

MINUTES
BOARD OF COMMISSIONERS' MEETING
Thursday, May 28, 2015 6:00 P.M.
UNOFFICIAL COPY

A REGULAR MEETING of the Board of Commissioners of the City of Covington, Kentucky, was opened by Mayor Carran, on Thursday, May 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 May 12 and May 18, 2015, meeting minutes.

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

PRESENTATIONS:

- Natalie Gardner, Programs and Strategic Projects Manager gave an update on the Cincinnati Reds/Meinken Field project.

OLD BUSINESS – SECOND READING OF ORDINANCES

FY 2014-2015 BUDGET – This ordinance will re-appropriate and re-apportion the current FY budget to recognize any changes in revenue and expenditures.

COMMISSIONERS' ORDINANCE NO. O-15-15

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.

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

FY 2015-2016 BUDGET

COMMISSIONERS' ORDINANCE NO. O-16-15

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.

MOTION of Commissioner Frank, seconded by Commissioner Huizenga.
Passed. 3 Yeas. Commissioners Frank, Huizenga, and Mayor Carran.
2 Nays. Commissioners Eilerman and Wells.

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NEW BUSINESS – FIRST READING OF ORDINANCES

ADMINISTRATION AND INTELLIGENCE DIRECTOR – This civilian, non-hazardous duty position, under the supervision of the Police Chief, will organize, supervise and direct budgetary and intelligence related work for the 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 POSITION OF ADMINISTRATION AND INTELLIGENCE DIRECTOR AND ESTABLISHING A SALARY FOR THE POSITION.

First Reading, No Vote

2015 TAX AND REVENUE ANTICIPATION NOTE

COMMISSIONERS' ORDINANCE NO. O-XX-15

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.

First Reading, No Vote

KENTUCKY TAXABLE GENERAL OBLIGATIONS BONDS

COMMISSIONERS' ORDINANCE NO. O-XX-15

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.

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First Reading, No Vote

AMEND SECTION 111.120(G)

COMMISSIONERS' ORDINANCE NO. O-XX-15

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.

First Reading, No Vote

NEW BUSINESS – ORDER/RESOLUTIONS

RETIREMENT POLICE CHIEF – Chief Jones 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 year.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-168-15

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION FOR RETIREMENT OF COLONEL MICHAEL "SPIKE" JONES FROM THE COVINGTON POLICE DEPARTMENT, EFFECTIVE MAY 31, 2015.

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

APPOINT POLICE CHIEF – Lt. Col. Carter 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 Col. Jones.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-169-15

AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF LIEUTENANT COLONEL BRYAN CARTER AS POLICE CHIEF OF THE COVINGTON POLICE DEPARTMENT, EFFECTIVE JUNE 1, 2015.

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

APPOINT ASSISTANT POLICE CHIEF OF OPERATIONS – Captain Nader is a life-long Covington resident. He has a Bachelor's degree from Thomas More College in Elected Studies, a NKU Associate of Applied Science degree in Law Enforcement, and a July 2015 anticipated Master of Science Degree in Executive Leadership and Organizational Change from NKU. Captain Nader has also been accepted into the FBI National Academy 260th session in October of 2015. He has been with the Covington Police Department since 1997.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-170-15

AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF CAPTAIN ROB NADER TO THE POSITION OF ASSISTANT POLICE

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CHIEF OF OPERATIONS IN THE COVINGTON POLICE DEPARTMENT,
EFFECTIVE JUNE 1, 2015.

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

APPOINT ASSISTANT POLICE CHIEF OF SERVICES – Lieutenant Steffen is a graduate of NKU with a Bachelor of Arts degree in Criminal Justice. He also has a certificate in criminal Justice Education from the University of Virginia in Charlottesville, and a Master of Science in Criminal Justice from the University of Cincinnati. Lieutenant Steffen is a 2012 graduate of the FBI National Academy, International Executive command Course. He has been with the Covington Police Department since 1998.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-171-15

AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF
LIEUTENANT BRIAN STEFFEN TO THE POSITION OF ASSISTANT
POLICE CHIEF OF SERVICES IN THE COVINGTON POLICE
DEPARTMENT, EFFECTIVE JUNE 1, 2015.

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

PROMOTIONS POLICE DEPARTMENT

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-172-15

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.

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

JOB DESCRIPTION ADMINISTRATION AND INTELLIGENCE DIRECTOR – Under the supervision of the Chief of Police, this civilian position will be responsible for revenue and expenditure forecasting and analysis, development and management of financial procedures, policies and guidelines and review grant applications, oversee grant expenditures, and review grant reporting.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-173-15

AN ORDER/RESOLUTION APPROVING THE JOB DESCRIPTION FOR
THE POSITION OF ADMINISTRATION AND INTELLIGENCE
DIRECTOR IN THE COVINGTON POLICE DEPARTMENT.

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

RETIREMENT FIRE DEPARTMENT – Captain Rittinger has served on the Covington Fire Department for over 20 years. He is retiring as Captain at Company 1 on Truck 1.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-174-15

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION FOR
RETIREMENT OF CAPTAIN KEITH RITTINGER FROM THE
COVINGTON FIRE DEPARTMENT, EFFECTIVE MAY 31, 2015.

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MOTION of Commissioner Wells, seconded by Commissioner Frank.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and
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PROGRAM GUIDELINES – 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.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-175-15

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.

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

SURPLUS PROPERTY – Broken and outdated equipment from the Fire Department is included in the list of surplus property.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-176-15

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

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

REQUEST FOR BIDS – This equipment is considered a critical need for DPI and has been previously approved for payment by the Devou Park Master Plan funds.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-177-15

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.

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

NKY WATER DISTRICT AGREEMENT – There was a significant water main break on Third Street which has been repaired and caused damage to the 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 Districts' restoration requirements that resulted from the main break will be fulfilled.

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COMMISSIONERS' ORDER/RESOLUTION NO. O/R-178-15

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE NORTHERN KENTUCKY WATER DISTRICT FOR ROADWAY REPAIRS ON THIRD STREET FROM MADISON AVENUE TO SCOTT BOULEVARD.

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

SETTLEMENT AGREEMENT – 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. Earlier 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.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-179-15

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A SETTLEMENT AGREEMENT WITH LEONARD WOLFF.

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

ADVERTISEMENT FOR BIDS

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-180-15

AN ORDER/RESOLUTION APPROVING THE ADVERTISEMENT FOR BIDS 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.

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

PROJECT UPDATE

ADJOURNMENT

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

/s/ Sherry Carran

MAYOR

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ATTEST:

/s/ Margaret M. Nyhan
CITY CLERK

APPROVED: June 16, 2015