



**CITY OF COVINGTON, KENTUCKY  
LEGISLATIVE MEETING  
BOARD OF COMMISSIONERS  
TUESDAY, October 25, 2016, 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 October 11 and October 18, 2016 (or motion to dispense with reading and approve minutes).

**PRESENTATIONS:**

- County Radio Project Update - Kenton County Judge Executive Kris Knochelmann
- FY 2016 Comprehensive Annual Financial Report (CAFR) – Heather Cochran, RFH, PLLC

**ITEMS FOR CONSIDERATION:**

**NEW BUSINESS – FIRST READING OF ORDINANCES**

1. Consider Ordinance No. O-xx-16 entitled: **AN ORDINANCE AMENDING CHAPTER 92 OF THE COVINGTON CODE OF ORDINANCES, NUISANCES, TO REFLECT MODIFICATIONS TO CODE ENFORCEMENT PROCEDURES AUTHORIZED BY HOUSE BILL 422 OF THE 2016 REGULAR SESSION OF THE GENERAL ASSEMBLY**

**WHICH MADE EXTENSIVE CHANGES TO THE STATUTES AUTHORIZING AND GOVERNING CODE ENFORCEMENT BOARDS.**

*The 2016 regular session of the Kentucky General Assembly enacted House Bill 422 which made comprehensive revisions to the statutes authorizing and governing Code Enforcement Boards. The enacted amendments consolidate three chapters of the statutes into one chapter, KRS 65.8801 to 65.8839. The City wishes to continue to utilize a Code enforcement Board under the new enacted chapter.*

**Staff Reporting:** Michael Bartlett, Assistant City Solicitor

**First Reading, No Vote**

2. Consider Ordinance No. O-xx-16 entitled: **AN ORDINANCE AMENDING SECTIONS 70.62, 94.63, 94.99, 95.65, 96.99, 110.28, 111.99, 152.21, AND APPENDIX A, COVINGTON, KENTUCKY ZONING ORDINANCE, ARTICLE 15, SECTIONS 15.03.08 AND 15.03.09 OF THE COVINGTON CODE OF ORDINANCES TO REFLECT NECESSARY REVISIONS BASED ON CHANGES TO CHAPTER 92 OF THE COVINGTON CODE OF ORDINANCES AND BASED ON EXTENSIVE CHANGES TO THE STATUTES AUTHORIZING AND GOVERNING CODE ENFORCEMENT BOARDS AND CODE ENFORCEMENT PROCEDURES AUTHORIZED BY HOUSE BILL 422 OF THE 2016 REGULAR SESSION OF THE GENERAL ASSEMBLY.** *With the revisions to Chapter 92, several section of the City's ordinances require revisions to comply with the new and revised sections of KRS and Chapter 92.*

**Staff Reporting:** Michael Bartlett, Assistant City Solicitor

**First Reading, No Vote**

3. Consider Ordinance No. O-xx-16 entitled: **AN ORDINANCE AMENDING SECTION 98.01, SOLID WASTE DISPOSAL, OF THE COVINGTON CODE OF ORDINANCES REVISING BILLING PROCEDURES AND REGULATIONS IN ACCORDANCE WITH THE CITY'S TRANSFER OF ALL BILLING RESPONSIBILITIES FOR SOLID WASTE AND RECYCLING SERVICES TO RUMPKE OF KENTUCKY, INC.** *The City, pursuant to O/R-239-16, gave notice to Rumpke of its intention to transition responsibility for all solid waste and recycling services, effective January 1, 2017. Part of the transition will require revisions to Section 98.01 changing the billing frequency from annually to quarterly and to change due dates and collection practices reflecting the agreement by Rumpke to assume these responsibilities.*

