOT TO EXCEED \$143,113.00, PAYABLE FROM CAPITAL BOND FUNDS WITH FULL REIMBURSEMENT FROM THE KENTUCKY TRANSPORTATION CABINET.** *As part of the State's budgeting/legislative process this year, State officials budgeted and awarded \$175,000 to fund the resurfacing of Madison Avenue between MLK, Jr. Blvd. and 20th Street. This*

funding will completely cover the resurfacing and restriping costs associated with the work.

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

Recommendation: Approve Order/Resolution

17. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION ACCEPTING THE BID OF GUTKNECHT CONSTRUCTION FOR REPAIRS TO THE CITY CENTER GARAGE, AND REJECTING ALL OTHER BIDS, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH GUTKNECHT CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$247,582.25, PAYABLE FROM CAPITAL BOND FUNDS.** *The City Center garage is in need of critical safety repairs. An error in the design was discovered when a vehicle drove through the vehicle restraint system. Following the accident, THP was hired to design repairs to the garage and bring it up to the current days' standards. The State then turned the ownership of the garage over to the City rather than fund the repairs. These repairs will correct the deficiencies. A bid alternate repair was included which will repair the leaking joints throughout the garage.*

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

Recommendation: Approve Order/Resolution

18. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY DEPARTMENT FOR LOCAL GOVERNMENT OFFICE OF FEDERAL GRANTS FOR A RECREATIONAL TRAILS PROGRAM GRANT FOR THE LICKING RIVER GREENWAY, AND FURTHER AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A DEED OF RESTRICTION STATING THAT THE PROPERTY IDENTIFIED WITH THE 2014 RECREATIONAL TRAILS PROGRAM GRANT FOR THE LICKING RIVER GREENWAY BE MAINTAINED AS A PUBLIC MULTI-USE NON-MOTORIZED RECREATIONAL TRAIL, SUBJECT TO ALL CONDITIONS SET FORTH IN THE MEMORANDUM OF AGREEMENT.** *As a condition of the Recreational Trails Program Grant, a deed restriction and Memorandum of Agreement are required.*

Staff Reporting: Natalie Gardner, Programs and Strategic Projects Manager

Recommendation: Approve Order/Resolution

19. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION ADOPTING THE CITY OF COVINGTON AND THE NORTHERN KENTUCKY HOME CONSORTIUM'S ANNUAL ACTION PLAN FOR THE PROGRAM YEAR BEGINNING JULY 1, 2015, AND ENDING JUNE 30, 2016, AND FURTHER AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS IN CONNECTION WITH THE SUBMISSION FOR FUNDING FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND THE HOME INVESTMENT PARTNERSHIP PROGRAM.** *The City is an entitlement city for CDBG and HOME programs and the City gets a formula based direct allocation each year. In order to spend these funds, the city must create a five-year Consolidated Plan and one year Annual Action Plans. The 30-day public comment period required by HUD commenced on March 23 and the draft Annual Action Plan was presented during a public meeting on March 31, 2015. Information gathered at the public hearing was used to prioritize funding to address the needs of low and moderate income people.*

Staff Reporting: Natalie Gardner, Programs and Strategic Projects Manager

Recommendation: Approve Order/Resolution

20. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING A CONTRACT AMENDMENT WITH HUB + WEBER ARCHITECTS, PLC FOR DESIGN AND ENGINEERING SERVICES FOR THE EVENTS CENTER AT THE DEVOU PARK GOLF COURSE IN AN AMOUNT NOT TO EXCEED \$203,180.00. PAYABLE FROM DEVOU PARK MASTER PLAN FUNDS.** *A contract with Hub + Weber was approved by Commission with O/R-86-13 for design and engineering services for the clubhouse facility. The original RFP was for design and engineering services with a lower estimated project cost. Through the design process, the new building estimated cost is \$4.7 million and therefore, a contract amendment needs to take place to ensure proper design.*

Staff Reporting: Natalie Gardner, Programs and Strategic Projects Manager

Recommendation: Approve Order/Resolution

21. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION DECLARING CERTAIN CITY PROPERTY AS SURPLUS AND AUTHORIZING ITS SALE AND DISPOSITION PURSUANT TO KRS §§ 82.083 AND 45A.425.** *The surplus property includes vehicles and mowers.*

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

Recommendation: Approve Order/Resolution

22. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING A DEVELOPMENT LEASE AGREEMENT WITH NKY BMX DEVELOPMENT, INC. FOR DEVELOPMENT AND OPERATION OF A BMX FACILITY LOCATED AT THE BILL CAPPEL SPORTS COMPLEX, WITH CITY EXPENSES PAYABLE FROM CDBG FUNDS.** *As part of the 2014-15 Annual Action Plan, \$45,000 was approved for the creation of a BMX facility within the City. Staff has been working with the NKY BMX group on site analysis and assembling necessary information to create a structure that will allow the current impound lot at the Bill Cappel Complex to be transformed. The City will be using \$45,000 CDBG funds to purchase supplies and the NKY BMX group will be utilizing in-kind donations to construct the track. The NKY BMX will operate the facility and will be making monthly lease payments to the City of \$600 from April through August.*

Staff Reporting: Natalie Gardner, Programs and Strategic Projects Manager

Recommendation: Approve Order/Resolution

PROJECT UPDATE

Presentation on Implementation of New Financial Software, Springbrook - Lisa Goetz,
Finance Director

**NEXT REGULARLY SCHEDULED BOARD OF COMMISSIONERS MEETING:
May 12, 2015**

SPECIAL CITY COMMISSION CAUCUS MEETING: April 29, 2015, 4:30 P.M.

PUBLIC COMMENTS

COMMISSIONERS' COMMENTS

CITY MANAGER'S COMMENTS

CITY SOLICITOR'S COMMENTS

MAYOR'S COMMENTS

ADJOURNMENT