

**MINUTES**  
**BOARD OF COMMISSIONERS' MEETING**  
**Tuesday, February 12, 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, February 12, 2013, at 6:00 p.m., in Commission Chambers, 638 Madison Avenue, Covington, Kentucky.

Mayor Carran presiding with Commissioners Chuck Eilerman, Steve Frank, Mildred Rains, Michelle William, City Manager Larry Klein, and City Solicitor Frank Warnock, present.

**MOTION** of Commissioner, seconded by Commissioner to dispense with the reading of and approve the minutes of the January 28 and 29, 2013, meeting minutes.

**Passed.** 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

**OLD BUSINESS – SECOND READING OF ORDINANCES**

**PUBLIC RIGHT-OF-WAY VACATION** – The City owns the property located at 304 Berry Street and abutting this property is a public right-of-way that had previously been thought to be part of the 304 Berry Street lot. This ordinance will close this tract as a public right-of-way so that it can be consolidated with the property at 304 Berry Street.

**COMMISSIONERS' ORDINANCE NO. O-02-13**

AN ORDINANCE VACATING A TRACT OF PUBLIC RIGHT-OF-WAY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF HOLMAN STREET AND BERRY STREET AND ABUTTING 304 BERRY STREET.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Williams.

**Passed.** 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

**FLOOD INSURANCE RATE MAPS TEXT AMENDMENT** – On August 7, 2012, the City Commission approved the new Flood Damage Prevention ordinance as mandated by FEMA and the Kentucky Division of Water, prior to the announcement of the adoption date for the most recent Flood Insurance Rate Maps. All municipalities in Kenton County were contacted January 8, 2013, regarding the updating of the ordinance to ensure the new adoption date is included in the text.

**COMMISSIONERS' ORDINANCE NO. O-03-13**

AN ORDINANCE AUTHORIZING A TEXT AMENDMENT TO THE CITY OF COVINGTON ZONING ORDINANCE TO AMEND AND UPDATE THE ADOPTION DATE OF THE UPDATED FLOOD INSURANCE RATE MAPS (FIRMS) IN THE FLOOD PROTECTION ORDINANCE AS MANDATED BY FEMA AND THE KENTUCKY DIVISION OF WATER.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Rains.

**Passed.** 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

**OCCUPATIONAL LICENSE FEE REDUCTION** – The Board of Commissioners previously approved a reduction of its occupational license fee in its ongoing effort to promote economic viability for the businesses and citizens of Covington. Chapter 116

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provides economic incentives based on the City's occupational license fee rate and has a sunset clause that needs to be removed.

**COMMISSIONERS' ORDINANCE NO. O-04-13**

AN ORDINANCE AMENDING CHAPTER 116 OF THE COVINGTON CODE OF ORDINANCES TO REFLECT THE CITY'S REDUCTION OF ITS OCCUPATIONAL LICENSE FEE FROM 2.5 PERCENT TO 2.45 PERCENT, AND TO REMOVE ITS SUNSET CLAUSE.

**MOTION** of Commissioner Rains, seconded by Commissioner Williams.  
**Passed.** 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

**NEW BUSINESS – FIRST READING OF ORDINANCES**

**OUTDOOR MUSIC** –The Roebing Point tavern and restaurant owners have requested an extension of time when outdoor music can be allowed on the outside portion of their premises. These businesses may obtain licenses from the City that allow them to place tables and chairs on the sidewalks for their patrons. There is a fee and restrictions affiliated with obtaining a license.

**COMMISSIONERS' ORDINANCE NO. O-05-13**

AN ORDINANCE AMENDING § 96.70(C)(5) OF THE COVINGTON CODE OF ORDINANCES TO EXTEND THE TIME WHEN OUTDOOR MUSIC IS ALLOWED IN THE ROEBLING POINT BUSINESS DISTRICT.

**FIRST READING - NO VOTE**

**NEW BUSINESS – ORDER/RESOLUTIONS**

**PENSION REFORM** – This Order/Resolution endorses the CERS pension system reforms proposed by the Kentucky League of Cities which include: adoption of a hybrid cash balance plan for new employees in CERS; reset the amortization period for CERS for payment of the unfunded liability to a new 30 year period; eliminate the automatic cost of living adjustment (COLA) for all current and future CERS retirees; and appoint an additional member to the Kentucky Retirement Systems Board of Trustees selected by the Governor from a list submitted by the Kentucky League of Cities.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-38-13**

AN ORDER/RESOLUTION SUPPORTING REFORMS TO THE COUNTY EMPLOYEES' RETIREMENT SYSTEM (CERS) TO MAKE THE PLAN SUSTAINABLE, SOUND, AND SECURE FOR THE CURRENT AND FUTURE EMPLOYEES.

