

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, September 24, 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, September 24, 2013, at 6:00 p.m., in Commission Chambers, 638 Madison Avenue, Covington, Kentucky.

Mayor Carran presiding with Commissioners Chuck Eilerman, Mildred Rains, Michelle William, City Manager Larry Klein, and City Solicitor Frank Warnock, present. Commission Steve Frank was out of town and not present at the meeting

MOTION of Commissioner Rains, seconded by Commissioner Eilerman to dispense with the reading of and approve the minutes of the September 10, 2013, meeting minutes.

Passed. 4 Yeas. Commissioners Eilerman, Rains, Williams, and Mayor Carran.

PRESENTATIONS

There were no presentations.

OLD BUSINESS – SECOND READING OF ORDINANCES

ARCHEOLOGICAL EXCAVATION – Devou Park is home to several historically significant batteries and the park could hold historic Civil War, Native American, and other artifacts. The City has a fiduciary duty to preserve those items and not allow their removal without standards for documentation and preservation.

COMMISSIONERS' ORDINANCE NO. O-33-13

AN ORDINANCE AMENDING CHAPTER 94 OF THE COVINGTON CODE OF ORDINANCES TO ESTABLISH A PERMITTING PROCESS FOR ARCHEOLOGICAL EXCAVATION IN DEVOU PARK.

MOTION of Commissioner Eilerman, seconded by Commissioner Williams.
Passed. 4 Yeas. Commissioners Eilerman, Rains, Williams, and Mayor Carran.

NEW BUSINESS – FIRST 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.

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.

FIRST READING, NO VOTE

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.

FIRST READING, NO VOTE

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NEW BUSINESS – ORDER/RESOLUTIONS

RETIREMENT POLICE DEPARTMENT – Dave is the son of retired Lt. Col. David Finan, Sr. and began his service with the Covington Police Department on October 11, 1993. Dave has been recognized as employee of the month by the Department and in 1997 he received the Governor's Award for his efforts in DUI enforcement. Sgt. Finan will be missed not only by the Police Department but also by the residents of our City.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-263-13

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION FOR RETIREMENT OF SERGEANT DAVID FINAN, JR. FROM THE COVINGTON POLICE DEPARTMENT, EFFECTIVE SEPTEMBER 30, 2013.

MOTION of Commissioner Eilerman, seconded by Commissioner Rains.
Passed. 4 Yeas. Commissioners Eilerman, Rains, Williams, and Mayor Carran.

HONORARY POLICE OFFICER – There has been a Finan family member with the Covington Police Department since 1950 and with the retirement of Sgt. Dave Finan, Jr., a void exists in the department that needs to be filled. Appointing Donovan Finan as an Honorary Police Officer will keep the Finan tradition alive.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-264-13

AN ORDER/RESOLUTION APPOINTING DONAVAN FINAN AN HONORARY CITY OF COVINGTON POLICE OFFICER.

MOTION of Commissioner Eilerman, seconded by Commissioner Williams.
Passed. 4 Yeas. Commissioners Eilerman, Rains, Williams, and Mayor Carran.

BOARD APPOINTMENT – Mr. Nassano is a retired Covington Firefighter and a Covington resident. He has been an ardent volunteer on the Licking River Greenway project.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-265-13

AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF STANLEY NASSANO TO THE COVINGTON URBAN FORESTRY BOARD, FOR A THREE-YEAR TERM, EFFECTIVE SEPTEMBER 24, 2013, AND EXPIRING SEPTEMBER 23, 2016.

MOTION of Commissioner Rains, seconded by Commissioner Williams.
Passed. 4 Yeas. Commissioners Eilerman, Rains, Williams, and Mayor Carran.

JOB DESCRIPTION – The job description outlines the Essential Duties and Knowledge, Skills and Abilities required for the Internal Auditor to perform the work. This job description is based heavily on the job description for the position of Internal Auditor in the City of Bowling Green, Kentucky, a city that established this position after their Finance Director embezzled public funds. The City's Audit Committee and Task Force to Restore Public Confidence in the City's Financial Operations have reviewed the job description and provided input.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-266-13

AN ORDER/RESOLUTION APPROVING THE JOB DESCRIPTION FOR INTERNAL AUDITOR.

MOTION of Commissioner Eilerman, seconded by Commissioner Rains.
Passed. 4 Yeas. Commissioners Eilerman, Rains, Williams, and Mayor Carran.

