

**CITY OF COVINGTON, KENTUCKY
LEGISLATIVE MEETING
BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 18, 2014, 6:00 PM**

**20 WEST PIKE STREET
COVINGTON, KY**

AGENDA

CALL TO ORDER: Mayor Sherry Carran

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

Reading of Minutes of the meetings of February 4 and 7, 2014, minutes (or motion to dispense with reading and approve minutes).

PRESENTATION(S):

- The Awesome Collective of Covington – 2013 Accomplishments and Community Impact

ITEMS FOR CONSIDERATION:

NEW BUSINESS – FIRST READING OF ORDINANCES

1. Consider Ordinance No. O-xx-14 entitled: **AN ORDINANCE APPROVING A TEXT AMENDMENT TO THE OFFICIAL ZONING ORDINANCE OF THE CITY OF COVINGTON, KENTUCKY (O-37-06) ALLOWING NEW VEHICLE & EQUIPMENT SALES, LIGHT USES IN THE CENTRAL BUSINESS DISTRICT (CBD) ZONING DISTRICTS THROUGH THE CONDITIONAL USE PROCESS SUBJECT TO USE SPECIFIC STANDARDS.** *A public hearing was held before the Kenton County Planning Commission on Thursday, February 6, 2014, and the Kenton County Planning Commission unanimously recommended approval of the proposed text amendment. While the definition of New Vehicle & Equipment Sales, Light is broad, the proposed use restrictions would prohibit large scale automobile dealerships and service stations within the CBD zone.*

Staff Reporting: Andy Juengling, Zoning Specialist

Recommendation: First Reading, No Vote

OLD BUSINESS – SECOND READING OF ORDINANCES

2. Consider Ordinance No. O-02-14 entitled: **AN ORDINANCE AMENDING CHAPTER 92 OF THE COVINGTON CODE OF ORDINANCES TO PROVIDE A PROCEDURE FOR ABATEMENT OF NUISANCE PROPERTY BY DEMOLITION WHEN DEMOLITION IS NECESSARY TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE OR IS OTHERWISE IN THE PUBLIC INTEREST.** *The City's current procedure for the demolition of private structures is outdated. This ordinance will provide an updated hearing procedure. Repair/ demolish orders will be issued by a code enforcement officer and be appealable to the Code Enforcement Hearing Board.*

Staff Reporting: Frank Warnock, Assistant City Manager/City Solicitor; Mike Yeager, Community Services Director/City Engineer

Recommendation: Approve. Approval updates the City's applicable ordinance so that dangerous and unfit and unsafe structures may be more efficiently demolished without the expense of foreclosure to taxpayers, and provides for an appeal to the Code Enforcement Hearing Board.

3. Consider Ordinance No. O-03-14 entitled: **AN ORDINANCE AMENDING § 34.50 AND o-27-13 OF THE COVINGTON CODE OF ORDINANCES, NON-UNIFORMED, NON-CIVIL SERVICE EMPLOYEES, CREATING THE POSITION OF INFORMATION TECHNOLOGY AND DATA MANAGER AND ESTABLISHING PAY FOR THAT POSITION.** *Finance Department Special Projects Director Darryl Strong is retiring February 28, 2014. Darryl has served as Special Projects Director responsible for the Department's financial software application and other related duties. Darryl's duties will be absorbed into the position of "Information Technology and Data Manager" that will provide City department-wide information technology and data management services in order to provide the City staff and Commission with greater data-driven decision making capabilities. This revised job position will allow a City department-wide coordination of effort and reduce some of the expenditures currently outsourced to technology vendors. Further, with the pending implementation of new financial software in the Finance Department that will provide greater internal controls, this revised job position will be a great resource to the Finance Department.*

Staff Reporting: Larry Klein, City Manager

Recommendation: Approve. Approval allows the City to identify and select an Information Technology and Data Manager who will provide City department-wide information technology and data management services, providing City staff and the Commission with greater data-driven decision making capabilities. This recommendation is also consistent with the Kentucky State Auditor's Special Examination Report Finding #3 "...that the City should consider hiring an IT Administrator who reports directly to the City Manager. This function should not be under the control of the City's Finance Director".

4. Consider Ordinance No. O-04-14 entitled: **AN ORDINANCE APPROVING A MAP AMENDMENT TO THE OFFICIAL ZONING ORDINANCE OF THE CITY OF COVINGTON, KENTUCKY (O-37-06) CHANGING AN APPROXIMATE 19.1 ACRE AREA GENERALLY LOCATED ALONG THE SOUTH SIDE OF HIGHLAND PIKE BETWEEN HANSER DRIVE AND WRIGHTS POINT DRIVE AND ALONG THE NORTH SIDE OF KUHR'S LANE IN THE CITY OF COVINGTON FROM SUBURBAN RESIDENTIAL, RS-7.5 TO AGRICULTURAL, AG.** *This map amendment was initiated by a property owner based on future plans for a small farm winery and other ancillary uses. Kenton County Planning Commission heard the map amendment on January 2, 2014, and unanimously recommended approval.*

Staff Reporting: Andy Juengling, Zoning Specialist

Recommendation: Approve. Approval amends the City's zoning map to allow for a Small Farm Winery and other ancillary uses, taking advantage of the historical use of this property as a vineyard.

