

**CITY OF COVINGTON, KENTUCKY  
LEGISLATIVE MEETING  
BOARD OF COMMISSIONERS  
TUESDAY, MAY 27, 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 May 13, 2014, minutes (or motion to dispense with reading and approve minutes).

**PRESENTATION(S):**

- Recommended FY 2014-2015 Budget – Larry Klein, City Manager and Lisa Goetz, Finance Director

**ITEMS FOR CONSIDERATION:**

**OLD BUSINESS – SECOND READING OF ORDINANCES**

1. Consider Ordinance No. O-xx-14 entitled: **AN ORDINANCE READOPTING THE CITY OF COVINGTON CODE OF ORDINANCES, 1984 EDITION, TO INCLUDE THE 2014 S-25 SUPPLEMENT AND ALL PREVIOUSLY ADOPTED SUPPLEMENTS.** *This is necessary to complete the codification of legislation and a recurring item on Commission meeting agendas.*

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

**Recommendation:** Approve Ordinance. Approval codifies all City Ordinances since last readoption, into Covington Code of Ordinances.

2. Consider Ordinance No. O-xx-14 entitled: **AN ORDINANCE AMENDING SECTION 30.08 AND SECTION 92.16 OF THE COVINGTON CODE OF ORDINANCE TO DESIGNATE 20 WEST PIKE STREET AS THE CITY OF COVINGTON'S PRINCIPAL OFFICE.** *The two sections of the Covington Code of Ordinances lists the City's primary place of business as 638 Madison Avenue and this ordinance will update that information.*

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

**Recommendation:** Approve Ordinance. Approval changes official address of Covington City Hall.

### **NEW BUSINESS – ORDER/RESOLUTIONS**

3. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION OF MICHAEL KOENINGER FROM THE DEPARTMENT OF PUBLIC IMPROVEMENTS, EFFECTIVE MAY 16, 2014.** *Mike was offered a position with the Wilder Fire Department which is his chosen profession.*

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

**Recommendation:** Approve Order/Resolution. Mr. Koeninger has been a valuable employee and will be missed. We wish him well in his chosen career.

4. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF RYAN TUEMLER AS A FULL-TIME LABORER IN THE DEPARTMENT OF PUBLIC IMPROVEMENTS, EFFECTIVE MAY 28, 2014.**

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

**Recommendation:** Approve Order/Resolution. Approval fills the vacancy of Laborer in our Department of Public Improvements created by the resignation of Michael Koeninger. This is an important position that maintains City owned properties as well as vacant or abandoned properties until they can be sold for reuse or otherwise disposed of.

5. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION DECLARING CERTAIN CITY PROPERTY AS SURPLUS AND AUTHORIZING ITS SALE AND TRANSFER PURSUANT TO KRS §§ 82.083 AND 45A.425.** *A 2004 Ford Crown Victoria will be surplus.*

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

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

6. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION ADOPTING AN EMPLOYEE TRAVEL POLICY.** *The Internal Auditor, Greg Crump, has developed an Employee Travel policy after consultation with the Mayor's Task Force to Restore Public Confidence, Human Resources Department, and other management staff. The travel policy issue has been discussed by the Mayor's Task Force to Restore Public Confidence, and this policy has been recommended for approval. The travel policy outlines the guidelines for the manner in which travel expenditures are to be handled by City staff.*

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

**Recommendation:** Approve Order/Resolution. Approval accepts the recommendation of the Mayor's Task Force to Restore Public Confidence and provides for a responsible, consistent manner in which City employees and elected officials can be reimbursed for travel and other expenses.

7. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION ACCEPTING THE BID OF WOOLPERT, INC. FOR DESIGN SERVICES ASSOCIATED WITH RIVERFRONT COMMONS IN THE CITIES OF NEWPORT, BELLEVUE, AND LUDLOW IN AN AMOUNT NOT TO EXCEED \$93,500.00, PAYABLE FROM THE CAPITAL FUND AND TO BE FULLY REIMBURSED BY SNK AND OTHER STATE FUNDS.** *Covington, along with Southbank Partners, Newport, Bellevue and Ludlow, was awarded SNK funding to construct portions of the Riverfront Commons project. Covington is the project sponsor and all SNK funding will be channeled through Covington.*

