

**MINUTES**  
**BOARD OF COMMISSIONERS' MEETING**  
**Tuesday, April 28, 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, April 28, 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 Huizenga, seconded by Commissioner Wells to dispense with the reading of and approve the minutes of the April 14, 2015, meeting minutes.

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

**PRESENTATIONS:**

- A check in the amount of \$1,500.00 was presented to the Covington Fire Department by Griffin Contracting for continuing education
- Norm Desmarais, Chair of COV200 gave an update on the celebration plans for the summer months
- Lisa Goetz, Finance Director, presented the FY 2015 budget as of March 31, 2015

**OLD BUSINESS – SECOND READING OF ORDINANCES**

**ECONOMIC DEVELOPMENT MANAGER** – The position of Economic Development Manager replaces the position of Business Development Manager. The position will cover all of the duties previously assigned to the Business Development Manager with the addition of oversight of the City's Tax Increment Financing District, the Economic Development Program and the HUD 108 Loan Pool program. One additional staff member will also be assigned to this person.

**COMMISSIONERS' ORDINANCE NO. O-10-15**

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 ECONOMIC DEVELOPMENT MANAGER AND ESTABLISHING THE SALARY FOR THAT POSITION.

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

**COMPLIANCE OFFICER** – The Compliance Officer will conduct compliance audits that will provide an independent, objective assessment designed to test and confirm legal compliance with applicable state, federal, and local laws and regulations, contractual agreements and internal policies and procedures. This staff member will assist departments by identifying where compliance risks may exist, recognize areas for improvement, provide recommendations to improve controls, and perform follow-up audits to assure compliance.

**COMMISSIONERS' ORDINANCE NO. O-11-15**

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

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POSITION OF COMPLIANCE OFFICER AND ESTABLISHING A SALARY  
FOR THE POSITION.

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

**NEW BUSINESS – FIRST READING OF ORDINANCES**

**AMEND §90.30** – 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 Wolff 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.

**COMMISSIONERS' ORDINANCE NO. O-XX-15**

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.

A motion was made by Commission Huizenga to amend the ordinance to add language stating the female goats only are to be used; a second by Commissioner Frank. Motion carried 5-0.

**First Reading, No Vote**

**CODE OF ORDINANCES** – The Code of Ordinance 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.

**COMMISSIONERS' ORDINANCE NO. O-XX-15**

AN ORDINANCE READOPTING THE CITY OF COVINGTON CODE OF  
ORDINANCES, 1984 EDITION, TO INCLUDE THE 2015 S-26  
SUPPLEMENT AND ALL PREVIOUSLY ADOPTED SUPPLEMENTS.

**First Reading, No Vote**

**NEW BUSINESS – ORDER/RESOLUTIONS**

**EMPLOYMENT**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-134-15**

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF  
GEOFF MILZ AS ECONOMIC DEVELOPMENT MANAGER IN THE  
BUSINESS DEVELOPMENT DIVISION OF THE DEVELOPMENT  
DEPARTMENT, EFFECTIVE JUNE 1, 2015.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Wells.  
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and  
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**RESIGNATION** – Mr. Prigge was with the City for almost two years assisting with various recreation related duties. He has joined the Peace Corps and will be stationed somewhere in the Caribbean teaching English.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-135-15**

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION OF KEVIN PRIGGE, RECREATION INTERN, EFFECTIVE MARCH 30, 2015.

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

**EMPLOYMENT** – Mr. Mairose will be the second part-time cadet in the department.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-136-15**

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF JOHN MAIROSE AS A PART-TIME CADET IN THE COVINGTON POLICE DEPARTMENT, EFFECTIVE MAY 3, 2015.

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

**RETIREMENT** – Engineer Maley has almost 23 years of service with the Department and is currently the engineer on Truck 7 in Latonia. He also maintains over 100 small engines for the department.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-137-15**

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION FOR RETIREMENT OF ENGINEER PATRICK MALEY OF THE COVINGTON FIRE DEPARTMENT, EFFECTIVE APRIL 30, 2015.

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

**PROMOTIONS** – With the recent retirements of Frank Glowatz and Patrick Maley, the department engineer ranks number 25 of 27. Hilton and Greer currently reside in the first and second positions, respectively, on the engineer's promotional examination list and both employees have shown the ability to fulfill the job duties of Engineer.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-138-15**

AN ORDER/RESOLUTION APPROVING THE PROMOTION OF FIREFIGHTER/EMT MICHAEL HILTON TO ENGINEER AND FIREFIGHTER/EMT CHRISTOPHER GREER TO ENGINEER, EFFECTIVE APRIL 28, 2015.