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JOB DESCRIPTION – The City's Audit Committee and Task Force to Restore Public Confidence in the City's Financial Operations have reviewed the job description and provided input.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-267-13

AN ORDER/RESOLUTION APPROVING THE UPDATED JOB DESCRIPTION FOR FINANCE DIRECTOR IN THE CITY OF COVINGTON FINANCE DEPARTMENT.

MOTION of Commissioner Eilerman, seconded by Commissioner Rains.
Passed. 4 Yeas. Commissioners Eilerman, Rains, Williams, and Mayor Carran.

CLEAN WATER PROJECT PROFILE PROGRAM – This project will construct a series of five retention basins above Highland Avenue and Ray's Lane with the intended benefit of reducing storm water flooding and basement combined sewer backup in the Peaselburg neighborhood. This project will not resolve all such issues but is a beginning. Additional projects will be forthcoming in the future. SD1 is providing the detailed engineering design for this project. The City will fund the construction utilizing \$600,000 in grants from the Kentucky Infrastructure Authority secured by Rep. Arnold Simpson to help defray the estimated \$2 million project cost. Once the retention basins are constructed, they will be owned and maintained by SD1.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-268-13

AN ORDER/RESOLUTION APPROVING THE APPLICATION FOR THE CLEAN WATER PROJECT PROFILE PROGRAM, AND DEDICATING TWO HOUSE BILL GRANTS FOR THE DESIGN AND CONSTRUCTION OF STORMWATER DETENTION BASINS IN THE POINTE BENTON AND RAY'S LANE AREAS OF COVINGTON, KENTUCKY.

MOTION of Commissioner Rains, seconded by Commissioner Williams.
Passed. 4 Yeas. Commissioners Eilerman, Rains, Williams, and Mayor Carran.

FOURTH STREET AND CLAY WADE BAILEY BRIDGE – This intersection is located on one of the major gateways into the City and the island is currently filled with rock and weeds. A landscaping plan has been put together by City's Arborist and Urban Forestry. A determination will be made as to whether the work will be done by City staff or contracted out.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-269-13

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE KENTUCKY TRANSPORTATION CABINET FOR CONSTRUCTION AND MAINTENANCE OF LANDSCAPING IN THE ISLAND AT THE INTERSECTION OF FOURTH STREET AND THE CLAY WADE BAILEY BRIDGE.

MOTION of Commissioner Eilerman, seconded by Commissioner Rains.
Passed. 4 Yeas. Commissioners Eilerman, Rains, Williams, and Mayor Carran.

EASTERN AVENUE SLIDE – the hillside adjacent to the existing retaining wall on Eastern Avenue near Meinken Field is beginning to slide. A tie-back retaining wall has been designed to correct the problem and prevent further slippage from occurring. Two bids were received and opened on September 18 and Scherzinger submitted the lowest responsible bid.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-270-13

AN ORDER/RESOLUTION ACCEPTING THE BID OF SCHERZINGER DRILLING, INC. TO REPAIR THE HILLSIDE SLIDE ON EASTERN

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AVENUE NEAR MEINKEN FIELD, AND REJECTING ALL OTHER BIDS, IN AN AMOUNT OF \$340,000.00, PAYABLE FROM CAPITAL FUND.

MOTION of Commissioner Eilerman, seconded by Commissioner Rains.
Passed. 4 Yeas. Commissioners Eilerman, Rains, Williams, and Mayor Carran.

EASEMENT AGREEMENT – A tie-back retaining wall needs to be installed on Eastern Avenue to repair the slide. The tie-backs will be underground but will encroach onto the property at 2613-2615 Eastern Avenue and an easement is necessary to allow the City's contractors to construct the wall.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-271-13

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN EASEMENT AGREEMENT WITH NANCY KAYE HIGGINS FOR PROPERTY LOCATED AT 2613-2615 EASTERN AVENUE.

MOTION of Commissioner Rains, seconded by Commissioner Williams.
Passed. 4 Yeas. Commissioners Eilerman, Rains, Williams, and Mayor Carran.

EASEMENT AGREEMENT - A tie-back retaining wall needs to be installed on Eastern Avenue to repair the slide. The tie-backs will be underground but will encroach onto the property at 2617 Eastern Avenue and an easement is necessary to allow the City's contractors to construct the wall.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-272-13

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN EASEMENT AGREEMENT WITH KAREN FEDERLEIN FOR PROPERTY LOCATED AT 2617 EASTERN AVENUE.

MOTION of Commissioner Rains, seconded by Commissioner Williams.
Passed. 4 Yeas. Commissioners Eilerman, Rains, Williams, and Mayor Carran.

