

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, March 10, 2015 6:00 P.M.
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A **REGULAR MEETING** of the Board of Commissioners of the City of Covington, Kentucky, was opened by Mayor Carran, on Tuesday, March 10, 2015, at 6:00 p.m., in Commission Chambers, 20 West Pike Street, Covington, Kentucky.

Mayor Carran presiding with Commissioners Chuck Eilerman, Steve Frank, Jordan Huizenga, Bill Wells, City Manager Larry Klein, and Assistant City Manager/City Solicitor Frank Warnock, present.

MOTION of Commissioner Eilerman, seconded by Commissioner Wells to dispense with the reading of and approve the minutes of the February 17, 2015, meeting minutes.

Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

PRESENTATIONS:

- Crystal Courtney, the City's Municipal Specialist, gave an update on an Urban Tree Canopy Assessment that was completed for the City and how the City will utilize the Northern Kentucky Urban and Community Forest Grant.
- Lisa Goetz, Finance Director, gave a presentation regarding the 2014 waste and recycling collection fees.

NEW BUSINESS – FIRST READING OF ORDINANCES

MUNICIPAL INSURANCE PREMIUM LICENSE FEE – Option 1

COMMISSIONERS' ORDINANCE NO. O-xx-15

AN ORDINANCE AMENDING SECTION 111.120 OF THE COVINGTON CODE OF ORDINANCES TO AMEND THE MUNICIPAL INSURANCE PREMIUM LICENSE FEE FROM 10% OF PREMIUMS COLLECTED TO 12% OF PREMIUMS COLLECTED, EXCLUDING THOSE PREMIUMS EXEMPT FROM LICENSE FEES AND TAXES PURSUANT TO KRS 91A.080, ASSESSING A 10% PENALTY FOR A TAX OR FEE NOT PAID WITHIN THIRTY DAYS AFTER THE DUE DATE, AND FURTHER PROVIDING FOR A SUNSET CLAUSE TO REVERT THE INSURANCE PREMIUM TAX RATE BACK TO 10% SIX YEARS FROM THE EFFECTIVE DATE OF THIS ORDINANCE.

First Reading, No Vote

MUNICIPAL INSURANCE PREMIUM LICENSE FEE – Option 2

COMMISSIONERS' ORDINANCE NO. O-xx-15

AN ORDINANCE AMENDING SECTION 111.120 OF THE COVINGTON CODE OF ORDINANCES TO AMEND THE MUNICIPAL INSURANCE PREMIUM LICENSE FEE FROM 10% OF PREMIUMS COLLECTED TO 12% OF PREMIUMS COLLECTED, EXCLUDING THOSE PREMIUMS EXEMPT FROM LICENSE FEES AND TAXES PURSUANT TO KRS 91.080, ASSESSING A 10% PENALTY FOR A TAX OR FEE NOT PAID WITHIN THIRTY DAYS AFTER THE DUE DATE, AND FURTHER PROVIDING FOR A SUNSET CLAUSE TO REVERT THE INSURANCE PREMIUM TAX RATE BACK TO 10% SIX YEARS FROM THE EFFECTIVE DATE OF THIS ORDINANCE; AND RESTRICTING THE TAX REVENUE GENERATED BY THE 2% INCREASE TO CAPITAL

**MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, March 10, 2015 6:00 P.M.**

UNOFFICIAL COPY

EXPENDITURES AND NOT TO BE USED FOR GENERAL FUND
EXPENDITURES.

First Reading, No Vote

BUSINESS INCENTIVES – Currently the City has two payroll incentive programs: the Vacant Property Payroll Reimbursement Program and the Jobs Development Incentive Program. The proposed changes include the clarification of the definition of significantly vacant and clarification on how the payroll reimbursement is requested and disbursed.

COMMISSIONERS' ORDINANCE NO. O-xx-15

AN ORDINANCE REPEALING AND REENACTING CHAPTER 116 OF THE COVINGTON CODE OF ORDINANCES TO PROVIDE INCENTIVES FOR THE CREATION OR RETENTION OF BUSINESSES IN THE CITY; FOR THE REHABILITATION OF VACANT PROPERTIES FOR RETAIL, OFFICE OR COMMERCIAL USE; AND TO ESTABLISH UNIFORM TIMELINES FOR THE DISBURSEMENT OF JOB DEVELOPMENT INCENTIVE FUNDS.

First Reading, No Vote

TEXT AMENDMENT – On July 1, 2014, the Northern Kentucky Area Planning Commission officially changes its name to Planning and Development Services of Kenton County. In addition, the Direction 2030 Comprehensive Plan has been drafted so it is important for the Zoning Ordinance to reflect the language and terms of the Comprehensive Plan. All of the changes are for clarification and housekeeping purposes.

