



**CITY OF COVINGTON, KENTUCKY  
LEGISLATIVE MEETING  
BOARD OF COMMISSIONERS  
THURSDAY, MAY 28, 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 May 12 and May 18, 2015, (or motion to dispense with reading and approve minutes).

**PRESENTATIONS:**

- Cincinnati Reds/Meinken Field Project Update – Natalie Gardner, Programs and Strategic Projects Manager

**ITEMS FOR CONSIDERATION:**

**OLD BUSINESS – SECOND READING OF ORDINANCES**

1. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE RE-APPROPRIATING AND RE-APPORTIONING THE ANTICIPATED GENERAL FUND REVENUE AND THE ANTICIPATED REVENUE OF ALL OTHER FUNDS OF THE CITY OF COVINGTON, KENTUCKY, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2014, AND ENDING JUNE 30, 2015, AMONG THE VARIOUS DEPARTMENTS AND FOR THE GENERAL AND SPECIAL PURPOSES AS INDICATED IN THE**

**“RECOMMENDED ALL FUNDS OPERATING BUDGET 2014/2015” TO MEET THE EXPENSES OF THE CITY OF COVINGTON, KENTUCKY, FOR SAID FISCAL YEAR.**

**Staff Reporting:** Lisa Goetz, Finance Director

**Recommendation:** Approval amends the City’s current (FY 2014-2015) annual budget, recognizing any changes in revenue and expenditures.

2. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE APPROPRIATING AND APPORTIONING THE ANTICIPATED GENERAL FUND REVENUE AND THE ANTICIPATED REVENUE OF ALL OTHER FUNDS OF THE CITY OF COVINGTON, KENTUCKY, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2015, AND ENDING JUNE 30, 2016, AMONG THE VARIOUS DEPARTMENTS AND FOR THE GENERAL AND SPECIAL PURPOSES AS INDICATED IN THE “RECOMMENDED ALL FUNDS OPERATING BUDGET 2015/2016” TO MEET THE EXPENSES OF THE CITY OF COVINGTON, KENTUCKY FOR THE SAID FISCAL YEAR.**

**Staff Reporting:** Lisa Goetz, Finance Director

**Recommendation:** Approval is strongly recommended and provides the City a structurally balanced budget for FY 2015-2016 as required by state law and constitution. This is the original FY 2015-2016 recommended budget that reflects a total carryover of approximately \$34,000 into the following budget year.

**NEW BUSINESS – FIRST READING OF ORDINANCES**

3. **Alternative I FY 2015-2016 Annual Budget Proposal.** Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE APPROPRIATING AND APPORTIONING THE ANTICIPATED GENERAL FUND REVENUE AND THE ANTICIPATED REVENUE OF ALL OTHER FUNDS OF THE CITY OF COVINGTON, KENTUCKY, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2015, AND ENDING JUNE 30, 2016, AMONG THE VARIOUS DEPARTMENTS AND FOR THE GENERAL AND SPECIAL PURPOSES AS INDICATED IN THE “RECOMMENDED ALL FUNDS OPERATING BUDGET 2015/2016” TO MEET THE EXPENSES OF THE CITY OF COVINGTON, KENTUCKY FOR THE SAID FISCAL YEAR.**

**Staff Reporting:** Lisa Goetz, Finance Director

**Recommendation:** Approval provides the City a structurally balanced budget for FY 2015-2016 as required by state law and constitution. This is the original FY

2015-2016 recommended budget that reflects a total carryover of approximately \$34,000 into the following budget year, but modified to increase expenditures in the Fire Department by \$150,000 to allow for hiring four additional firefighter recruits for a six month period, while the City negotiates a commensurate wage and benefit reduction amount with Local 38, the collective bargaining representative of non-management Fire Department members, to allow for the extended employment of the four additional firefighters beyond the six month period, in order to keep average daily staffing in the Fire Department at 27, instead of 26, as is proposed in the original FY 2015-2016 annual budget proposal strongly recommended in Agenda Item #2.