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

**REAPPOINTMENTS HUMAN RIGHTS COMMISSION**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-139-15**

AN ORDER/RESOLUTION REAPPOINTING CHARLES FANN, MAHER SARIEH, AND LINDA COBBS-BANKS TO THE COVINGTON HUMAN

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RIGHTS COMMISSION FOR THREE-YEAR TERMS, EFFECTIVE APRIL 28, 2015, AND EXPIRING APRIL 27, 2018.

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

**APPOINTMENT HUMAN RIGHTS COMMISSION**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-140-15**

AN ORDER/RESOLUTION APPOINTING JONATHAN M. GROPE TO THE COVINGTON HUMAN RIGHTS COMMISSION FOR A THREE-YEAR TERM, EFFECTIVE MAY 16, 2015, AND EXPIRING MAY 15, 2018.

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

**SANITATION DISTRICT 1** – Prior to July 1, 2013, SD1 maintained the private sanitary sewer laterals between the private property and the connection to the public sewer as a service to its ratepayers as a matter of policy. There are currently over 40 sanitary sewer lateral issues in Covington alone that have resulted in the formation of sinkholes which create public health and safety issues. The elimination of this service has placed a burden on SD1 ratepayers who face repairs in the \$3,000-15,000 range and it also requires the ratepayer to be responsible for replacing a section of the public street. SD1 has the experience, expertise, and equipment to repair these laterals in a timely, cost effective, and high quality manner that would eliminate the public health and safety concerns these issues create.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-141-15**

AN ORDER/RESOLUTION REQUESTING THAT SANITATION DISTRICT NO. 1 RESTORE ITS PROGRAM TO ADDRESS THE MAINTENANCE OF PRIVATE SANITARY SEWER LATERALS BETWEEN THE PRIVATE PROPERTY BOUNDARY AND THE CONNECTION TO THE PUBLIC SEWER.

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

**REQUEST FOR PROPOSALS** – This part of the environmental guidelines that go along with demolishing multiple properties. The inspection reports that are generated will be used to solicit abatement companies to remove the asbestos and prepare the properties for demolition.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-142-15**

AN ORDER/RESOLUTION APPROVING THE ISSUANCE OF A REQUEST FOR BIDS FOR ASBESTOS INSPECTION OF STRUCTURES SLATED FOR DEMOLITION.

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

**ACCEPT BID** – The City has been divided into three geographic areas with resurfacing occurring in one of the three areas on a three-year rotating basis. Area 2 includes Eastside, Austinburg, a portion of Wallace Woods, Peaselburg, Monte Casino, and West Latonia. Four bids were received for this work and Eaton Asphalt submitted the best responsible bid.

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**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-143-15**

AN ORDER/RESOLUTION ACCEPTING THE BID OF EATON ASPHALT FOR THE ANNUAL RESURFACING WORK OF SECTION TWO OF THE CITY'S THREE-YEAR PAVING ROTATION, AND REJECTING ALL OTHER BIDS, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH EATON ASPHALT IN AN AMOUNT NOT TO EXCEED \$376,688.00, PAYABLE FROM CDBG FUNDS AND CAPITAL BOND FUNDS.

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

**ACCEPT BID** - The City advertised for a qualified concrete company to provide concrete services for one calendar year for the City. This work will include street repair, ADA curb ramps, curb replacement, paver work, and other concrete work the City does regularly. The bid package was set up so that unit prices are established for each bid item and Hendy will be paid based on the quantities that are actually performed. Money is saved by getting lower prices by bidding work out in bulk rather than bidding every small job separately.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-144-15**

AN ORDER/RESOLUTION ACCEPTING THE BID OF HENDY, INC. FOR ANNUAL CONCRETE MAINTENANCE IN AN AMOUNT NOT TO EXCEED \$224,500.00, PAYABLE FROM CDBG FUNDS AND MUNICIPAL ROAD AID FUNDS, AND REJECTING ALL OTHER BIDS, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH HENDY, INC.

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

**ACCEPT BID** – As part of the State's budgeting/legislative process this year, State officials budgeted and awarded \$175,000 to fund the resurfacing of Madison Avenue between MLK, Jr. Blvd. and 20<sup>th</sup> Street. This funding will completely cover the resurfacing and restriping costs associated with the work.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-145-15**

AN ORDER/RESOLUTION ACCEPTING THE BID OF EATON ASPHALT FOR THE RESURFACING OF MADISON AVENUE FROM MARTIN LUTHER KING, JR. BOULEVARD TO TWENTIETH STREET, AND REJECTING ALL OTHER BIDS, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH EATON ASPHALT IN AN AMOUNT NOT TO EXCEED \$143,113.00, PAYABLE FROM CAPITAL BOND FUNDS WITH FULL REIMBURSEMENT FROM THE KENTUCKY TRANSPORTATION CABINET.