**MOTION** of Commissioner Rains, seconded by Commissioner Williams.  
**Passed.** 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

**LEASE AGREEMENT** – 638 Madison, LLC is an entity that has been formed by the developers of the Hotel Covington. If all goes according to plan, City Hall will be transformed into Hotel Covington, a destination location boutique hotel in the building at 7<sup>th</sup> and Madison where Coppin's Department Store was located that is now serving as City Hall. 638 Madison, LLC will use the office space at 638 Madison Avenue while the development of the project is underway.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-39-13**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN AGREEMENT WITH 638 MADISON, LLC

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TO PERMIT THE LEASE OF OFFICE SPACE AT 638 MADISON AVENUE.

**MOTION** of Commissioner Frank, seconded by Commissioner Williams.  
**Passed.** 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

**ARCHITECTURAL SERVICES CONTRACT** – City Hall is currently located at the future home of The Hotel Covington. Moody Nolan, Inc., a design and architectural firm with an office in Covington has submitted a proposal to provide design services for a new City Hall. Pursuant to KRS 45A.380, the board of Commissioners finds that competition is not feasible under the circumstances, that an emergency exists, and the contract is for the services of a licensed professional architect.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-40-13**

AN ORDER/RESOLUTION APPROVING A CONTRACT WITH MOODY NOLAN, INC. FOR DESIGN DEVELOPMENT ARCHITECTURAL SERVICES FOR THE DEVELOPMENT OF THE CITY OF COVINGTON'S CITY HALL.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Frank.  
**Passed.** 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

**TEXT AMENDMENT** – In review of the parking regulations of the Zoning ordinance, the Public and Institutional Zones fits the criteria of the regulations of Section 7.03 regarding off-street parking exemptions. The criteria establishes that districts with unique characteristics including “higher land values, service by public transportations, and the presence of municipal parking lots” are exempt from the off-street parking requirements set forth in Section 7.04 Off Street Parking Schedule.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-41-13**

AN ORDER/RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION TO THE KENTON COUNTY PLANNING COMMISSION FOR A TEXT AMENDMENT TO THE CITY OF COVINGTON ZONING ORDINANCE TO INCLUDE PUBLIC & INSTITUTIONAL (PI) ZONING DISTRICTS TO THE OFF-STREET PARKING EXEMPTION ZONES.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Rains.  
**Passed.** 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

**RIVERFRONT COMMONS RFP** – For the past several years, Southbank Partners has been working with the City to encourage redevelopment of the Riverfront Commons projects along the Ohio River. The Riverfront Commons concept is for an integrated continuous public riverfront linking six Northern Kentucky communities. The City has created and adopted several different riverfront development plans, including a recent \$3 million project extending from the base of Greenup Street westward to KY 8. City representatives met with Divisions of State Government to identify potential funding for the project. In order to properly identify opportunities for these funding sources and to identify detailed designs to submit to the Corps of Engineers for approval, detailed design needs to be conducted.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-42-13**

AN ORDER/RESOLUTION AUTHORIZING CITY STAFF TO ISSUE A REQUEST FOR PROPOSALS FROM QUALIFIED FIRMS FOR DESIGN SERVICES FOR A POTION OF RIVERFRONT COMMONS, EXTENDING FROM THE BASE OF GREENUP STREET WESTWARD TO KY 8.

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**MOTION** of Commissioner Eilerman, seconded by Commissioner Frank.  
**Passed.** 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

**VISION STATEMENT** – The City of Covington's Vision Statement shall be: "Covington – the region's leader for: a thriving business environment, innovative and entrepreneurial; strong neighborhoods with diverse housing opportunities including quality affordable and market rate housing; inviting public spaces, open for activities and taking full advantage of our Ohio and Licking River assets; unparalleled public services, efficient and effective; cultural and historical influences, blended with compatible modern amenities; strong institutions, adding value through community advocacy and engagement; a diverse and educated population; artistic and cultural creativity; and sound fiscal policy and practice.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-43-13**

AN ORDER/RESOLUTION APPROVING A VISION STATEMENT FOR THE CITY FROM WHICH TO BUILD ON FOR GOALS, OBJECTIVES AND MEASURABLE CRITERIA FOR 2013 AND 2014.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Frank.  
**Passed.** 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

**COMMITTEES' REORGANIZATION** – With the reorganization occurring in 2012, the original committee structure needs to be updated to reflect the combination of departments. The new committees are Public Safety (Police Chief, Chair); Finance and Human Resources (Finance Director, Chair); Infrastructure (City Engineer, Chair); and Development (Assistant city Manager for Development, Chair).

