

**CITY OF COVINGTON, KENTUCKY
LEGISLATIVE MEETING
BOARD OF COMMISSIONERS
TUESDAY, DECEMBER 16, 2014, 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 December 2, 2014, minutes (or motion to dispense with reading and approve minutes).

PRESENTATIONS

- COV200 Update Presentation – Norm Desmarais
- Finance Department Presentation – Lisa Goetz, Finance Director

ITEMS FOR CONSIDERATION:

OLD BUSINESS – SECOND READING OF ORDINANCES

1. Consider Ordinance No. O-27-14 entitled: **AN ORDINANCE ESTABLISHING THE DATES OF THE REGULAR LEGISLATIVE MEETINGS OF THE COVINGTON BOARD OF COMMISSIONERS FOR 2015.** *Cities are required by Kentucky Revised Statute to establish the dates for Board of Commissioners by ordinance. The dates identified in the legislation outline all the regular meetings of the Board of Commissioners for calendar year 2015.*

Staff Reporting: Larry Klein, City Manager

Recommendation: Approve Ordinance. Approval establishes the schedule for regular City Commission meetings for calendar year 2015.

2. Consider Ordinance No. O-28-14 entitled: **AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE KENTON COUNTY PLANNING**

COMMISSION TO AMEND THE TEXT OF THE BAVARIAN BREWERY REDEVELOPMENT PROJECT URBAN RENEWAL PLAN OF THE CITY OF COVINGTON, KENTUCKY (COMMISSIONERS' ORDINANCE NO. O-40-96 AS AMENDED BY COMMISSIONERS' ORDINANCE NO. O-24-09) TO ELIMINATE LANGUAGE THAT AUTHORIZED THE CITY TO OBTAIN PROPERTIES DESIGNATED IN PHASE II THROUGH CONDEMNATION PROCEEDINGS. *This has been requested from the Linden Gateway Small Area Study Implementation Group in order to encourage private development at the residential and commercial properties on MLK Jr. Blvd. that are west of Main Street on what is referred to as the Bavarian Brewery Complex.*

Staff Reporting: Beth Johnson, Preservation and Planning Specialist

Recommendation: Approve Ordinance. Approval amends the Bavarian Brewery Redevelopment Project Urban Renewal Plan by removing certain properties along Martin Luther King, Jr. Boulevard from the plan.

3. Consider Ordinance No. O-29-14 entitled: **AN ORDINANCE APPROVING A TEXT AMENDMENT TO THE CITY OF COVINGTON ZONING ORDINANCE AMENDING SECTION 9.04 OUTDOOR STORAGE/DISPLAY REGULATIONS.** *A number of local retail businesses in the CBD zoning district have expressed interest in setting out merchandise on city sidewalks. The current Code of Ordinances has provisions that allow for the set-out, however, the Zoning Ordinance needs to be amended in order to provide consistencies in the regulations.*

Staff Reporting: Andy Juengling, Zoning Specialist

Recommendation: Approve Ordinance. Approval amends the City's zoning ordinance to permit outdoor storage of merchandise retail businesses in the City's Central Business District zone.

4. Consider Ordinance No. O-30-14 entitled: **AN ORDINANCE AMENDING COVINGTON CODE OF ORDINANCE § 96.35 TO ESTABLISH SIDEWALK MAINTENANCE GUIDELINES AND ESTABLISHING A LONG-TERM MAINTENANCE PLAN.** *Public sidewalks in the City have been neglected for too long and the resolution debated almost as long. By City ordinance, sidewalks always have been and will continue to be the responsibility of the property owner to maintain. City staff and elected officials recognize there is a cost to sidewalk maintenance that many property owners do not have in their budget. Because of this, the elected officials approved spending \$6 million worth of bond money to replace the worst City blocks of sidewalk in all the neighborhoods throughout the City during the past two years. The sidewalk work*

in South Covington and Latonia has been completed. \$3 million in sidewalk repairs in the northern part of the City will be awarded this winter. These new sidewalks have made and will make a huge impact to the neighborhoods, businesses, property values, and the disabled community by making the City more inviting and walkable. To keep those improvements moving forward and become self-sustaining and to help ease the burden on residents to fund the maintenance of their sidewalk, the City has developed the attached plan that will allow for owners to take advantage of lower rates offered by City contracts, three-year tax assessments for the cost of the work, and potential grants toward sidewalk replacement based on household income. This plan will commence upon the completion of the sidewalk work in north Covington. This plan will enable the City's total \$6 million investment into public sidewalks in the past two years to be self-sustaining, as even those new sidewalks replaced in South Covington, Latonia, and to be constructed soon in north Covington, will eventually need replacement again.

