

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, June 16, 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, June 16, 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 Wells, seconded by Commissioner Frank to dispense with the reading of and approve the minutes of the May 28, 2015, meeting minutes.

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

PRESENTATIONS:

Lt. Col. Rob Nader presented to the Commission details of the 2015 Edward Byrne Memorial Justice Assistance Grant budget and a breakdown of what the monies would be used for. Commissioner Eilerman asked what the software tracks that they wish to purchase. Commissioner Frank questioned if there would be an annual subscription fee. There were no comments or questions from the public.

OLD BUSINESS – SECOND 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-17-15

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.

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

2015 TAX AND REVENUE ANTICIPATION NOTE

COMMISSIONERS' ORDINANCE NO. O-18-15

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

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THE NOTES; AND REPEALING INCONSISTENT ORDINANCES,
RESOLUTIONS AND ORDERS.

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

KENTUCKY TAXABLE GENERAL OBLIGATIONS BONDS

COMMISSIONERS' ORDINANCE NO. O-19-15

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.

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

NEW BUSINESS – FIRST READING OF ORDINANCES

AMBULANCE USAGE FEES

COMMISSIONERS' ORDINANCE NO. O-XX-15

AN ORDINANCE AMENDING § 98.03 OF THE COVINGTON CODE OF
ORDINANCES, AMBULANCE USAGE SERVICE CHARGE.

First Reading, No Vote

ELIMINATION OF POSITION

COMMISSIONERS' ORDINANCE NO. O-XX-15

AN ORDINANCE AMENDING § 34.50 OF THE COVINGTON CODE OF
ORDINANCES, NON-UNIFORMED, NON-CIVIL SERVICE EMPLOYEES,
POSITIONS DESIGNATED AND ORDINANCE O-27-13, NON-UNION
CLASSIFICATION SYSTEM, ELIMINATING THE POSITION OF CODE
ENFORCEMENT OFFICER.

First Reading, No Vote

NEW BUSINESS – ORDER/RESOLUTIONS

DIVERSITY STATEMENT

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-181-15

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AN ORDER/RESOLUTION APPROVING A DIVERSITY STATEMENT
FOR THE CITY OF COVINGTON.

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

BOARD APPOINTMENT – Mr. Garrison is the Superintendent of the Covington Independent Schools and has agreed to this appointment on the Board. He will be replacing a member who is unable to accept reappointment.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-182-15

AN ORDER/RESOLUTION APPOINTING ALVIN GARRISON TO THE
BOARD OF EXAMINERS FOR POLICE AND FIREFIGHTERS FOR A
THREE-YEAR TERM, EFFECTIVE JUNE 17, 2015, AND EXPIRING
JUNE 16, 2018.

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

RESIGNATION – Mr. Rhoades, Assistant City Solicitor, has accepted a position with Adams, Stepner, Woltermann & Dusing in its municipal law group.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-183-15

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION OF BRYCE
C. RHOADES, ASSISTANT CITY SOLICITOR, EFFECTIVE JUNE 26,
2015.

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

EMPLOYMENT – Mr. Warner has been employed by the City as a Law Clerk since September 2014. He is a member of both the Ohio State Bar and Kentucky State Bar.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-184-15

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF
DONALD L. WARNER III AS ASSISTANT CITY SOLICITOR, EFFECTIVE
JUNE 14, 2015.

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

EMPLOYMENT – Both Mr. Habermehl and Mr. Mullaney are well qualified for the position of Police Officer with the Department. Their hiring will bring the total number of officers to 106

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-185-15

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF
JARED HABERMEHL AND BRENT MULLANEY AS POLICE OFFICERS
IN THE COVINGTON POLICE DEPARTMENT FOR A TWELVE-MONTH
PROBATIONARY PERIOD, EFFECTIVE JULY 12, 2015.

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

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EMPLOYMENT PART-TIME PARK RANGER

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-186-15

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF ROBERT L. MEARS, JR. AS A PART-TIME PARK RANGER IN THE COVINGTON POLICE DEPARTMENT, EFFECTIVE JUNE 21, 2015.

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

CONTRACT – The software is used for scheduling and time reporting for the Police Department. This annual renewal will also include upgrades to the system.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-187-15

AN ORDER/RESOLUTION APPROVING A CONTRACT WITH JAVASOFT CORPORATION FOR THE ANNUAL FEE FOR SUPPORT AND UPGRADES TO THE ON DUTY POLICE SCHEDULING SOFTWARE AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT IN AN ANNUAL AMOUNT OF \$1,075.00, PAYABLE FROM THE GENERAL FUND.

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

CONTRACT – This software package will provide the Department with a centralized and standard method of documentation to track employee performance and will allow supervisors to record any and all work related happenings of employees.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-188-15

AN ORDER/RESOLUTION APPROVING A CONTRACT WITH GUARDIAN TRACKING, LLC FOR EMPLOYEE TRACKING SOFTWARE AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT IN AN ANNUAL AMOUNT OF \$2,286.00, PAYABLE FROM GENERAL FUND.