**Staff Reporting:** Mike Yeager, City Engineer/Community Services Director

**Recommendation:** Approve Order/Resolution.

8. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION APPROVING A CONTRACT WITH GRW ENGINEERING, INC. FOR DESIGN SERVICES ASSOCIATED WITH THE STREETScape AND ROAD IMPROVEMENTS ON SCOTT BOULEVARD FROM FOURTH TO SIXTH STREET AND ON SIXTH STREET FROM SCOTT BOULEVARD TO THE RAILROAD UNDERPASS AT JOHNSON STREET, IN AN AMOUNT OF \$109,508.00, PAYABLE FROM THE CAPITAL FUND WITH REIMBURSEMENT OF 80% FROM SNK FUNDING AND 20% FROM TIME STAR COMMONS FUNDS.** *The City was awarded design and construction funds for these sidewalk and road improvements. The improvements include underground utilities, mast arm signals, new sidewalks, and street resurfacing. The design is anticipated to be completed in time for construction to begin in the Spring of 2015.*

**Staff Reporting:** Mike Yeager, City Engineer/Community Services Director

**Recommendation:** Approve Order/Resolution. Approval allows the City to move forward with design phase of next streetscape project to connect Gateway Urban Campus along Scott Street to the Mainstrasse area via 6<sup>th</sup> Street, with underground utilities, new sidewalks

and street improvements, financed entirely by non-City funds. This project is another element of the Covington Center City Action Plan and creates an inviting connection and corridor between two centers of activity in the City, the Gateway Urban Campus and the Mainstrasse entertainment district.

9. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION ACCEPTING THE BID OF MEGHAN MCDONOUGH FOR THE PURCHASE OF THE CITY-OWNED LOT AT 1225 CLARK STREET IN AN AMOUNT OF \$2,000.00 AND AUTHORIZING THE TRANSFER OF THE PROPERTY VIA QUITCLAIM DEED..** *This was a City-owned lot and is being purchased by an adjoining property owner who plans to use as added yard space for her residence.*

**Staff Reporting:** Natalie Gardner, Programs and Strategic Projects Manager

**Recommendation:** Approve Order/Resolution. Approval allows the City to dispose of a parcel of property that did have an unsafe dilapidated structure on it which was demolished by the City, and return it to private ownership and the City's property tax rolls, and allows the new adjoining owner to improve her property value and quality of life.

10. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION ACCEPTING OWNERSHIP OF AND MAINTENANCE RESPONSIBILITY FOR HOWE DRIVE AND MAGELLAN WAY FROM THE KY 1072 EXTENSION ROUNDABOUT TO THE PROPERTY LINE OF THE FIDELITY MIDWEST REGIONAL CAMPUS.** *The KY 1072 extension was construction from KY 17 up to the Fidelity Campus in 2007. The City will own and maintain Howe Drive and Magellan Way.*

**Staff Reporting:** Mike Yeager, City Engineer/Community Services Director

**Recommendation:** Approve Order/Resolution. Approval allows the City to finalize a very important economic development project of several years ago that included the expansion of the Fidelity Investments Campus which included a significant number of new high paying jobs. The road is currently being maintained by the City's Department of Public Improvements for snow and ice removal. With this agreement, the City is not responsible for bridges or other structures, only the pavement section of a portion of the road from the roundabout to the Fidelity campus.

11. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A MAINTENANCE AGREEMENT BETWEEN THE CITY OF COVINGTON, THE KENTUCKY TRANSPORTATION CABINET DISTRICT 6, THE KENTON COUNTY FISCAL COURT, THE CITY OF FORT WRIGHT, SANITATION DISTRICT NO. 1, AND FIDELITY CORPORATE REAL ESTATE, INC. FOR THE KY 1072 EXTENSION THAT WAS CONSTRUCTED IN 2007.** *KY 1072 extension was constructed from KY 17 to the Fidelity campus. The infrastructure was constructed on property of several jurisdiction with each having some role in the future maintenance of the project.*

**Staff Reporting:** Mike Yeager, City Engineer/Community Services Director

**Recommendation:** Approve Order/Resolution. Approval of this Order Resolution is consistent with the previous Order Resolution accepting ownership and maintenance responsibility, wherein other jurisdictions, Fort Wright, Kenton County Fiscal Court, and other public entities also participate in this Interlocal Agreement for the maintenance of each entities' respective portions of the new road.

12. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION APPROVING A SETTLEMENT AGREEMENT WITH BOPPER PROPERTIES, LLC FOR COSTS ASSOCIATED WITH THE CITY HALL (20 W. PIKE ST.) REHAB AND FOR OUTSTANDING LOANS TO DS & JS PROPERTIES, LLC, A SUBSIDIARY OF THE SALYERS GROUP, INC.** *This O/R is necessary for the resolution of issues concerning outstanding loans and cost overruns related to the renovation of 20 West Pike Street and the redevelopment of the Doctor's Building.*

**Staff Reporting:** Larisa Sims, Assistant City Manager for Development.

**Recommendation:** Approve Order/Resolution. Approval allows for the final resolution of certain outstanding renovation expenses for the new City Hall space. The original capital budget amount of \$400,000 for new City Hall space was an estimate based upon a different location, not current City Hall space. Of the \$342,811 cost overages, the City accepts responsibility for \$187,500. The remainder of \$155,311 will be paid by the property owner. Of the \$187,500 that the City is responsible for, the City will only pay a cash amount of \$37,500 to the property owner for cost overruns, leaving a balance of \$150,000, which the City will credit toward an outstanding economic development loan of \$428,000 owed to City by a related entity of property owner. Of the remaining amount of that outstanding loan, \$278,000 (\$428,000 minus \$150,000 = \$278,000), the related entity of property owner will pay the City \$50,000 over a two year period with interest at rate of 5%. As previously approved by Commission, per O/R 290-12, the remaining \$228,000 (\$278,000 minus \$50,000 = \$228,000), will become a forgivable loan contingent upon redevelopment of the Doctor's Building on Scott Street at 7<sup>th</sup> into twelve market rate rental units.

13. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION CONSENTING TO THE ASSIGNMENT OF AND ASSUMPTION OF OBLIGATIONS AND RESPONSIBILITIES UNDER A LICENSE MAINTENANCE AGREEMENT FOR ELM STREET ALLEY FROM SMC HOTEL PARTNERS, LLC TO TASICO GARFIELD, LLC.** *In 2007, the city entered into a License Maintenance Agreement with SMC Hotel Partners, LLC d/b/a The Radisson allowing Radisson to make improvements to a strip of right-of-way known as Elm Street Alley which provides access to the Radisson parking lot from Philadelphia Street. Radisson is selling the property and the buyer is now requesting that the City consent to an assignment of the Agreement.*

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

**Recommendation:** Approve Order/Resolution. Approval effectuates the approval of the transfer of certain obligations and responsibilities for this property from seller to buyer.

14. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION APPROVING THE REAPPOINTMENT OF PETE NERONE TO THE BOARD OF**

**OVERSEERS FOR LINDEN GROVE CEMETERY FOR A ONE-YEAR TERM, EFFECTIVE JUNE 1, 2014, AND EXPIRING MAY 31, 2015.**

**Staff Reporting:** Larry Klein, City Manager  
**Recommendation:** Approve Order/Resolution.

15. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION APPROVING THE REAPPOINTMENT OF RICK LUDLUM TO THE BOARD OF OVERSEERS FOR LINDEN GROVE CEMETERY FOR A TWO-YEAR TERM, EFFECTIVE JUNE 1, 2014, AND EXPIRING MAY 31, 2016.**

**Staff Reporting:** Larry Klein, City Manager  
**Recommendation:** Approve Order/Resolution

16. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF ROBERT H. WILLIAMS TO THE AUDIT COMMITTEE FOR A THREE-YEAR TERM, EFFECTIVE MAY 27, 2014, AND EXPIRING MAY 26, 2017.**

**Staff Reporting:** Larry Klein, City Manager  
**Recommendation:** Approve Order/Resolution. Approval fills a vacancy on the Audit Committee. Mr. Williams has an extensive financial background in non-profits and is well qualified for this appointment.

**PUBLIC COMMENTS**

**COMMISSIONERS' COMMENTS**

**CITY MANAGER'S COMMENTS**

**CITY SOLICITOR'S COMMENTS**

**MAYOR'S COMMENTS**

**ADJOURNMENT**