

**CITY OF COVINGTON, KENTUCKY
LEGISLATIVE MEETING
BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 21, 2014, 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 October 7, 2014, minutes (or motion to dispense with reading and approve minutes).

PRESENTATIONS

- 2014 Kentucky Environmental Excellence Award and the 2014 Northern Kentucky Urban and Community Forestry Council Award for the Holman Street tree project – Crystal Courtney, Municipal Specialist and Jason Roberts, Urban Forestry Division Supervisor.

ITEMS FOR CONSIDERATION:

OLD BUSINESS – SECOND READING OF ORDINANCES

1. Consider Ordinance No. O-25-14 entitled: **AN ORDINANCE AMENDING CHAPTER 30 OF THE COVINGTON CODE OF ORDINANCES TO PRESCRIBE THAT ELECTION OF CITY OFFICERS SHALL BE UNDER NONPARTISAN CITY ELECTION LAWS AS PROVIDED IN KRS 83A.045, 83A.170, 83A.175 AND 83A.047.** *HB 331, the city reclassification bill, removes the requirement that cities like Covington hold nonpartisan elections. When HB 331 goes into effect on January 1, 2015, the default method of election for Covington will become partisan. In order to continue to hold nonpartisan elections, the City*

must pass an ordinance making all elections for the Board of Commissioners nonpartisan.

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

Recommendation: Approve Ordinance. Approval allows the City to be in compliance with the provisions of HB 331.

2. Consider Ordinance No. O-25-14 entitled: **AN ORDINANCE ESTABLISHING A POLICY FOR INVESTING CITY FUNDS PURSUANT TO KRS 66.480.** *Pursuant to KRS 66.480, all cities must adopt an investment policy whether or not they have idle funds to invest. This ordinance designates the City's Finance Director as the officer authorized to invest and oversee the investment of City funds with direction and concurrence of City Manager who together may seek and rely upon the advice of professional financial advisors.*

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

Recommendation: Approve Ordinance. Approval allows the City to be in compliance with state law.

NEW BUSINESS – ORDER/RESOLUTIONS

3. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION HONORING CRYSTAL COURTNEY, MUNICIPAL SPECIALIST, AND JASON ROBERTS, URBAN FORESTRY DIVISION SUPERVISOR, AS THE RECIPIENTS OF THE KENTUCKY DEPARTMENT FOR ENVIRONMENTAL PROTECTION'S 2014 COMMUNITY ENVIRONMENTAL LUMINARY AWARD AND RECOGNIZING THE SUCCESS OF THEIR URBAN FORESTRY CORRIDOR PROJECT, WHICH WAS AWARDED AS THE 2014 OUTSTANDING FORESTRY PROJECT BY THE NORTHERN KENTUCKY URBAN AND COMMUNITY FORESTRY COUNCIL.** *In April 2014, the City's Urban Forestry Division used a grant from the Kentucky Division of Forestry to conduct a large scale urban forestry planting event along 10 blocks of Holman Avenue. These awards recognize both the project itself and Crystal and Jason individually.*

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

Recommendation: Approve Order/Resolution. Approval recognizes the excellent work of two outstanding City staff who completed an important pilot project that improved and strengthened a neighborhood utilizing a state grant they were

successful in obtaining, and acknowledging the recognition from the urban forestry community that they have brought upon themselves and Covington.

4. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION ACCEPTING THE BID OF EATON ASPHALT FOR THE RESURFACING OF RUSSELL STREET FROM SIXTH STREET TO 18TH STREET, INCLUDING THE CROSS STREETS WHERE WATER MAINS WERE REPLACED, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH EATON ASPHALT PAVING CO., INC. IN AN AMOUNT NOT TO EXCEED \$224,633.30, WITH \$149,952.00 PAYABLE FROM STATE SNK FUNDS AND \$74,681.30 PAYABLE FROM CDBG FUNDS.** *The City applied for and was awarded an SNK grant for the resurfacing of Russell Street from 6th to 18th Street. The project was initiated when the Fire Department informed us of the issue with low water pressure along this route. City staff coordinated closely with the water department to insure the main replacement and new hydrant installation become a priority. The City will manage the project, pay for it, and submit for reimbursement.*

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

Recommendation: Approve Order/Resolution. Approval allows Eaton Asphalt to resurface Russell Street utilizing federal and state funds, upon completion of the Northern Kentucky Water District's public water main rehabilitation and fire hydrant replacement that improved water flow and pressure in the neighborhood.

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 2002 Ford F150 truck from the Department of Public Improvements is being declared surplused.*

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.

6. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A PROMISSORY NOTE WITH CCB 621, LLC, WHICH SHALL SUPERSEDE THE PRIOR PROMISSORY NOTE AUTHORIZED BY COMMISSIONERS' ORDER/RESOLUTION NO. O/R-100-13, AND FURTHER AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO A PERFORMANCE AND COMPLETION GUARANTEE WITH BCKD, LLC, PURSUANT TO WHICH BCKD, LLC WILL GUARANTEE COMPLETION OF THE REDEVELOPMENT OF PROPERTIES LOCATED AT 621-23 MAIN STREET.** *The original development loan will now include a new partner, BCKD LLC, who will be added to the original loan documents. The new partner, who has a good track record in developing properties for restaurants, will take over the*

development of the property and will execute a performance and completion guarantee.

Staff Reporting: Naashom Marx, Business Development Manager

Recommendation: Approve Order/Resolution. Approval allows the City to amend its development agreement for the Commonwealth Bistro project at 621 Main Street to include a new partner who is pledging a personal guarantee for project performance and completion.

7. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE ACCEPTANCE OF FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE BULLETPROOF VEST PARTNERSHIP PROGRAM FOR UP TO 50% OF THE COST OF ELIGIBLE BALLISTIC VEST PURCHASES, EFFECTIVE BEGINNING SEPTEMBER 2013.** *The Police Department has been applying for and obtaining BVP funds from the US Department of Justice since 2007. The department is asking for authorization of receipt of these funds for FY 2013-2014 and 2014-2015.*

Staff Reporting: Spike Jones, Police Chief

Recommendation: Approve Order/Resolution. Approval allows the City to accept the funds, terms and conditions of a federal grant that will pay one half of the cost of bullet proof vests for our Police Officers, the balance of which is paid by City funds.

8. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE ACCEPTANCE OF \$7,900.00 FROM THE UNITED STATES DEPARTMENT OF JUSTICE PAUL COVERDELL FORENSIC SCIENCE IMPROVEMENT GRANTS PROGRAM AND AUTHORIZING THE PURCHASE OF A CYANOACRYLATE FUMING CHAMBER FOR THE COVINGTON POLICE DEPARTMENT'S CRIME LAB USING SAID GRANT FUNDS.** *The Police Department has been awarded up to \$7,900 from the Department of Justice for the purchase of a cyanoacrylate fuming chamber for the crime lab.*

Staff Reporting: Spike Jones, Police Chief

Recommendation: Approve Order/Resolution. Approval allows the City to accept federal grant funds for a piece of equipment for the Police Department's crime lab.

9. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF DORA J. VORHERR TO THE DEVOU PARK ADVISORY COMMITTEE, FOR A THREE-YEAR TERM, EFFECTIVE JANUARY 1, 2015, AND EXPIRING DECEMBER 31, 2017.**

Staff Reporting: Larry Klein, City Manager

Recommendation: Approve Order/Resolution. Approval allows the City to fill a vacant position on the Devou Park Advisory Committee. Ms. Vorherr is highly

qualified and interested in serving her community. She is a faculty member of Xavier University; worked for Procter and Gamble from 1985-2014 in various financial management positions, most recently as Finance Director for its Corporate Research and Development Department. Also, in 1979-1980 she worked for the Congressional Budget Office and in 1978-1978 in the City of Cincinnati Mayor's office.

10. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION PROCLAIMING FRIDAY, OCTOBER 31, 2014, AS THE OFFICIAL HALLOWEEN "TRICK OR TREAT" CELEBRATION, BETWEEN THE HORUS OF 6:00 P.M. AND 8:00 P.M. IN THE CITY OF COVINGTON.**

Staff Reporting: Larry Klein, City Manager

Recommendation: Approve Order/Resolution

11. Consider Order/Resolution No. O/R-xx-14 entitled: **AN ORDER/RESOLUTION ACCEPTING A 2014-2015 CERTIFIED LOCAL GOVERNMENT GRANT FROM THE KENTUCKY HERITAGE COUNCIL IN THE AMOUNT OF \$13,400.00 AND AUTHORIZING THE EXPENDITURE OF \$9,067.00 IN MATCHING FUNDS, TO BE USED FOR PREPARATION OF THE NATIONAL REGISTER NOMINATION FOR THE PEASELBERG NEIGHBORHOOD AND FOR EXPENSES ASSOCIATED WITH THE NKY RESTORATION WEEKEND, AND FURTHER AUTHORIZING THE MAYOR TO EXECUTE THE GRANT CONTRACT ON BEHALF OF THE CITY.** *The City has received this grant award in previous years. This year the grant will fund the City's efforts to prepare a National Register nomination for the Peaselburg neighborhood as well as sponsoring the annual NKY Restoration Weekend. The matching funds are in the form of in-kind contributions of City staff time.*

Staff Reporting: Beth Johnson, Preservation and Planning Specialist

Recommendation: Approve Order/Resolution. Approval allows the City to accept the state grant and proceed with preparing a National Register Nomination for the Peaselburg neighborhood and sponsor the NKY Restoration Weekend.

PUBLIC COMMENTS

COMMISSIONERS' COMMENTS

CITY MANAGER'S COMMENTS

CITY SOLICITOR'S COMMENTS

MAYOR'S COMMENTS

ADJOURNMENT