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-44-13**

AN ORDER/RESOLUTION RESCINDING IN ITS ENTIRETY COMMISSIONERS' ORDER/RESOLUTION NO. O/R-216-10, CREATING THE CITY OF COVINGTON COMMITTEES AND CHAIR APPOINTMENTS AND APPROVING THE CREATION OF NEW COMMITTEES AND CHAIR APPOINTMENTS.

**MOTION** of Commissioner Williams, seconded by Commissioner Eilerman.  
**Passed.** 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

**STEP IN GRADE HISTORIC PRESERVATION OFFICER**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-45-13**

AN ORDER/RESOLUTION APPROVING A STEP-IN-GRADE INCREASE FOR BETH JOHNSON FROM HISTORIC PRESERVATION OFFICER III TO HISTORIC PRESERVATION OFFICER IV, A PAY INCREASE OF 6%, EFFECTIVE FEBRUARY 13, 2013.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Frank.  
**Passed.** 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

**PROMOTION DEPARTMENT OF PUBLIC IMPROVEMENTS** – Mr. Hedger has been a DPI employee since 2004 and has taken on the leadership and management duties within the fleet division. The number of authorized positions for this division will remain the same.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-46-13**

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AN ORDER/RESOLUTION APPROVING THE PROMOTION OF STEVE HEDGER TO CHIEF MECHANIC IN THE DEPARTMENT OF PUBLIC IMPROVEMENTS, AT AN ANNUAL SALARY OF \$48,679.54, EFFECTIVE FEBRUARY 10, 2013.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Rains.  
**Passed.** 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

**EMPLOYMENT DEPARTMENT OF PUBLIC IMPROVEMENTS** – This is an open and budgeted position with duties involving our recreation and City owned facilities. Mr. Barhorst was a seasonal laborer and showed energy and vitality in performing his daily responsibilities.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-47-13**

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF KRIS BARHORST AS A FULL-TIME LABORER IN THE DEPARTMENT OF PUBLIC IMPROVEMENTS, AT AN ANNUAL SALARY OF \$24,368.24, EFFECTIVE FEBRUARY 17, 2013.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Williams.  
**Passed.** 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

**EMPLOYMENT DEPARTMENT OF PUBLIC IMPROVEMENTS** – This is an open and budgeted position with duties including litter control and general maintenance. Mr. Johnson has been a seasonal laborer since 2000 and possesses diligent work habits.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-48-13**

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF JAMES JOHNSON AS A FULL-TIME LABORER IN THE DEPARTMENT OF PUBLIC IMPROVEMENTS, AT AN ANNUAL SALARY OF \$24,368.24, EFFECTIVE FEBRUARY 17, 2013.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Williams.  
**Passed.** 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

**EMPLOYMENT DEPARTMENT OF PUBLIC IMPROVEMENTS** – This is an open and budgeted position that will include litter control and general maintenance. Mr. Bitter has been a seasonal laborer since 2010 and has worked in several divisions within the department and possesses many capabilities and demonstrates competence in many areas.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-49-13**

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF DANIEL BITTER AS A FULL-TIME DRIVER IN THE DEPARTMENT OF PUBLIC IMPROVEMENTS, AT AN ANNUAL SALARY OF \$40,590.68, EFFECTIVE FEBRUARY 17, 2013.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Williams.  
**Passed.** 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

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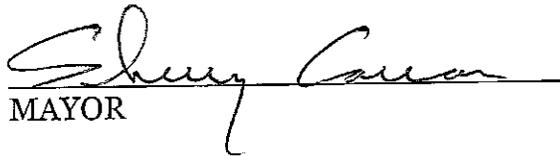
A motion was made by Commissioner Williams, second by Commissioner Eilerman to meet in Executive Session pursuant to KRS 61.810(1)(b) deliberations on the future acquisition or sale of real property; and KRS 61.810(1)(c) discussions of proposed or pending litigation.

Motion carried 5-0.

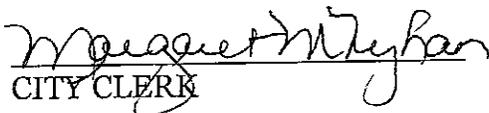
Commission adjourned from Executive Session at 8:10 p.m. with no action taken.

**ADJOURNMENT**

MAYOR CARRAN adjourned the meeting at 8:10 p.m.

  
MAYOR

ATTEST:

  
CITY CLERK

APPROVED: 2-26-13