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

**ACCEPT BID** - The City Center garage is in need of critical safety repairs. An error in the design was discovered when a vehicle drove through the vehicle restraint system. Following the accident, THP was hired to design repairs to the garage and bring it up to

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the current days' standards. The State then turned the ownership of the garage over to the City rather than fund the repairs. These repairs will correct the deficiencies. A bid alternate repair was included which will repair the leaking joints throughout the garage.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-146-15**

AN ORDER/RESOLUTION ACCEPTING THE BID OF GUTKNECHT CONSTRUCTION FOR REPAIRS TO THE CITY CENTER GARAGE, AND REJECTING ALL OTHER BIDS, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH GUTKNECHT CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$247,582.25, PAYABLE FROM CAPITAL BOND FUNDS.

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

**RECREATIONAL TRAILS PROGRAM GRANT** – As a condition of the Recreational Trails Program Grant, a deed restriction and Memorandum of Agreement are required.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-147-15**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY DEPARTMENT FOR LOCAL GOVERNMENT OFFICE OF FEDERAL GRANTS FOR A RECREATIONAL TRAILS PROGRAM GRANT FOR THE LICKING RIVER GREENWAY, AND FURTHER AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A DEED OF RESTRICTION STATING THAT THE PROPERTY IDENTIFIED WITH THE 2014 RECREATIONAL TRAILS PROGRAM GRANT FOR THE LICKING RIVER GREENWAY BE MAINTAINED AS A PUBLIC MULTI-USE NON-MOTORIZED RECREATIONAL TRAIL, SUBJECT TO ALL CONDITIONS SET FORTH IN THE MEMORANDUM OF AGREEMENT.

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

**ANNUAL ACTION PLAN** – The City is an entitlement city for CDBG and HOME programs and the City gets a formula based direct allocation each year. In order to spend these funds, the city must create a five-year Consolidated Plan and one year Annual Action Plans. The 30-day public comment period required by HUD commenced on March 23 and the draft Annual Action Plan was presented during a public meeting on March 31, 2015. Information gathered at the public hearing was used to prioritize funding to address the needs of low and moderate income people.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-148-15**

AN ORDER/RESOLUTION ADOPTING THE CITY OF COVINGTON AND THE NORTHERN KENTUCKY HOME CONSORTIUM'S ANNUAL ACTION PLAN FOR THE PROGRAM YEAR BEGINNING JULY 1, 2015, AND ENDING JUNE 30, 2016, AND FURTHER AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS IN CONNECTION WITH THE SUBMISSION FOR FUNDING FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND THE HOME INVESTMENT PARTNERSHIP PROGRAM.

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

**CONTRACT AMENDMENT** - A contract with Hub + Weber was approved by Commission with O/R-86-13 for design and engineering services for the clubhouse facility. The original RFP was for design and engineering services with a lower estimated project cost. Through the design process, the new building estimated cost is \$4.7 million and therefore, a contract amendment needs to take place to ensure proper design.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-149-15**

AN ORDER/RESOLUTION APPROVING A CONTRACT AMENDMENT WITH HUB + WEBER ARCHITECTS, PLC FOR DESIGN AND ENGINEERING SERVICES FOR THE EVENTS CENTER AT THE DEVOU PARK GOLF COURSE IN AN AMOUNT NOT TO EXCEED \$203,180.00. PAYABLE FROM DEVOU PARK MASTER PLAN FUNDS.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Wells.  
Passed. 4 Yeas. Commissioners Eilerman, Huizenga, Wells, and Mayor Carran.  
1 Nay. Commissioner Frank.

**SURPLUS PROPERTY** - The surplus includes vehicles and mowers

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-150-15**

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

**BMX FACILITY** - As part of the 2014-15 Annual Action Plan, \$45,000 was approved for the creation of a BMX facility within the City. Staff has been working with the NKY BMX group on site analysis and assembling necessary information to create a structure that will allow the current impound lot at the Bill Cappel Complex to be transformed. The City will be using \$45,000 CDBG funds to purchase supplies and the NKY BMX group will be utilizing in-kind donations to construct the track. The NKY BMX will operate the facility and will be making monthly lease payments to the City of \$600 from April through August.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-151-15**

AN ORDER/RESOLUTION APPROVING A DEVELOPMENT LEASE AGREEMENT WITH NKY BMX DEVELOPMENT, INC. FOR DEVELOPMENT AND OPERATION OF A BMX FACILITY LOCATED AT THE BILL CAPPEL SPORTS COMPLEX, WITH CITY EXPENSES PAYABLE FROM CDBG FUNDS.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Frank.  
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and  
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**PROJECT UPDATE** – Finance Director Lisa Goetz gave a presentation on the implementation of the Springbrook new financial software.

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**ADJOURNMENT**

MAYOR CARRAN adjourned the meeting at 8:55 p.m.

/s/ Sherry Carran  
MAYOR

ATTEST:

/s/ Margaret Nyhan  
CITY CLERK

APPROVED: May 12, 2015