COMMISSIONERS' ORDINANCE NO. O-xx-15

AN ORDINANCE APPROVING A TEXT AMENDMENT TO THE OFFICIAL ZONING ORDINANCE OF THE CITY OF COVINGTON, KENTUCKY (O-37-06) TO UPDATE ALL SECTIONS THAT REFER TO PHYSICALLY RESTRICTED DEVELOPMENT AREAS (PRDA) AND THE NORTHERN KENTUCKY AREA PLANNING COMMISSION (NKAPC) BASED ON THE CONTENTS OF THE NEWLY ADOPTED KENTON COUNTY COMPREHENSIVE PLAN DIRECTION 2030.

First Reading, No Vote

NEW BUSINESS – ORDER/RESOLUTIONS

PROMOTION – Officer Gray is next on the eligibility list for Sergeant. He will be filling the position left vacant by the retirement of Sgt. Bryan Frodge.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-71-15

AN ORDER/RESOLUTION APPROVING THE PROMOTION OF OFFICER JASON GRAY TO THE POSITION OF SERGEANT IN THE COVINGTON POLICE DEPARTMENT, EFFECTIVE MARCH 15, 2015.

MOTION of Commissioner Eilerman, seconded by Commissioner Frank. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, March 10, 2015 6:00 P.M.

UNOFFICIAL COPY

EMPLOYMENT – POLICE DEPARTMENT – Mr. Payne will be filling a vacancy caused by a recent Officer resignation

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-72-15

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF JONATHAN PAYNE AS A POLICE OFFICER GRADE I IN THE COVINGTON POLICE DEPARTMENT FOR A TWELVE MONTH PROBATIONARY PERIOD, EFFECTIVE MARCH 11, 2015.

MOTION of Commissioner Eilerman, seconded by Commissioner Wells.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

RESIGNATION – DEVOU PARK RANGER – The Park Ranger position is a part-time position and Mr. Johnson also holds down a full-time job and has decided he couldn't do both.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-73-15

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION OF JOEL JOHNSON AS A DEVOU PARK RANGER, EFFECTIVE MARCH 1, 2015.

MOTION of Commissioner Eilerman, seconded by Commissioner Huizenga.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

EMPLOYMENT

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-74-15

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF MISTY HAAS AS A PART-TIME BUSINESS ANALYST IN THE FINANCE DEPARTMENT, EFFECTIVE MARCH 11, 2015.

MOTION of Commissioner Huizenga, seconded by Commissioner Wells.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

RESIGNATION/EMPLOYMENT – Ms. Barlik has been employed at City Hall since Mayo of 2008, first as an intern for the Economic Development Department and from March 2009 to August 2011, working under AMEC as the grant administrator for the City's EPA Brownfield Grants. She has completed her law degree at Chase and is currently licensed to practice law in Ohio.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-75-15

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION OF ELIZABETH BARLIK AS THE LEGAL ASSISTANT IN THE LEGAL DEPARTMENT, EFFECTIVE FEBRUARY 23, 2015, AND APPROVING THE EMPLOYMENT OF ELIZABETH BARLIK AS EXECUTIVE ASSISTANT TO THE CITY MANAGER, EFFECTIVE FEBRUARY 23, 2015.

MOTION of Commissioner Frank, seconded by Commissioner Eilerman.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

RESIGNATION – Ms. Becker was with the City for two years and was instrumental in facilitating the move of the Arts Center to its new location at 2 West Pike Street. She did a great job of bringing new faces to our Arts Program, maintaining our Arts and Cultural Certification with the KY Arts Council and adding art to projects never before explored.

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, March 10, 2015 6:00 P.M.
UNOFFICIAL COPY

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-76-15

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION OF CATE BECKER AS THE ARTS AND CULTURAL MANAGER, EFFECTIVE FEBRUARY 27, 2015.

MOTION of Commissioner Wells, seconded by Commissioner Eilerman.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

JOB DESCRIPTIONS – Administration and program management of the City's HUD CDBG and HOME funds are a function of the Programs and Strategic Projects Division and are mainly tasked to four positions: Grants Administrator/Real Estate Specialist, CDBG/HOME Coordinator, Housing Development Specialist and the HOME Consortium Coordinator. With the loss of the Grants Administrator/Real Estate Specialist in 2014, the tasks of seeing if the duties of this position could be absorbed to the remaining members was taken on by staff. We know that this can be accomplished; however, changes need to be made in order to ensure role and responsibility clarity and a proper division of duties to maintain regulatory compliance with HUD mandated processes.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-77-15

AN ORDER/RESOLUTION APPROVING THE UPDATED JOB DESCRIPTIONS FOR THE POSITIONS OF CDBG/HOME COORDINATOR AND GRANTS ADMINISTRATOR/REAL ESTATE SPECIALIST IN THE PROGRAMS AND STRATEGIC PROJECTS DIVISION OF THE DEPARTMENT OF DEVELOPMENT.