NEW BUSINESS – ORDER/RESOLUTIONS

5. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF JOSHUA DENNY AS A POLICE OFFICER I IN THE COVINGTON POLICE DEPARTMENT, FOR A TWELVE MONTH PROBATIONARY PERIOD, EFFECTIVE MARCH 3, 2014.** *Mr. Denny is a Cum Laude graduate of Mount St. Joseph College. His appointment will bring the Police Department to 107 sworn personnel.*

Staff Reporting: Spike Jones, Police Chief

Recommendation: Approve Order/Resolution. Approval allows for the Police Department to fill a vacant, authorized position with a highly qualified new recruit.

6. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION IN RECOGNITION OF THE TENTH ANNIVERSARY OF DREES PAVILION AND IN APPRECIATION OF ALL ITS CONTRIBUTIONS TO AND INVESTMENT IN THE CITY OF COVINGTON AND DEVOU PARK IN ITS TEN YEARS OF OPERATION.** *In 2003, the Drees Company built a \$2 million, 10,000 square foot pavilion in Devou Park to commemorate the company's 75th Anniversary. The company donated the Drees*

Pavilion to the City and fees raised from the rental of the facility are invested back into Devou Park.

Staff Reporting: Larry Klein, City Manager

Recommendation: Approve Order/Resolution. Approval recognizes the success and contributions of the Drees Pavilion to Devou Park and the citizens of Covington, and generosity and vision of Ralph and Irmaleen Drees and their family.

7. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO AMEND THE PURCHASE AGREEMENT AND DEVELOPMENT AGREEMENT BETWEEN THE CITY AND MUTUAL BUILDING, LLC FOR THE REDEVELOPMENT OF THE MUTUAL BUILDING AT 619-629 MADISON AVENUE TO INCLUDE INCENTIVES AVAILABLE THROUGH THE COVINGTON ECONOMIC DEVELOPMENT PROGRAM.** *In 2013, the City executed both a purchase agreement and development agreement with Mutual Building, LLC for the property located at 619-629 Madison Avenue. Due diligence has identified financing gaps which the parties propose to fill through a restructuring of the terms of the purchase agreement and the development agreement.*

Staff Reporting: Larisa Sims, Assistant City Manager for Development

Recommendation: Approve Order/Resolution. Approval allows for the redevelopment of an iconic structure at “ground zero” of the City’s revitalizing urban core with high quality market rate residential units and street level commercial space.

8. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF DAVID M. RODARTE TO THE DEVOU PARK ADVISORY COMMITTEE, FOR A THREE-YEAR TERM, EFFECTIVE JANUARY 1, 2014, AND EXPIRING DECEMBER 31, 2016.** *Mr. Rodarte is a Covington resident and lives with his wife in Kenton Hills. He is a graduate of the College of Agriculture, School of Horticulture, Ohio State University.*

Staff Reporting: Larry Klein, City Manager

Recommendation: Approve Order/Resolution. Approval fills a vacant position on the Devou Park Advisory Committee (DPAC). Mr. Rodarte is very qualified to serve on DPAC.

9. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF GERALDINE RADER TO THE COVINGTON HUMAN RIGHTS COMMISSION FOR A THREE-YEAR YEAR TERM, EFFECTIVE FEBRUARY 18, 2014, AND EXPIRING FEBRUARY 17, 2017.** *Ms. Rader has been recommended by the City’s Human Rights Commission for appointment to fill a vacant position on said Commission.*

Staff Reporting: Larry Klein, City Manager

Recommendation: Approve Order/Resolution. Approval fills a vacant position on the City’s Human Rights Commission.

10. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A SECOND MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF COVINGTON, KENTUCKY, AND THE FRATERNAL ORDER OF POLICE LODGE NO. 1.** *The Internal Revenue Service (IRS) has notified the City that certain items purchased by the City on behalf of FOP members as part of their uniform allowance in the collective bargaining agreement are subject to taxation. In order to resolve the matter to the satisfaction of the IRS and the collective bargaining agreement requirements, the City and FOP have agreed that uniform allowances will be increased to offset the additional cost of taxation to members, and paid annually to FOP members, who are then responsible for reporting and paying any applicable taxes, and responsible for directly purchasing uniform items.*

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

Recommendation: Approve Order/Resolution. Approval resolves an outstanding item with the IRS and FOP regarding the taxability of certain uniform allowance items in the City's collective bargaining agreement with the FOP.

PRESENTATION:

- Management Response and Corrective Action Plan to State Auditor's Report: Next Steps
– Larry Klein, City Manager and Lisa Goetz, Finance Director

PUBLIC COMMENTS

COMMISSIONERS' COMMENTS

CITY MANAGER'S COMMENTS

CITY SOLICITOR'S COMMENTS

MAYOR'S COMMENTS

ADJOURNMENT