

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, May 12, 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, May 12, 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 28, 2015, meeting minutes.

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

PRESENTATIONS: There were no presentations

OLD BUSINESS – SECOND 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-12-15

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.

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

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-13-15

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

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

ASSISTANT POLICE CHIEFS – The position of Assistant Police Chief is being revised to more efficiently cover duties with the establishment of two Assistant Police Chiefs. With the recent announcement of Chief Jones resignation for retirement purposes, it is

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being recommended by City management and Police Department management to align upper command duties into two areas, Services and Operations, with an Assistant Police Chief responsible for each resulting in more efficient operation of the Police Department.

COMMISSIONERS' ORDINANCE NO. O-XX-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 POSITIONS OF ASSISTANT POLICE CHIEF OF OPERATIONS AND ASSISTANT POLICE CHIEF OF SERVICES AND ESTABLISHING A SALARY FOR THE POSITIONS.

First Reading, No Vote

NEW BUSINESS – ORDER/RESOLUTIONS

BUILDING SAFETY MONTH – The International Code Council (ICC) is a member-focused association and is dedicated to developing model codes and standards used in the design, build, and compliance process to construct safe, affordable and resilient structures. Building Safety Month is sponsored by the ICC to remind the public about the critical role of our communities' largely unknown guardians of public safety, the code officials who assure us of safe, efficient, and livable buildings.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-152-15

AN ORDER/RESOLUTION PROCLAIMING THE MONTH OF MAY 2015 AS BUILDING SAFETY MONTH AND ENCOURAGING THE CITIZENS TO JOIN WITH THEIR COMMUNITIES IN PARTICIPATING IN BUILDING SAFETY MONTH ACTIVITIES.

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

JOB DESCRIPTIONS – The position of Assistant Police Chief is being revised to more efficiently cover duties with the establishment of two Assistant Police Chiefs. With the recent announcement of Chief Jones resignation for retirement purposes, it is being recommended by City management and Police Department management to align upper command duties into two areas, Services and Operations with an Assistant Police Chief responsible for each for more efficient operation of the department. The job description for the Police Chief is being updated only as to format.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-153-15

AN ORDER/RESOLUTION APPROVING JOB DESCRIPTIONS FOR THE POSITIONS OF POLICE CHIEF, ASSISTANT POLICE CHIEF OF OPERATIONS AND ASSISTANT POLICE CHIEF OF SERVICES.

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

BOARD APPOINTMENT – The City has two representatives on this committee that meets monthly to discuss and vote on regional transportation projects and various grant opportunities that filter through OKI.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-154-15

AN ORDER/RESOLUTION REAPPOINTING CITY ENGINEER/COMMUNITY SERVICES MANAGER MIKE YEAGER AND APPOINTING DEPARTMENT OF PUBLIC IMPROVEMENTS DIRECTOR

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RICK DAVIS TO THE INTERMODAL COORDINATING COMMITTEE OF
THE OKI REGIONAL COUNCIL OF GOVERNMENTS.

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

BOARD RESIGNATION

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-155-15

AN ORDER/RESIGNATION ACCEPTING THE RESIGNATION OF RICK
LUDLUM FROM THE BOARD OF OVERSEERS FOR THE LINDEN
GROVE CEMETERY, EFFECTIVE MAY 18, 2015.

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

BOARD APPOINTMENT

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-156-15

AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF FAYE
MASSEY TO THE BOARD OF OVERSEERS FOR THE LINDEN GROVE
CEMETERY, FOR A TWO-YEAR TERM, EFFECTIVE MAY 18, 2015, AND
EXPIRING MAY 17, 2017.

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

CONTRACT RENEWAL – This is an annual renewal for services which include
administration and claims processing for medical and RX, wellness program, FSA and
HRA Administration and Stop Loss coverage.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-157-15

AN ORDER/RESOLUTION AUTHORIZING A CONTRACT RENEWAL
WITH THE CITY'S SELF-INSURED MEDICAL PLAN THIRD PARTY
ADMINISTRATOR AND BROKER, AND ACCEPTING A PROPOSAL FOR
STOP-LOSS INSURANCE COVERAGE, IN A TOTAL AMOUNT OF
\$530,272.80, PAYABLE FROM THE GENERAL FUND.

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

MUTUAL FIRE AID AGREEMENT – The cities of Covington and Cincinnati have
maintained a "mutual aid" agreement for the provision of fire, rescue, and EMS services.
This updated agreement was drafted by both cities' legal departments to meet the needs of
the two departments.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-158-15

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY
MANAGER TO ENTER INTO A MUTUAL FIRE AID AGREEMENT WITH
THE CITY OF CINCINNATI.

MOTION of Commissioner Eilerman, seconded by Commissioner Wells.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and
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DEVELOPMENT AGREEMENT – The City acquired these properties to revive this downtown block. An RFP for development was sent out and three proposals were received. A selection committee comprised of City staff and staff from the Catalytic Development Funding Corp. vetted the three proposals based on estimated project costs, business plans, and project viability. The selection committee recommends moving forward with the Milburn Group and ECCE Properties, LLC.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-159-15

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT WITH THE MILBURN GROUP AND ECCE PROPERTIES, LLC FOR THE DEVELOPMENT OF CITY-OWNED PROPERTIES LOCATED AT 11 EAST FIFTH STREET, 18 EAST FIFTH STREET, AND 20 EAST FIFTH STREET AND FOR THE TRANSFER OF THE AFOREMENTIONED PROPERTIES TO THE MILBURN GROUP AND ECCE PROPERTIES, LLC.

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

REJECT BID – Only one bid was received for this service and it is recommended to reissue the bid request to get more bids in order to make a better evaluation.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-160-15

AN ORDER/RESOLUTION REJECTING ALL BIDS RECEIVED FOR EMPLOYEE DISHONESTY COVERAGE AND APPROVING THE REISSUANCE OF A REQUEST FOR BIDS.

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

SETTLEMENT AGREEMENT - There is litigation pending between Lewisburg Enterprises, LLC and the City involving a billboard located at 610 Pike Street. The settlement is fact specific to the Lewisburg's billboard as to the then existing City zoning and signage regulations and will not be allowed as precedent or evidence or authority in any other case or administrative action by the parties, provides no payment of any damages or attorney's fee and will provide for a dismissal with prejudice and final resolution of the lawsuits.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-161-15

AN ORDER/RESOLUTION APPROVING A SETTLEMENT AGREEMENT WITH LEWISBURG ENTERPRISES, LLC.

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

SURPLUS PROPERTY – Items include vehicles, a forklift engine, and a golf cart.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-162-15

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

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

PROJECT UPDATE – Larisa Sims, Assistant City Manager gave a progress update on the multi-year capital improvement plan.

ADJOURNMENT

MAYOR CARRAN adjourned the meeting at 6:55 p.m.

/s/ Sherry Carran
MAYOR

ATTEST:

/s/ Margaret M. Nyhan
CITY CLERK

APPROVED: May 18, 2015