**Staff Reporting:** Michael Bartlett, Assistant City Solicitor  
**First Reading, No Vote**

4. Consider Ordinance No. O-xx-16 entitled: **AN ORDINANCE AMENDING THE OFFICIAL ZONING ORDINANCE OF THE CITY OF COVINGTON, KENTUCKY (O-37-06), TO APPROVE A MAP AMENDMENT CHANGING THE ZONING OF APPROXIMATELY 20 ACRES LOCATED ON THE SOUTHWEST SIDE OF THE INTERSECTION OF AMSTERDAM ROAD WITH MONTAGUE ROAD, AND ON THE NORTH SIDE OF DIXIE HIGHWAY/PIKE STREET BETWEEN ARLINGTON ROAD TO THE WEST AND GRAYS PEAK TO THE EAST, APPROXIMATELY 150 FEET WEST OF GRAYS PEAK FROM RU-2B, URBAN RESIDENTIAL TO RU-2B (PUD).** *A map amendment request was filed with the Kenton County Planning Commission for the zone change and the Planning Commission held a public hearing on the matter on September 1, 2016. A favorable recommendation was made to adopt the proposed map amendment to change the zoning from RU-2B to RU-2B (PUD).*

**Staff Reporting:** Donald Warner, Development Manager; Alex Koenig, Zoning & Development Specialist  
**First Reading, No Vote**

5. Consider Ordinance No. O-xx-16 entitled: **AN ORDINANCE AMENDING THE OFFICIAL ZONING ORDINANCE OF THE CITY OF COVINGTON, KENTUCKY (O-37-06) TO APPROVE A TEXT AMENDMENT REGARDING THE HEIGHT OF THE BOTTOM OF PROJECTING SIGNS.** *A number of variance requests have been heard and approved by the Board of Adjustment regarding the height of the bottom of projecting signs. These were due in large part to the presence of architectural features of our historic buildings. A text amendment was filed with the Kenton County Planning Commission who voted favorably to recommend that the City adopt a text amendment to remove the maximum height of the bottom of projecting signs.*

**Staff Reporting:** Donald Warner, Development Manager; Alex Koenig, Zoning & Development Specialist  
**First Reading, No Vote**

6. Consider Ordinance No. O-xx-16 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 SENIOR ASSISTANT CITY SOLICITOR/ABC ADMINISTRATOR AND ESTABLISHING A SALARY FOR THE POSITION.**

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

**Recommendation:** Approve Order/Resolution

7. Consider Ordinance No. O-xx-16 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 FINANCE ANALYST AND ESTABLISHING A SALARY FOR THE POSITION.** *The City has implemented multiple new technologies that have lessened the need for a dedicated full-time employee to process payroll. The City has also identified a need to increase resources to perform tax auditing. The new position Finance Analyst's duties will be split 25% payroll processing and 75% tax auditing.*

**Staff Reporting:** Lisa Desmarais, Director of Finance and Operations

**First Reading, No Vote**

**NEW BUSINESS – ORDER/RESOLUTIONS**

8. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE PROMOTION OF PARAMEDIC/FIREFIGHTER MICHAEL WITTERSTAETTER TO PARAMEDIC/ENGINEER, IN THE COVINGTON FIRE DEPARTMENT, EFFECTIVE OCTOBER 26, 2016.** *With a recent retirement, the Engineer's position was made available and Paramedic/Firefighter Witterstaetter is next on the current Engineer's promotional list.*

**Staff Reporting:** Dan Mathew, Fire Chief

**Recommendation:** Approve Order/Resolution

9. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH CRESCENT SPRINGS FIRE & EMS TO FACILITATE AN APPLICATION FOR THE NORTHERN KENTUCKY REGIONAL RADIO GRANT.**

**Staff Reporting:** Dan Mathew, Fire Chief

**Recommendation:** Approve Order/Resolution

10. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN AMENDMENT TO THE CURRENT CONTRACT WITH ADPI MODIFYING THE ELECTRONIC PATIENT CARE SOFTWARE AND HARDWARE AND EXTENDING THE CURRENT CONTRACT FOR AN ADDITIONAL ONE YEAR TO EXPIRE JUNE 30, 2019.**

**Staff Reporting:** Dan Mathew, Fire Chief/Dave Geiger, EMS Director

**Recommendation:** Approve Order/Resolution

11. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION ADOPTING A JOB DESCRIPTION FOR THE POSITION OF SENIOR ASSISTANT CITY SOLICITOR/ABC ADMINISTRATOR AND AMENDING THE JOB DESCRIPTION FOR ASSISTANT CITY SOLICITOR.**