MOTION of Commissioner Eilerman, seconded by Commissioner Wells.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

JOB DESCRIPTION – Archie Ice has been with the City since March of 2003 and currently serves as the Housing Development Specialist. He will be taking on more reporting duties to maintain compliance and be the point of contact for housing and community development.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-78-15

AN ORDER/RESOLUTION APPROVING THE UPDATED JOB DESCRIPTION FOR THE POSITION OF HOUSING DEVELOPMENT SPECIALIST IN THE PROGRAMS AND STRATEGIC PROJECTS DIVISION OF THE DEPARTMENT OF DEVELOPMENT AND SETTING THE SALARY FOR SAID POSITION.

MOTION of Commissioner Eilerman, seconded by Commissioner Wells.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

PROMOTION – Mr. Hammons has been with the City since March 2008 as the HOME Consortium Coordinator. His knowledge of the City puts him in the perfect position to be promoted to the CDBG/HOME Coordinator. He will maintain management of the HOME Consortium Board and will be primarily responsible for program implementation.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-79-15

AN ORDER/RESOLUTION APPROVING THE PROMOTION OF JOHN HAMMONS TO THE POSITION OF CDBG/HOME COORDINATOR IN

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, March 10, 2015 6:00 P.M.

UNOFFICIAL COPY

THE PROGRAMS AND STRATEGIC PROJECTS DIVISION OF THE
DEPARTMENT OF DEVELOPMENT, EFFECTIVE MARCH 10, 2015.

MOTION of Commissioner Eilerman, seconded by Commissioner Frank.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and
Mayor Carran.

PROMOTION – Mr. Wallace has been with the City since June 1998 and currently serves as the CDBG/HOME Coordinator. Jeremy's institutional knowledge, background and skills allows him to be better utilized as the Grants Administrator/Real Estate Specialist. He has become a resource internally and externally related to Covington's housing stock, mechanisms for use of federal funds and reporting requirements.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-80-15

AN ORDER/RESOLUTION APPROVING THE PROMOTION OF
JEREMY WALLACE TO THE POSITION OF GRANTS
ADMINISTRATOR/REAL ESTATE SPECIALIST IN THE PROGRAMS
AND STRATEGIC PROJECTS DIVISION OF THE DEPARTMENT OF
DEVELOPMENT, EFFECTIVE MARCH 10, 2015.

MOTION of Commissioner Eilerman, seconded by Commissioner Wells.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and
Mayor Carran.

CONTRACT – Thelen was hired in 2013 to provide geotechnical exploration and recommendations regarding the slide that is occurring on the north side of Riverside Drive. This contract will be to develop those recommendations into a detailed plan set and design specifications that would be used to advertise the project to construction. This project will stabilize the roadway and sidewalk and resolve the existing safety issues. The work will be done in close coordination with Woolpert to ensure the future plans for Riverfront Commons along this stretch of the river can also be built.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-81-15

AN ORDER/RESOLUTION APPROVING A CONTRACT WITH THELEN
ASSOCIATES, INC. FOR PROFESSIONAL AND TECHNICAL SERVICES
FOR THE PRODUCTION OF CONSTRUCTION BID DOCUMENTS AND
PLANS FOR THE STABILIZATION OF RIVERSIDE DRIVE, IN AN
AMOUNT NOT TO EXCEED \$14,638.00, PAYABLE FROM CAPITAL
BOND FUNDS.

MOTION of Commissioner Wells, seconded by Commissioner Huizenga.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and
Mayor Carran.

PLAYGROUND EQUIPMENT – The playground structure improvement for Goebel Park is in accordance with our approved 2014-2015 CDBG-HOME Annual Action Plan. A Community Group has been formed to create a visioning process, fundraising, and improvements to the park. They have also successfully raised over \$20,000 for improvements such as painting of the shelters, landscaping and art installation. This new equipment will allow a wider range of children to enjoy the playground.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-82-15

AN ORDER/RESOLUTION AUTHORIZING THE PURCHASE OF A
PLAYGROUND STRUCTURE AT GOEBEL PARK IN AN AMOUNT OF
\$93,731.66 PAYABLE TO DAVID WILLIAMS & ASSOCIATES, INC.,
THROUGH A COOPERATIVE PURCHASING AGREEMENT WITH THE
COMMONWEALTH OF KENTUCKY FINANCE CABINET PURSUANT
TO KRS 45A.300 AND AUTHORIZING THE PAYMENT OF \$6,200.00
TO SCHUNK EXCAVATING & TRUCKING FOR INSTALLATION OF

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, March 10, 2015 6:00 P.M.