The offsetting reduction to this increased expenditure comes from reallocating \$150,000 of the anticipated increase in insurance premium license fee expected in calendar year 2016, that was approved by the City Commission in March of 2015 and restricted by ordinance for capital equipment and projects, and thereby requiring an amendment to that ordinance (on this Commission meeting agenda) to allow for its use in the operating budget.

This budget proposal is not recommended by the City Manager as it is highly dependent on anticipated proceeds to be realized in calendar year 2016 while the additional expenditure will commence on July 1<sup>st</sup>. Further, this budget proposal reallocates \$150,000 of the anticipated insurance premium license fee increase that is needed for capital equipment such as police cars, fire trucks, ambulances, snow plows, infrastructure and other projects, the acquisition of which will likely be delayed as the initial \$150,000 in increased receipts will have to be reallocated to the operating budget.

Further, in order to meet the immediate cash flow needs of the City for this additional expenditure that begins on July 1<sup>st</sup>, and the ultimate revenue source (increased insurance premium license fee) of which will not be realized until some time in calendar year 2016, this plan relies further on utilizing \$150,000 of the \$500,000 anticipated proceeds of the sale of former City Hall to Hotel Covington developer, that is expected to close in August 2015, as a stop gap funding measure, until the increased amount of insurance premium license fees is realized in calendar year 2016.

In addition, the original and recommended budget proposal recommends the entire \$500,000 in proceeds of sale of the former City building for the recommended Minimum Cash Flow Fund in the FY 2015-2016 budget in order to meet the City's cash flow needs to meet its biweekly payroll and benefits expenditures, and other operating expenditures of the City, and to reduce its future

reliance on short term borrowing (Tax Anticipation Note) as is how the City currently finances its operating budget cash flow shortages.

Finally, this proposal is reliant upon a mutual agreement between the City and Local 38 that a commensurate wage and benefit reduction will be achieved by January 1, 2016 and if not realized, there is no proposed alternative to continue paying wages and benefits of the 4 additional firefighter recruits.

4. 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 POSITION OF ADMINISTRATION AND INTELLIGENCE DIRECTOR AND ESTABLISHING A SALARY FOR THE POSITION.** *Under the supervision of the Police Chief, this position will organize, supervise and direct budgetary and intelligence related work for the Department. This civilian, non-hazardous duty position will be responsible for revenue and expenditure forecasting and analysis for the Police Department. He/she will develop and manage financial procedures, policies and guidelines as well as review grant applications, oversee grant expenditures, and review grant reporting. The Administration and Intelligence Director will be responsible for research and analysis of law enforcement data, identification and interpretation of criminal activity, patterns, trends, and forecasting trends to aid in staffing and deployment of the City's sworn law enforcement personnel.*

**Staff Reporting:** Lisa Desmarais, City Operations Director/Bryan Carter, Assistant Police Chief

**First Reading, No Vote**

5. **CONSIDER ORDINANCE NO. O-XX-15 ENTITLED: AN ORDINANCE AUTHORIZING THE ISSUANCE OF 2015 TAX AND REVENUE ANTICIPATION NOTES; APPROVING A FORM OF NOTE; AUTHORIZING DESIGNATED OFFICERS TO EXECUTE AND DELIVER THE NOTES; AUTHORIZING AND DIRECTING THE FILING OF NOTICE WITH THE STATE LOCAL DEBT OFFICER; PROVIDING FOR THE PAYMENT AND SECURITY OF THE NOTES; APPOINTING A PAYING AGENT AND REGISTRAR; CREATING A SINKING FUND; MAKING CERTAIN FEDERAL INCOME TAX COVENANTS IN RESPECT OF THE NOTES; ACCEPTING THE PROPOSAL OF THE NOTE PURCHASER HEREINAFTER SET FORTH FOR THE PURCHASE OF THE NOTES; AND REPEALING INCONSISTENT ORDINANCES, RESOLUTIONS AND ORDERS.**

