



**CITY OF COVINGTON, KENTUCKY
LEGISLATIVE MEETING
BOARD OF COMMISSIONERS
TUESDAY, MAY 12, 2015, 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 April 28, 2015, (or motion to dispense with reading and approve minutes).

PRESENTATIONS – No Presentations scheduled

ITEMS FOR CONSIDERATION:

OLD BUSINESS – SECOND READING OF ORDINANCES

1. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE CREATING § 90.22 TITLED “GOATS, SHEEP AND GUARDIAN ANIMALS” AND AMENDING § 90.30 OF THE CITY OF COVINGTON CODE OF ORDINANCES TO ALLOW GOATS IN THE CITY FOR THE PURPOSE OF LAND MANAGEMENT PRACTICES SUBJECT TO RESTRICTIONS AND CITY APPROVAL.** *The City desires to promote urban farming practices to promote healthy living and best land management practices. Part of this effort is to allow the efficient use of goats in the City to control overgrowth of plants, and clear land of shrubbery and weeds. Gus Wolf, Loren VanDyke Wolff and Emily Wolf have joined together with others to promote urban farming practices*

in the city. A \$5,000 Creative Community Grant has been awarded to fund the use of 7-13 female goats to clear invasive plants and overgrowth in Goebel Park this summer.

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

Recommendation: Approve Ordinance. Approval allows the City to promote urban farming and best land management practices, and allows a volunteer group to utilize their \$5,000 Creative Community Grant in Goebel Park to clear invasive plants and overgrowth for the benefit of the park, neighborhood and City.

2. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE READOPTING THE CITY OF COVINGTON CODE OF ORDINANCES, 1984 EDITION, TO INCLUDE THE 2015 S-26 SUPPLEMENT AND ALL PREVIOUSLY ADOPTED SUPPLEMENTS.** *The Code of Ordinances contains all ordinances currently in effect in the City. New Ordinances passed by the Board of Commissioners must be periodically added to the Code. American Legal Publishing has prepared the 2015 S-26 supplement which includes all ordinances adopted in 2014.*

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

Recommendation: Approve Ordinance. Approval allows the City to update its Code of Ordinances to include all of those adopted in 2014.

NEW BUSINESS – FIRST READING OR ORDINANCES

3. Consider Ordinance No. O-xx-15 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 POSITIONS OF ASSISTANT POLICE CHIEF OF OPERATIONS AND ASSISTANT POLICE CHIEF OF SERVICES AND ESTABLISHING A SALARY FOR THE POSITIONS.** *The position of Assistant Police Chief is being revised to more efficiently cover duties with the establishment of two Assistant Police Chiefs. With the recent announcement of Chief Jones resignation for retirement purposes, it is being recommended by City management and Police Department management to align upper command duties into two areas, Services and Operations, with an Assistant Police Chief responsible for each for more efficient operation of the Police Department.*

Staff Reporting: Larry Klein, City Manager, and Bryan Carter, Assistant Police Chief.

First Reading, No Vote

NEW BUSINESS – ORDER/RESOLUTIONS

4. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION PROCLAIMING THE MONTH OF MAY 2015 AS BUILDING SAFETY MONTH AND ENCOURAGING THE CITIZENS TO JOIN WITH THEIR COMMUNITIES IN PARTICIPATING IN BUILDING SAFETY MONTH ACTIVITIES.** *The International Code Council (ICC) is a member-focused association and is dedicated to developing model codes and standards used in the design, build, and compliance process to construct safe, affordable and resilient structures. Building Safety Month is sponsored by the ICC to remind the public about the critical role of our communities' largely unknown guardians of public safety, the code officials who assure us of safe, efficient, and livable buildings.*

Staff Reporting: Larry Klein, City Manager

Recommendation: Approve Order/Resolution. Approval acknowledges the City's appreciation of safe, affordable and resilient structures, and the building codes in place that ensure safe, efficient and livable buildings.

5. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING JOB DESCRIPTIONS FOR THE POSITIONS OF POLICE CHIEF, ASSISTANT POLICE CHIEF OF OPERATIONS AND ASSISTANT POLICE CHIEF OF SERVICES.** *The position of Assistant Police Chief is being revised to more efficiently cover duties with the establishment of two Assistant Police Chiefs. With the recent announcement of Chief Jones resignation for retirement purposes, it is being recommended by City management and Police Department management to align upper command duties into two areas, Services and Operations, with an Assistant Police Chief responsible for each for more efficient operation of the Police Department. The job description for the Police Chief is being updated only as to format.*

Staff Reporting: Jo Ann Simpson, Human Resources Director

Recommendation: Approve Order/Resolution. Approval allows the City to establish an Assistant Police Chief for Operations, and an Assistant Police Chief for Services, for more efficient operation of the Police Department.

6. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION REAPPOINTING CITY ENGINEER/COMMUNITY SERVICES MANAGER MIKE YEAGER AND APPOINTING DEPARTMENT OF PUBLIC IMPROVEMENTS DIRECTOR/ASSISTANT CITY ENGINEER**

RICK DAVIS TO THE INTERMODAL COORDINATING COMMITTEE OF THE OKI REGIONAL COUNCIL OF GOVERNMENTS. *The City has two representatives on this committee that meets monthly to discuss and vote on regional transportation projects and various grant opportunities that filter through OKI.*

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

Recommendation: Approve Order/Resolution. Approval allows the City to have its full representation on the OKI Intermodal Coordinating Committee, an important function that has yielded much funding for several City infrastructure projects.

7. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION OF RICK LUDLUM FROM THE BOARD OF OVERSEERS FOR THE LINDEN GROVE CEMETERY, EFFECTIVE MAY 18, 2015.**

Staff Reporting: Larry Klein, City Manager

Recommendation: Approve Order/Resolution

8. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF FAYE MASSEY TO THE BOARD OF OVERSEERS FOR THE LINDEN GROVE CEMETERY, FOR A TWO-YEAR TERM, EFFECTIVE MAY 18, 2015, AND EXPIRING MAY 17, 2017.**

Staff Reporting: Larry Klein, City Manager

Recommendation: Approve Order/Resolution

9. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION AUTHORIZING A CONTRACT RENEWAL WITH THE CITY'S SELF-INSURED MEDICAL PLAN THIRD PARTY ADMINISTRATOR AND BROKER, AND ACCEPTING A PROPOSAL FOR STOP-LOSS INSURANCE COVERAGE, IN A TOTAL AMOUNT OF \$530,272.80, PAYABLE FROM THE GENERAL FUND.** *This is an annual renewal for services which include administration and claims processing for medical and RX, wellness program, FSA and HRA Administration and Stop Loss coverage.*

Staff Reporting: Jo Ann Simpson, Human Resource Director

Recommendation: Approve Order/Resolution. Approval allows the City to continue its third party administration and other elements of our self-insured medical plan for employees.

10. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO A MUTUAL FIRE AID AGREEMENT WITH THE CITY OF CINCINNATI.** *The cities of Covington and Cincinnati have maintained a “mutual aid” agreement for the provision of fire, rescue, and EMS services. This updated agreement was drafted by both cities Legal department to meet the needs of the two departments.*

Staff Reporting: Dan Mathew, Fire Chief

Recommendation: Approve Order/Resolution. Approval allows the City to renew its mutual aid agreement for fire, rescue and EMS services with the City of Cincinnati. There is a separate mutual aid agreement between all other cities and fire departments in Northern Kentucky. Mutual aid agreements are the backbone of fire, rescue and EMS protection.

11. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT WITH THE MILBURN GROUP AND ECCE PROPERTIES, LLC FOR THE DEVELOPMENT OF CITY-OWNED PROPERTIES LOCATED AT 11 EAST FIFTH STREET, 18 EAST FIFTH STREET, AND 20 EAST FIFTH STREET AND FOR THE TRANSFER OF THE AFOREMENTIONED PROPERTIES TO THE MILBURN GROUP AND ECCE PROPERTIES, LLC.** *The City acquired these properties to revive this downtown block. An RFP for development was sent out and three proposals were received. A selection committee comprised of City staff and staff from the Catalytic Development Funding Corp. vetted the three proposals based on estimated project costs, business plans, and project viability. The selection committee recommends moving forward with the Milburn Group and ECCE Properties, LLC.*

Staff Reporting: Andy Juengling, Zoning Specialist/Project Manager

Recommendation: Approve Order/Resolution. Approval allows the City to dispose of City-owned properties on 5th Street for the purpose of economic development. The benefits include increased property and payroll tax revenue, and less immediate cost for the City to maintain the buildings.

12. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION REJECTING ALL BIDS RECEIVED FOR EMPLOYEE DISHONESTY COVERAGE AND APPROVING THE REISSUANCE OF A REQUEST FOR BIDS.** *Only one bid was received for this services and it is recommended to reissue the bid request to get more bids in order to make a better evaluation.*

Staff Reporting: Lisa Desmarais, City Operations Director

Recommendation: Approve Order/Resolution. Approval allows the City to reject the sole bid it received for this coverage, and issue a new Request for Bids to ensure a competitive process.

13. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING A SETTLEMENT AGREEMENT WITH LEWISBURG ENTERPRISES, LLC.** *There is litigation pending between Lewisburg Enterprises, LLC and the City involving a billboard located at 610 Pike Street. The settlement is fact specific to the Lewisburg's billboard as to the then existing City zoning and signage regulations and will not be allowed as precedent or evidence or authority in any other case or administrative action by the parties, provides no payment of any damages or attorney's fee and will provide for a dismissal with prejudice and final resolution of the lawsuits.*

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

Recommendation: Approve Order/Resolution. Approval allows the City to resolve long standing litigation over the electronic billboard at Pike and Lewis Streets.

14. Consider Order/Resolution No. O/R-xx-15 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 items include vehicles, a forklift engine and a golf cart.*

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

Recommendation: Approve Order/Resolution. Approval allows the City to dispose of obsolete and/or inefficient equipment and to maximize the resale potential.

PROJECT UPDATE

Capital Improvement Plan (Multi-Year) Progress Update – Larisa Sims, Assistant City Manager for Development

THE NEXT REGULARLY SCHEDULED BOARD OF COMMISSIONERS MEETING OF May 19, 2015 HAS BEEN RESCHEDULED. THE MEETING IS NOW SCHEDULED FOR MAY 18, 2015 AT 4:30 P.M.

THE NEXT REGULARLY SCHEDULED BOARD OF COMMISSIONERS MEETING: MAY 28, 2015.

PUBLIC COMMENTS

COMMISSIONERS' COMMENTS

CITY MANAGER'S COMMENTS

CITY SOLICITOR'S COMMENTS

MAYOR'S COMMENTS

ADJOURNMENT