UNOFFICIAL COPY

SAID EQUIPMENT PURSUANT TO KRS 45A.380(2), ALL PAYABLE
FROM COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

MOTION of Commissioner Eilerman, seconded by Commissioner Huizenga.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and
Mayor Carran.

REQUEST FOR PROPOSALS – The City is publicizing this RFP to attract a qualified concrete company to provide concrete services for one calendar year. The work will include street repair, ADA curb ramps, curb replacement, paver work, and all other concrete work the City regularly does. The RFP will be set up so that unit prices will be established for each bid item and the contractor will be paid based on the quantities that are actually performed. The contractor will be paid from the City's annual street program which will include both CDBG dollars and funding from the Municipal Road Aid.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-83-15

AN ORDER/RESOLUTION APPROVING THE PUBLICATION OF A
REQUEST FOR PROPOSALS FOR THE ANNUAL CONCRETE
MAINTENANCE CONTRACT.

MOTION of Commissioner Eilerman, seconded by Commissioner Huizenga.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and
Mayor Carran.

REQUEST FOR PROPOSALS – The City is looking for a qualified construction company to make critical safety repairs to the City Center Parking Garage. These repairs will correct the deficiencies with the original design. There will also be a bid alternate that will allow the leaking joints in the garage to be replaced. These are roadway joints that leak water to the lower levels of the garage and accelerate pavement deterioration.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-84-15

AN ORDER/RESOLUTION APPROVING THE PUBLICATION OF A
REQUEST FOR PROPOSALS FOR REPAIRS TO THE CITY CENTER
PARKING GARAGE.

MOTION of Commissioner Eilerman, seconded by Commissioner Wells.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and
Mayor Carran.

CONTRACT – The Covington Police and Fire Departments' radio system requires backup power in the event of a power failure. This uninterrupted power supply is inspected and maintained by Eaton Powerware under this contract.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-85-15

AN ORDER/RESOLUTION APPROVING A CONTRACT WITH EATON
POWERWARE FOR INSPECTION AND MAINTENANCE OF THE
BACKUP POWER SUPPLY AT THE COVINGTON POLICE
DEPARTMENT IN AN AMOUNT OF \$2,534.00, AND AUTHORIZING
THE MAYOR TO EXECUTE SAID CONTRACT.

MOTION of Commissioner Eilerman, seconded by Commissioner Wells.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and
Mayor Carran.

SURPLUS PROPERTY – The surplus items are two automobiles that have exceeded their effective life expectancy.

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, March 10, 2015 6:00 P.M.
UNOFFICIAL COPY

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-86-15

AN ORDER/RESOLUTION DECLARING CERTAIN CITY PROPERTY AS SURPLUS AND AUTHORIZING ITS SALE AND DISPOSITION PURSUANT TO KRS §§ 82.083 AND 45A.425.

MOTION of Commissioner Eilerman, seconded by Commissioner Wells.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

ACCEPT BID – A request for bids was advertised on February 14, 2015. Four bids were received and opened. Hale Contracting, Inc. submitted the lowest responsible bid.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-87-15

AN ORDER/RESOLUTION ACCEPTING THE BID OF HALE CONTRACTING, INC. FOR CONSTRUCTION OF PHASE II OF THE DETENTION BASINS TO ALLEVIATE FLOODING IN PEASELBERG, AND REJECTING ALL OTHER BIDS, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH HALE CONTRACTING, INC. IN AN AMOUNT NOT TO EXCEED \$349,817.00, PAYABLE FROM KIA GRANT FUNDS AND THE CAPITAL FUND.

MOTION of Commissioner Eilerman, seconded by Commissioner Wells.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

ACCEPT BID – A request for bids was advertised on February 14, 2015. Four bids were received and opened. Michels Construction submitted the lowest responsible bid.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-88-15

AN ORDER/RESOLUTION ACCEPTING THE BID OF MICHELS CONSTRUCTION FOR HAVEN GILLESPIE DRAINAGE AND RESURFACING IMPROVEMENTS, AND REJECTING ALL OTHER BIDS, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH MICHELS CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$78,350.30, PAYABLE FROM DEVOU PARK FUNDS.