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

**Recommendation:** Approve Order/Resolution

12. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF MATTHEW STEWART AS ASSISTANT CITY SOLICITOR IN THE LEGAL DEPARTMENT, EFFECTIVE OCTOBER 27, 2016.**

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

**Recommendation:** Approve Order/Resolution

13. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF ERIN SMILEY AS THE RECREATION PROGRAM COORDINATOR IN THE DEVELOPMENT DEPARTMENT, EFFECTIVE NOVEMBER 29, 2016.**

**Staff Reporting:** Rosie Santos, Parks and Recreation Manager

**Recommendation:** Approve Order/Resolution

14. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AMENDING THE JOB DESCRIPTION FOR THE POSITION OF FINANCE TECHNICIAN IN THE COVINGTON FINANCE**

**DEPARTMENT.** *This position was created in 2005 and this amendment will reflect the current duties and responsibilities of the Finance Technician.*

**Staff Reporting:** Lisa Desmarais, Director of Finance and Operations

**Recommendation:** Approve Order/Resolution

15. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A REVOCABLE LICENSE AGREEMENT WITH BRAXTON BREWING COMPANY TO FACILITATE THE INSTALLATION OF A PARKLET FOR A TERM COMMENCING NO SOONER THAN MARCH 15, 2017 AND EXPIRING NO LATER THAN NOVEMBER 1, 2017.** *Braxton installed a parklet in front of its business this past May as part of the City-wide parklet initiative. Braxton found this parklet to be a successful addition to its location and has requested that it be allowed to re-install the parklet next March. They will store the parklet over the winter and have also agreed to pay a rate of \$25.00 per month as compensation for the use of the parking space that will be occupied by the parklet next year.*

**Staff Reporting:** Donald Warner, Development Manager

**Recommendation:** Approve Order/Resolution

16. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT AND ALL OTHER NECESSARY DOCUMENTS WITH CTI CLINICAL TRIAL SERVICES, INC. TO PROVIDE BUSINESS INCENTIVES PURSUANT TO THE CITY OF COVINGTON CODE OF ORDINANCES CHAPTER 116 AND RESERVED, REDUCED RATE PARKING WITHIN THE RIVERCENTER GARAGE.** *Under this incentive agreement, CTI will obtain the benefit of a 1.25% occupational tax rebate beginning in tax year 2021 for a 10-year period. Its ability to stagger its City incentive will allow CTI to coordinate the incentives that it has also received from Kenton County and the State. Also included in this O/R, the City has included the added benefit of the use of 20 parking spaces at the reduced rate of \$25.00 per month for a 10-year period, commencing upon CTI's move into RiverCenter Towers.*

**Staff Reporting:** Donald Warner, Development Manager

**Recommendation:** Approve Order/Resolution

17. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AWARDING THE PARKING STUDY REQUEST FOR PROPOSALS TO CARL WALKER AS THE MOST RESPONSIVE AND RESPONSIBLE PROPOSER AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH CARL WALKER TO PERFORM A PARKING STUDY FOR AN AMOUNT NOT TO EXCEED \$45,600.00, CONTINGENT UPON FINAL APPROVAL BY THE COVINGTON ECONOMIC DEVELOPMENT AUTHORITY BOARD, PAYABLE FROM THE ECONOMIC DEVELOPMENT FUND.**

**Staff Reporting:** Donald Warner, Development Manager

**Recommendation:** Approve Order/Resolution

18. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN AMENDED PARKING INCENTIVE AGREEMENT WITH MADISON AVE. HOLDINGS, LLC TO MODIFY THE LOCATION OF THE PARKING LOT FROM 22-26 EAST NINTH STREET TO THE CITY-OWNED PARKING LOT AT 901-905 MADISON AVENUE.** *The original agreement provided the company access to 12 parking spaced at a reduced cost in the City-owned lot at 22-26 East 9<sup>th</sup> Street. The company has since determined that it would be more convenient for its tenants to utilize the lot at 901-905 Madison Avenue.*

**Staff Reporting:** Donald Warner, Development Manager

**Recommendation:** Approve Order/Resolution

19. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE 2016-2017 DEVOU TRUST PARK PROJECT ALLOCATIONS AS RECOMMENDED BY THE DEVOU PARK ADVISORY COMMITTEE.**