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

Recommendation: Approve Ordinance. Approval allows the City to establish a more sustainable plan for regular maintenance of public sidewalks in the City and which offers several options to assist property owners with that responsibility.

NEW BUSINESS – ORDER/RESOLUTIONS

5. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION FOR RETIREMENT OF OFFICER MELISSA BERRY OF THE COVINGTON POLICE DEPARTMENT, EFFECTIVE JANUARY 31, 2015.** *Officer Berry has served the Covington Police Department for over 20 years.*

Staff Reporting: Spike Jones, Police Chief

Recommendation: Approve Order/Resolution. Approval accepts Officer Berry's resignation for retirement purposes. She has served the citizens of Covington well and best wishes are extended for her future endeavors.

6. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF JASON HOLBROOK AS A SERVICE REPRESENTATIVE IN THE SECTION 8 HOUSING PROGRAM, EFFECTIVE JANUARY 5, 2015.** *Mr. Holbrook is filling the position left open by Lori Collins who retired in September, 2014. He previously worked for the Cincinnati Metropolitan Housing Authority as a Section 8 Housing Specialist.*

Staff Reporting: Kim Phillips, Section 8 Coordinator

Recommendation: Approve Order/Resolution. Approval fills a vacant position in the City's Section 8 Housing Department. Mr. Holbrook was selected from a pool of several candidates. He is very well qualified for this position and recommended for appointment.

7. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION REAPPOINTING JOHN HAMMONS TO THE TELECOMMUNICATIONS BOARD OF NORTHERN KENTUCKY (TBNK) FOR A TWO-YEAR TERM, EFFECTIVE JANUARY 1, 2015, AND EXPIRING DECEMBER 31, 2016.**

Staff Reporting: Larry Klein, City Manager

Recommendation: Approve Order/Resolution. Approval reappoints Mr. Hammons to one of the City's two positions on the TBNK Board. Mr. Hammons has been an excellent member who attends the meetings regularly.

8. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF RICHARD SPOOR TO THE COVINGTON ECONOMIC DEVELOPMENT AUTHORITY BOARD FOR A FOUR-YEAR TERM, EFFECTIVE JANUARY 1, 2015, AND EXPIRING DECEMBER 31, 2018.** *Mr. Spoor is an attorney with Keating Muething & Klekamp, PLL, who has been practicing law for over 35 years in the areas of government financing and economic development.*

Staff Reporting: Larisa Sims, Assistant City Manager for Development

Recommendation: Approve Order/Resolution. Approval fills a position on the Covington Economic Development Authority Board. Mr. Spoor is highly qualified to serve in this capacity, with many years of legal experience in real estate development financing.

9. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF KENTON COUNTY JUDGE/EXECUTIVE-ELECT KRIS KNOCHELMANN TO THE COVINGTON ECONOMIC DEVELOPMENT AUTHORITY BOARD FOR A FOUR-YEAR TERM, EFFECTIVE JANUARY 1, 2015, AND EXPIRING DECEMBER 31, 2018.**

Staff Reporting: Larisa Sims, Assistant City Manager for Development

Recommendation: Approve Order/Resolution. Approval fills the position on the Covington Economic Development Authority Board that is reserved for the County, since the County is a participant in the City's Tax Increment Financing (TIF) District.

10. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION APPROVING THE REAPPOINTMENT OF MICHELLE HALLORAN TO THE DEVOU PARK ADVISORY COMMITTEE, FOR A THREE-YEAR**

TERM, EFFECTIVE JANUARY 1, 2015, AND EXPIRING DECEMBER 31, 2017.