MOTION of Commissioner Eilerman, seconded by Commissioner Frank.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

FOURTH ASSIGNMENT AND ASSUMPTION OF OFFICE AIR RIGHTS RIVERCENTER I

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-89-15

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONSENT TO A FOURTH ASSIGNMENT AND ASSUMPTION OF OFFICE AIR RIGHTS LEASE AGREEMENT AND GRANT OF EASEMENT THAT IS BY AND BETWEEN CPX RIVERCENTER OFFICE, LLC, A KENTUCKY LIMITED LIABILITY COMPANY ("ASSIGNOR") AND TECHNOLOGY TOWERS, LLC, A KENTUCKY LIMITED LIABILITY COMPANY ("ASSIGNEE"), REGARDING RIVERCENTER I, AND AN ESTOPPEL LIETTER, SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY SOLICITOR.

MOTION of Commissioner Eilerman, seconded by Commissioner Frank.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, March 10, 2015 6:00 P.M.
UNOFFICIAL COPY

**FOURTH ASSIGNMENT AND ASSUMPTION OF OFFICE AIR RIGHTS
RIVERCENTER II**

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-90-15

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONSENT TO A FOURTH ASSIGNMENT AND ASSUMPTION OF OFFICE AIR RIGHTS LEASE AGREEMENT AND GRANT OF EASEMENT THAT IS BY AND BETWEEN CPX RIVERCENTER OFFICE, LLC, A KENTUCKY LIMITED LIABILITY COMPANY ("ASSIGNOR") AND TECHNOLOGY TOWERS, LLC, A KENTUCKY LIMITED LIABILITY COMPANY ("ASSIGNEE"), REGARDING RIVERCENTER I, AND AN ESTOPPEL LIETTER, SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY SOLICITOR.

MOTION of Commissioner Eilerman, seconded by Commissioner Frank. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

A motion by Commissioner Frank and second by Commissioner Eilerman to recess the legislative meeting and enter into a City of Covington, Kentucky Municipal Properties Corporation meeting of the Board of Directors to discuss and approve the following resolutions. Motion passed 5-0.

RESOLUTION NO. R-01-15

A RESOLUTION AUTHORIZING THE PRESIDENT OF THE CITY OF COVINGTON, KENTUCKY MUNICIPAL PROPERTIES CORPORATION TO EXECUTE A CONSENT TO A FOURTH ASSIGNMENT AND ASSUMPTION OF OFFICE AIR RIGHTS LEASE AGREEMENT AND GRANT OF EASEMENT THAT IS BY AND BETWEEN CPX RIVERCENTER OFFICE, LLC, A KENTUCKY LIMITED LIABILITY COMPANY ("ASSIGNOR") AND TECHNOLOGY TOWERS, LLC, A KENTUCKY LIMITED LIABILITY COMPANY ("ASSIGNEE"), REGARDING RIVERCENTER I AND AN ESTOPPEL LETTER, SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY SOLICITOR.

MOTION of Commissioner Eilerman, seconded by Commissioner Huizenga. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

RESOLUTION NO. R-02-15

A RESOLUTION AUTHORIZING THE PRESIDENT OF THE CITY OF COVINGTON, KENTUCKY MUNICIPAL PROPERTIES CORPORATION TO EXECUTE A CONSENT TO A FOURTH ASSIGNMENT AND ASSUMPTION OF OFFICE AIR RIGHTS LEASE AGREEMENT AND GRANT OF EASEMENT THAT IS BY AND BETWEEN CPX RIVERCENTER OFFICE, LLC, A KENTUCKY LIMITED LIABILITY COMPANY ("ASSIGNOR") AND TECHNOLOGY TOWERS, LLC, A KENTUCKY LIMITED LIABILITY COMPANY ("ASSIGNEE"), REGARDING RIVERCENTER II AND AN ESTOPPEL LETTER, SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY SOLICITOR.

MOTION of Commissioner Eilerman, seconded by Commissioner Huizenga. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

Motion of Commissioner Frank and second by Commissioner Eilerman to adjourn the Board of Directors meeting of the City of Covington, Kentucky Municipal Properties

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, March 10, 2015 6:00 P.M.

UNOFFICIAL COPY

Corporation and return to the Board of Commissioners Legislative meeting. Motion passed 5-0.

ADJOURNMENT

MAYOR CARRAN adjourned the meeting at 7:55 p.m.

/s/ Sherry Carran
MAYOR

ATTEST:

/s/ Margaret Nyhan
CITY CLERK

APPROVED: March 31, 2015