PARKWAY BRIDGE REPAIRS - The Kentucky Transportation Cabinet sent a work order following its annual inspection of this bridge. In order to avoid a restriction on heavy vehicular traffic on the bridge, the items on the work order need to be repaired. Only one bid was received and opened on September 18.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-273-13

AN ORDER/RESOLUTION ACCEPTING THE BID OF INTECH CONTRACTING FOR REPAIRS TO THE PARKWAY BRIDGE OVER HIGHWAY AVENUE, IN AN AMOUNT OF \$29,500.00, PAYABLE FROM CAPITAL FUND.

MOTION of Commissioner Eilerman, seconded by Commissioner Rains.
Passed. 4 Yeas. Commissioners Eilerman, Rains, Williams, and Mayor Carran.

AGREEMENT WITH DUKE ENERGY – This project will place overhead electric lines underground. Following Duke's work, contractors will restore the sidewalks with streetscape amenities.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-274-13

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO A BILLING AUTHORIZATION AGREEMENT WITH DUKE ENERGY FOR THE RELOCATION OF OVERHEAD ELECTRIC FACILITIES TO AN UNDERGROUND ELECTRIC SYSTEM ON MADISON AVENUE BETWEEN FOURTH STREET AND FIFTH STREET, IN AN AMOUNT NOT TO EXCEED \$85,000.00, PAYABLE FROM TIMES STAR COMMONS FUNDS.

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MOTION of Commissioner Eilerman, seconded by Commissioner Williams.
Passed. 4 Yeas. Commissioners Eilerman, Rains, Williams, and Mayor Carran.

OVERHEAD UTILITY LINES – This project will place all overhead utility lines underground and it will be necessary to remove some existing sidewalks to place the necessary conduits. The existing sidewalk will be replaced to match the existing streetscapes. Two bids were received and opened on September 18 and Hendy submitted the lowest responsible bid. These funds are available thanks to Rep. Arnold Simpson and the passage of HB380.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-275-13

AN ORDER/RESOLUTION ACCEPTING THE BID OF HENDY, INC. FOR PLACEMENT OF OVERHEAD UTILITY LINES UNDERGROUND ON MADISON AVENUE BETWEEN FOURTH STREET AND FIFTH STREET AND REPLACEMENT OF THE SIDEWALK WITH STREETSCAPE IMPROVEMENTS ON MADISON AVENUE TO TOBACCO ALLEY, AND REJECTING ALL OTHER BIDS, IN AN AMOUNT OF \$80,276.00, PAYABLE FROM TIME STAR COMMONS FUND.

MOTION of Commissioner Eilerman, seconded by Commissioner Rains.
Passed. 4 Yeas. Commissioners Eilerman, Rains, Williams, and Mayor Carran.

SIDEWALK REPLACEMENT – This is the first phase of the city-wide sidewalk replacement program. All of the sidewalk blocks that were found to be 25 percent deteriorated or worse as part of the sidewalk inventory that NKAPC did for the City will be replaced. Two bids were received and opened on September 18 and Prus Construction submitted the lowest responsible bid.

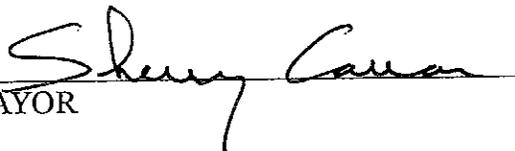
COMMISSIONERS' ORDER/RESOLUTION NO. O/R-276-13

AN ORDER/RESOLUTION ACCEPTING THE BID OF PRUS CONSTRUCTION COMPANY FOR REPLACEMENT OF SIDEWALKS IN SOUTH COVINGTON AND LATONIA, AND REJECTING ALL OTHER BIDS, IN AN AMOUNT OF \$2,488,516.85, PAYABLE FROM CAPITAL FUND.

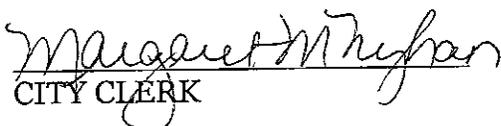
MOTION of Commissioner Eilerman, seconded by Commissioner Rains.
Passed. 4 Yeas. Commissioners Eilerman, Rains, Williams, and Mayor Carran.

ADJOURNMENT

MAYOR CARRAN adjourned the meeting at 7:25 p.m.


MAYOR

ATTEST:


CITY CLERK

APPROVED: 10-08-13