**Staff Reporting:** Lisa Goetz, Finance Director  
**First Reading, No Vote**

6. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE OF THE CITY OF COVINGTON, KENTUCKY AUTHORIZING THE ISSUANCE OF CITY OF COVINGTON, KENTUCKY TAXABLE GENERAL OBLIGATIONS BONDS, SERIES 2015 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$4,000,000 FOR THE PURPOSE OF FINANCING A PORTION OF THE COSTS OF AN ECONOMIC DEVELOPMENT PROJECT IN THE CITY CENTER COVINGTON DEVELOPMENT AREA; APPROVING THE FORM OF BONDS, AUTHORIZING DESIGNATED OFFICERS TO EXECUTE AND DELIVER THE BONDS; AUTHORIZING AND DIRECTING THE FILING OF NOTICE WITH THE STATE LOCAL DEBT OFFICER; PROVIDING FOR THE PAYMENT AND SECURITY OF THE BONDS; CREATING A BOND PAYMENT FUND; MAINTAINING THE HERETOFORE, ESTABLISHED SINKING FUND; AUTHORIZING ACCEPTANCE OF THE BIDS OF THE BOND PURCHASERS FOR THE PURCHASE OF THE BONDS; AND REPEALING INCONSISTENT ORDINANCES.**

**Staff Reporting:** Lisa Goetz, Finance Director  
**First Reading, No Vote**

7. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE AMENDING SECTION 111.120(G) OF THE COVINGTON CODE OF ORDINANCES TO AMEND THE MUNICIPAL INSURANCE PREMIUM LICENSE FEE PROVISION THAT RESTRICTS THE TAX REVENUE GENERATED BY THE 2% INCREASE TO CAPITAL EXPENDITURES AND NOT TO BE USED FOR GENERAL FUND EXPENDITURES, TO ALLOW FOR UP TO \$150,000 OF ANY ANTICIPATED INCREASES IN REVENUE TO BE USED FOR GENERAL FUND PURPOSES FOR FISCAL YEAR 2015-2016.**

**Staff Reporting:** Larry Klein, City Manager  
**First Reading, No Vote**

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

8. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION FOR RETIREMENT OF COLONEL MICHAEL “SPIKE” JONES FROM THE COVINGTON POLICE DEPARTMENT, EFFECTIVE MAY 31, 2015. *Spike began his career with the***

*City on September 22, 1988 and successfully rose to his current position of Police Chief. He will be missed by his department, City staff and the citizens of Covington whom he has served these past 27 years.*

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

**Recommendation:** Approve Order/Resolution. Approval accepts the resignation for retirement purposes of Chief Jones, after a long and very successful law enforcement career with the Covington Police Department. Best wishes are extended for his future endeavors. Chief Jones has been an outstanding Police Chief for the City of Covington, and set the bar high by his example for others to follow!

9. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF LIEUTENANT COLONEL BRYAN CARTER AS POLICE CHIEF OF THE COVINGTON POLICE DEPARTMENT, EFFECTIVE JUNE 1, 2015.** *Bryan was hired as a Patrol Officer with the Covington Police Department in March 1990. He was appointed Assistant Police Chief in October 2012 and is well qualified to become the Police Chief with the retirement of Colonel Jones.*

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

**Recommendation:** Approve Order/Resolution. Approval fills the position of Police Chief that is vacated due to Chief Jones's retirement. Bryan Carter is highly qualified for this position, having served as Assistant Police Chief since October of 2012. Bryan also has a Master of Science degree in Criminal Justice from Xavier University, and a Bachelor of Arts degree in Justice Studies from NKU. Bryan has served in the Department since 1990 and held various positions including Records and Technology Bureau Commander, Shift Watch Commander, Shift Sergeant, Vice Enforcement Officer. Also, in 2012, he completed a course in Police and Human Rights Training in Cologne, Germany. Bryan is highly qualified and recommended to lead the Covington Police Department.

10. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF CAPTAIN ROBERT NADER TO THE POSITION OF ASSISTANT POLICE CHIEF FOR OPERATIONS IN THE COVINGTON POLICE DEPARTMENT, EFFECTIVE JUNE 1, 2015.**

**Staff Reporting:** Lisa Desmarais, City Operations Director/Bryan Carter, Assistant Police Chief

**Recommendation:** Approve Order/Resolution. Approval fills one of two vacant Assistant Police Chief Positions and is highly recommended. Captain Nader is highly qualified for this position. He is a graduate of St. Augustine Grade School, Holy Cross High School, Thomas More College with a Bachelor's degree in Elected Studies, NKU Associate of Applied Science degree in Law Enforcement, and a July 2015 anticipated graduate from NKU with Master of Science Degree in Executive Leadership and Organizational Change. He has also been accepted into the FBI National Academy 260<sup>th</sup> Session in October 2015. Rob has been with the Covington Police Department since 1997, holding various and progressive positions of responsibility and excelled in all assignments.

11. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF LIEUTENANT BRIAN STEFFEN TO THE POSITION OF ASSISTANT POLICE CHIEF FOR SERVICES EFFECTIVE JUNE 1, 2015.**

**Staff Reporting:** Lisa Desmarais, City Operations Director/Bryan Carter, Assistant Police Chief

**Recommendation:** Approve Order/Resolution. Approval fills one of two vacant Assistant Police Chief Positions and is highly recommended. Lieutenant Steffen is highly qualified and recommended for this position. He is a graduate of NKU with a Bachelor of Arts degree in Criminal Justice, the University of Virginia in Charlottesville with a certificate in Criminal Justice Education, the University of Cincinnati with a Master of Science in Criminal Justice, and a 2012 graduate of the FBI National Academy, International Executive Command Course. Brian has been with the Covington Police Department since 1998, holding various and progressive positions of responsibility and excelled in all assignments.

12. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE PROMOTION OF BRYAN BOGARD TO SERGEANT AND MARCUS JORDAN TO LIEUTENANT IN THE COVINGTON POLICE DEPARTMENT, EFFECTIVE JUNE 1, 2015.**

**Staff Reporting:** Bryan Carter, Assistant Police Chief

**Recommendation:** Approve Order/Resolution. Approval promotes Sergeant Jordan to Lieutenant and Patrol Officer Bogard to Sergeant, consistent with the terms of the FOP contract, and provides additional supervisory experience in the Police Department. Patrol Officer Bogard and Sergeant Jordan are well qualified and recommended for their respective promotions.

13. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE JOB DESCRIPTION FOR THE POSITION OF ADMINISTRATION AND INTELLIGENCE DIRECTOR IN THE COVINGTON POLICE DEPARTMENT.** *Under the supervision of the Police Chief, this position will organize, supervise and direct budgetary and intelligence related work for the Department. This civilian position will be responsible for revenue and expenditure forecasting and analysis for the Police Department. He/she will develop and manage financial procedures, policies and guidelines as well as review grant applications, oversee grant expenditures, and review grant reporting. The Administration and Intelligence Director will be responsible for research and analysis of law enforcement data, identification and interpretation of criminal activity, patterns, trends, and forecasting trends to aid in staffing and deployment of the City's sworn law enforcement personnel.*

**Staff Reporting:** Lisa Desmarais, City Operations Director/Bryan Carter, Assistant Police Chief

**Recommendation:** Approve Order/Resolution. Approval allows the City to establish a job description for this new civilian position in the Police Department that will be a resource there, providing budgetary and administrative assistance, which also allows for sworn police officers to focus on core law enforcement duties, but also to provide management and analysis of law enforcement data, identification and interpretation of criminal activity, patterns, trends and forecasting trends to aid in staffing and deployment of the City's sworn law enforcement personnel.

14. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION FOR RETIREMENT OF CAPTAIN KEITH RITTINGER FROM THE COVINGTON FIRE DEPARTMENT, EFFECTIVE MAY 31, 2015.** *Captain Rittinger has served on the Covington Fire Department for over 20 years. He is retiring as the Captain at Company 1 on Truck 1.*

**Staff Reporting:** Dan Mathew, Fire Chief

**Recommendation:** Approve Order/Resolution. Approval accepts the resignation for retirement purposes of Captain Rittinger. Best wishes are extended for his future endeavors, and his service to the City and its citizens is acknowledged and greatly appreciated.

15. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION ADOPTING PROGRAM GUIDELINES FOR PROGRAM YEAR 2015-2016 FOR THE CODE ENFORCEMENT HARDSHIP PROGRAM, THE**

**HOMEOWNER REPAIR PROGRAM, THE UPPER FLOOR RESIDENTIAL REHAB PROGRAM, THE COVINGTON HOMEBUYER ASSISTANCE PROGRAM AND THE NKY CONSORTIUM HOMEBUYER ASSISTANCE PROGRAM TO BE FUNDED FROM COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM FUNDS.** *The City is required by the US Department of Housing and Urban Development to adopt guidelines for the CDBG and HOME programs administered by the City to ensure the programs are administered consistently and equitably.*

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

**Recommendation:** Approve Order/Resolution. Approval allows the City to be compliant with HUD regulations by adopting guidelines for our CDBG and HOME programs to ensure consistency and equity.

16. 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 surplus property includes broken and outdated equipment from the Fire Department.*

**Staff Reporting:** Dan Mathew, Fire Chief

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

17. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE PUBLICATION OF A REQUEST FOR PROPOSAL FOR A 2013 OR NEWER MORBARK M15R BRUSH CHIPPER OR EQUIVALENT FOR THE DEPARTMENT OF PUBLIC IMPROVEMENTS FORESTRY DIVISION.** *The equipment is considered a critical need for DPI and has been previously approved to be paid by Devou Park Master Plan funds.*

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

**Recommendation:** Approve Order/Resolution. Approval allows the City to issue an RFP for purchase of a critical piece of equipment for our Department of Public Improvements, paid for with Devou Park Master Plan funds (Drees Pavilion)

18. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY AND THE**

**NORTHERN KENTUCKY WATER DISTRICT FOR ROADWAY REPAIRS ON THIRD STREET FROM MADISON AVENUE TO SCOTT BOULEVARD.** *There was a significant water main break on Third Street which has been repaired and caused damage to Third Street that the Water District is responsible for repairing. The Water District would like to utilize the City's resurfacing contract with Eaton Asphalt to make the repairs and Eaton has agreed to perform this additional work. The Water District will reimburse the City for the costs of the repairs and upon completion the Water District's restoration requirements that resulted from the main break will be fulfilled*

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

**Recommendation:** Approve Order/Resolution. Approval allows the City to enter into an agreement with the Northern Kentucky Water District (NKWD) for roadway repairs whereby NKWD can utilize the City's contractor, Eaton Asphalt, and our unit pricing for the repair, thereby reducing the expense incurred for NKWD and their ratepayers, who are also Covington residents and property owners.

19. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A SETTLEMENT AGREEMENT WITH LEONARD WOLFF.** *Mr. Wolff owns property at 2719 Madison Avenue which has been cited for multiple code violations. The Code Enforcement Board issued a final determination on the property and imposed the maximum fine which Mr. Wolff appealed to the District Court. Early this year it was determined that the property needed to be demolished. Mr. Wolff's attorney has worked with the City's legal department to resolve all outstanding issues related to the property.*

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

**Recommendation:** Approve Order/Resolution. Approval allows the City to resolve this matter with Mr. Wolff in a manner that is in the best interests of the City.

20. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE ADVERTISEMENT FOR BID AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT FOR THE PURCHASE OF CITY OF COVINGTON, KENTUCKY TAXABLE GENERAL OBLIGATION BONDS, SERIES 2015 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$4,000,000 FOR THE HOTEL COVINGTON PROJECT.**

**Staff Reporting:** Lisa Goetz, Finance Director

**Recommendation:** Approve Order/Resolution

**PROJECT UPDATE:**

**Next Regularly scheduled Commission Meeting: Tuesday, June 16, 2015,  
6:00 P.M.**

**PUBLIC COMMENTS**

**COMMISSIONERS' COMMENTS**

**CITY MANAGER'S COMMENTS**

**CITY SOLICITOR'S COMMENTS**

**MAYOR'S COMMENTS**

**ADJOURNMENT**