**Staff Reporting:** Rosie Santos, Parks and Recreation Manager

**Recommendation:** Approve Order/Resolution

20. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE ADOPTION OF THE 2016 PARKS, RECREATION AND OPEN SPACE PLAN.**

**Staff Reporting:** Rosie Santos, Parks and Recreation Manager

**Recommendation:** Approve Order/Resolution

21. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A TWO-YEAR CONTRACT WITH SWIMSAFE POOL MANAGEMENT FOR SERVICES RELATED TO THE OPERATION OF GOEBEL POOL, RANDOLPH POOL AND THE COVINGTON WATERPARK, IN AN AMOUNT NOT TO EXCEED \$175,000.00, FOR THE FIRST CONTRACT YEAR AND \$180,200.00 FOR THE SECOND CONTRACT YEAR, PAYABLE FROM GENERAL FUND.**

**Staff Reporting:** Rosie Santos, Parks and Recreation Manager

**Recommendation:** Approve Order/Resolution

22. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE PUBLICATION OF A REQUEST FOR BIDS FOR THE CONSTRUCTION OF NEW STORM PIPES, UNDERDRAINS, CATCH BASINS, AND STREET PAVEMENT ON CRYSTAL LAKE DRIVE.** *There are currently no drainage pipes and structures located at the intersection of Crystal Lake and Bluffside. This area experiences flooding and drainage problems and the pavement is failing.*

**Staff Reporting:** Rick Davis, Public Services Director

**Recommendation:** Approve Order/Resolution

23. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE PUBLICATION OF A REQUEST FOR BIDS FOR A SLOPE MOWER FOR MAINTENANCE OF THE CITY'S LEVEE FLOOD PROTECTION SYSTEM.** *The equipment currently being used to mow the levee areas is over 35 years old and not conducive to the working conditions.*

**Staff Reporting:** Rick Davis, Public Services Director

**Recommendation:** Approve Order/Resolution

24. Consider Order/Resolution No. O/R-xx-16 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 includes two vehicles and three push mowers.*

**Staff Reporting:** Rick Davis, Public Services Director

**Recommendation:** Approve Order/Resolution

25. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING A PAYMENT OF \$300.00 TO THOSE INDIVIDUALS WHO ARE MEMBERS OF THE CITY'S EMPLOYEE RETIREMENT FUND, IN A TOTAL AMOUNT OF \$11,100.00, PAYABLE FROM THE GENERAL FUND.**

**Staff Reporting:** Lisa Desmarais, Director of Finance and Operations

**Recommendation:** Approve Order/Resolution

26. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING A PAYMENT OF \$300.00 TO THOSE INDIVIDUALS WHO ARE MEMBERS OF THE CITY'S POLICE AND FIREMEN'S RETIREMENT FUND, IN A TOTAL AMOUNT OF \$19,800.00, PAYABLE FROM THE GENERAL FUND.**

**Staff Reporting:** Lisa Desmarais, Director of Finance and Operations

**Recommendation:** Approve Order/Resolution

27. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH THE BEHRINGER-CRAWFORD MUSEUM BOARD OF TRUSTEES, INC. FOR SERVICES RELATED TO THE OPERATION OF THE DEVOU PARK MUSEUM, IN AN AMOUNT NOT TO EXCEED \$10,000.00.**

**Staff Reporting:** Larry Klein, City Manager

**Recommendation:** Approve Order/Resolution

**PRESENTATION:** 2016 Devou Park Golf Course Performance – David Peru, General Manager, Devou Park Golf Course

**PROJECT UPDATE:** Scott Boulevard/6<sup>th</sup> Street to Mainstrasse Corridor Streetscape Project, Mike Yeager, City Engineer/Development Director

**Next regularly scheduled Legislative Commission Meeting: 6:00 PM, Tuesday, November 15, 2016.**

**Next regularly scheduled Caucus Meeting: 6:00 PM, Tuesday, December 13, 2016.**

**PUBLIC COMMENTS**

**COMMISSIONERS' COMMENTS**

**CITY MANAGER'S COMMENTS**

**CITY SOLICITOR'S COMMENTS**

**MAYOR'S COMMENTS**

**ADJOURNMENT**

**DRAFT**