Staff Reporting: Jessica Moss, GIS Specialist & Project Manager

Recommendation: Approve Order/Resolution. Approval reappoints Ms. Halloran to the Devou Park Advisory Board. She currently serves as Board Secretary. She has been an excellent member with a very good attendance record.

11. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION ADOPTING NEW FAIR MARKET RENT AMOUNTS FOR THE SECTION 8 PROGRAM, EFFECTIVE JANUARY 1, 2015.** *Each year, the U.S. Dept. of Housing and Urban Development establishes Fair Market Rent Amounts for geographical areas. The City's Section 8 Program desires to update its Fair Market Rent Amounts to be consistent with HUD guidelines and with other housing agencies in Northern Kentucky.*

Staff Reporting: Kim Phillips, Section 8 Coordinator

Recommendation: Approve Order/Resolution. Approval allows the City's Section 8 Housing program to be in compliance with HUD regulations requiring fair market rent amounts to be adopted.

12. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO AN ECONOMIC DEVELOPMENT AGREEMENT WITH 3DLT, LLC TO PROVIDE JOB DEVELOPMENT INCENTIVES PURSUANT TO CITY OF COVINGTON CODE OF ORDINANCES CHAPTER 116.** *3DLT began as a startup under UpTech, LLC and is now seeking its own space within the City. The firm will create a new annual payroll of at least \$250,000 within the first year and is eligible to enter into an economic development agreement with the City and receive a New Business Incentive equal to 1% of taxable payroll.*

Staff Reporting: Naashom Marx, Business Development Manager

Recommendation: Approve Order/Resolution. Approval allows 3DLT, a successful startup from the UpTech business accelerator in Covington, to participate in the City's economic development program for payroll tax incentives as it remains in Covington at RiverCenter towers, creating a new annual payroll of at least \$250,000.

13. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION APPROVING A FAÇADE GRANT IN AN AMOUNT NOT TO EXCEED \$20,000.00 TO LUCKY TWINS, LLC FOR PROPERTY LOCATED AT 602 MAIN STREET, PAYABLE FROM THE COVINGTON ECONOMIC DEVELOPMENT PROGRAM FUNDS.** *Lucky Twins purchased 602 Main Street in April 2014 had begun rehabilitation of the property. They are requesting this grant from the City to act as gap funding to help complete the company's plan to open a Latin-themed small plate restaurant.*

Staff Reporting: Naashom Marx, Business Development Manager

Recommendation: Approve Order/Resolution. Approval will assist in the rehabilitation of the property's façade and will stimulate economic development in the MainStrasse neighborhood.

14. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION ESTABLISHING COMPENSATION RATES FOR MEMBERS OF CITY BOARDS AND CITY APPOINTEES TO EXTERNAL BOARDS AND COMMISSIONS, AND REPEALING ALL PRIOR ORDER/RESOLUTIONS SETTING BOARD COMPENSATION.** *Compensation for various City boards and for City appointees to external boards and commissions has been set by prior order/resolutions. This Order/Resolution will allow the Board of Commissioners to set and reaffirm consistent compensation for various City boards and for City appointees.*

Staff Reporting: Larisa Sims, Assistant City Manager for Development

Recommendation: Approve Order/Resolution. Approval codifies the City's practice of nominal compensation for various City boards and commissions.

15. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A DEVELOPMENT AGREEMENT WITH BOONE BLOCK, LLC FOR A FORGIVABLE LOAN IN THE AMOUNT OF \$350,000.00 FOR THE REDEVELOPMENT OF PROPERTY LOCATED AT 402-422 SCOTT BOULEVARD, PAYABLE THROUGH THE COVINGTON ECONOMIC DEVELOPMENT PROGRAM.** *The property located at 402-422 Scott Boulevard is currently mostly vacant. Boone Block, LLC has proposed to convert the entire structure into nine single-family townhomes. The City's funding, along with funds provided by the Catalytic Development Funding Corp. of Northern Kentucky, will allow Boone Block, LLC to complete the Project's first model unit and the front façade for the property.*

Staff Reporting: Larisa Sims, Assistant City Manager for Development

Recommendation: Approve Order/Resolution. Approval allows Boone Block, LLC to proceed with a signature residential redevelopment project in the City's urban core, creating new single family housing units ranging in price from \$299,000 to \$450,000.

16. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO AN EXCLUSIVE NEGOTIATION AGREEMENT WITH QUEEN CITY WATER SPORTS CLUB, INC. FOR THE DESIGN AND DEVELOPMENT OF A BOATHOUSE FACILITY ALONG THE OHIO RIVER AT THE TERMINUS OF PETE ROSE PIER.** *Queen City Water Sports Club, Inc. ("QCSC") is looking for a new location to build a boathouse due to the increasing*

demand for quality kayak and canoe facilities and programs and approached the City with interest at the former Waterfront Restaurant site. The agreement will outline plans and terms for the design, development, and construction of a boathouse and associated facilities. The Board of Commissions has already approved \$52,600 in capital funds for the design of the site, per Commissioners' Order/Resolution No. O/R-309-13, and the remainder of the costs are expected to be funded by QCSC.

Staff Reporting: Larisa Sims, Assistant City Manager for Development

Recommendation: Approve Order/Resolution. Approval allows the City and Queen City Water Sports Club, Inc to enter into an Exclusive Negotiation Agreement for the design and development of a boathouse facility along the Ohio River at terminus of Pete Rose Pier. Queen City Water Sports will offer kayak and canoe facilities, and related programs and opportunities, including rowing for inner city girls, junior rowing, etc. This recreational amenity is an enormous benefit to the City's Riverfront Commons plan along the Ohio River, offering a significant attraction for participants and spectator and other visitors that will also benefit the City's hotels and Mainstrasse entertainment areas.

17. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN AMENDMENT TO CONTRACT ON BEHALF OF THE CITY WITH KOI WAREHOUSE, INC. d/b/a KOI AUTO PARTS TO ALLOW KOI TO CONTINUE TO PROVIDE ON-SITE VEHICLE SUPPLY SERVICES AT THE DEPARTMENT OF PUBLIC IMPROVEMENTS.** *The City and KOI entered into a five-year contract in October, 2009, wherein KOI provides on-site vehicle supply services for the City. This amendment will allow the City and KOI to enter into a month-to-month agreement so that the City can maintain current services while having time to prepare and issue a Request for Proposals.*

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

Recommendation: Approve Order/Resolution. Approval allows the City to amend its contract with KOI for vehicle supply services on a month-to-month basis while a new Request for Proposals is developed and issued.

18. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION ESTABLISHING WRITTEN PROCEDURES TO ENABLE THE CITY OF COVINGTON TO SATISFY ITS CONTINUING DISCLOSURE UNDERTAKINGS UNDER SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12, AS AMENDED, IN CONNECTION WITH THE ISSUANCE FROM TIME TO TIME OF CITY FINANCIAL OBLIGATIONS.** *The City has outstanding, and may in the future issue, financial obligations in connection with which the City has entered into one or more continuing disclosure undertakings under Rule 15c2-12 of the Securities and Exchange Commission. The City wishes to institute written procedures to enable*

the City to satisfy its commitments under the Rule and the Disclosure Undertakings

Staff Reporting: Lisa Goetz, Finance Director

Recommendation: Approve Order/Resolution. Approval allows the City to be in compliance with disclosure and reporting requirements of the Securities and Exchange Commission related to issuance of City financial obligations.

19. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION OF NAASHOM MARX, BUSINESS DEVELOPMENT MANAGER, EFFECTIVE JANUARY 2, 2015.** *Ms. Marx has been employed since October 2012. She has decided to take a position as the Vice President of Business Growth and International Trade at the Northern Kentucky Chamber of Commerce.*

Staff Reporting: Larisa Sims, Assistant City Manager for Development

Recommendation: Approve Order/Resolution. Approval accepts the resignation of Naashom Marx after a very successful tenure as the City's Business Development Manager. Naashom has been instrumental in the City's numerous economic development successes over the past three years and will be greatly missed. Her contributions are acknowledged and greatly appreciated.

PUBLIC COMMENTS

COMMISSIONERS' COMMENTS

CITY MANAGER'S COMMENTS

CITY SOLICITOR'S COMMENTS

MAYOR'S COMMENTS

ADJOURNMENT