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

CONTRACT – This on-line subscription investigative tool will be used to perform searches for a wide variety of criminal complaints ranging from threat assessment to fraud prevention and detection.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-189-15

AN ORDER/RESOLUTION APPROVING A CONTRACT WITH ONLINE INVESTIGATIVE SYSTEMS FOR SUBSCRIPTION SERVICES AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT IN AN ANNUAL AMOUNT OF \$1,320.00, PAYABLE FROM THE GENERAL FUND.

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

2015 EDWARD BYRNE MEMORIAL JAG – The JAG grant will allow the Department to purchase items that are needed to deploy resources of the Department effectively and

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efficiently. Items include ATACRAIDS which is a crime analysis tool that extracts calls for service and crimes from various sources of information and combines all information and plots them on a map.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-190-15

AN ORDER/RESOLUTION APPROVING THE 2015 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT BUDGET ITEMS AS SUBMITTED BY THE COVINGTON POLICE DEPARTMENT.

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

HOMELAND SECURITY GRANT POLICE DEPARTMENT – The funds from this grant will be used for projects including SWAT equipment, the Riverfront Security Project, and Police headquarters physical improvements project.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-191-15

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN APPLICATION WITH THE KENTUCKY OFFICE OF HOMELAND SECURITY FOR A GRANT FOR THE COVINGTON POLICE DEPARTMENT TO BE USED FOR EQUIPMENT AND PHYSICAL IMPROVEMENT PROJECTS AT POLICE HEADQUARTERS.

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

NEEDS ASSESSMENT INSIGHT KENTUCKY PARTNERS II, L.P.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-192-15

AN ORDER/RESOLUTION OF THE CITY OF COVINGTON, KENTUCKY ACCEPTING, ADOPTING AND APPROVING THE NEEDS ASSESSMENT REPORT IDENTIFYING THE FUTURE CABLE-RELATED COMMUNITY NEEDS AND INTERESTS OF THE CITY IN CONNECTION WITH THE RENEWAL OF THE CABLE TELEVISION FRANCHISE PRESENTLY HELD BY INSIGHT KENTUCKY PARTNERS, II, L.P.

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

CONTRACT – The City is required, by EPA standards, to test any properties that are slated for demolition and remove any asbestos prior to demolition. There are 54 properties slated for demolition that need asbestos inspection.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-193-15

AN ORDER/RESOLUTION ACCEPTING THE BID OF RAINBOW ENVIRONMENTAL SERVICES, INC. FOR ASBESTOS INSPECTION OF VACANT RESIDENTIAL PROPERTIES SLATED FOR DEMOLITION, AND REJECTING ALL OTHER BIDS, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH RAINBOW ENVIRONMENTAL SERVICES, INC. IN AN AMOUNT NOT TO EXCEED \$15,220.00, PAYABLE FROM THE CAPITAL FUND.

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

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CHANGE ORDER – Since the original contract was signed with Eaton, three other projects have come up that need attention: 1) Bent Tree is a street in South Covington that is in very poor condition which will be repaired; 2) Alley off Pershing that the City owns and is also in poor condition and needs resurfacing; and 3) Third Street from Madison to Scott where there was a water main break. The Water District has repaired the break and will reimburse the City for the cost of resurfacing.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-194-15

AN ORDER/RESOLUTION APPROVING A CHANGE ORDER TO THE CONTRACT WITH EATON ASPHALT FOR ADDITIONAL RESURFACING WORK, IN AN AMOUNT NOT TO EXCEED \$30,000.00, PAYABLE FROM THE CAPITAL FUND.

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

ANNUAL RISK ASSESSMENT AND INTERNAL AUDIT

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-195-15

AN ORDER/RESOLUTION ADOPTING THE OFFICE OF THE INTERNAL AUDITOR'S ANNUAL RISK ASSESSMENT AND AUDIT PLAN FOR FISCAL YEAR 2015-2016.

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

PURCHASING POLICY AMENDMENTS – Changes to the policy were needed to define uses of City funds with respect to small expenditures and to promote consistency across departments with respect to these expenditures.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-196-15

AN ORDER/RESOLUTION APPROVING AMENDMENTS TO THE MANUAL OF PURCHASING POLICIES AND PROCEDURES OF THE CITY OF COVINGTON, KENTUCKY.

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

SETTLEMENT AGREEMENT – In July 2006, the City made an economic development loan to the Ennekings to help fund the opening of a children's store on Main Street. The Ennekings pledged real property they own in Indiana as collateral for the loan. However, the business closed and they were in default of their obligations. The City and the Ennekings have agreed on a settlement to erase the Ennekings obligations to the City.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-197-15

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A SETTLEMENT AGREEMENT WITH DEBORAH ENNEKING AND STEPHEN A. ENNEKING.

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

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CLG GRANT

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-198-15

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE 2015-2016 CERTIFIED LOCAL GOVERNMENT GRANT IN AN AMOUNT OF \$3,000.00 TO BE USED FOR THE NORTHERN KENTUCKY RESTORATION PROJECT.

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

CLG GRANT

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-199-15

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE 2015-2016 CERTIFIED LOCAL GOVERNMENT GRANT IN AN AMOUNT OF \$2,000.00 TO BE USED FOR PHASE II OF THE PEASELBURG NATIONAL REGISTER NOMINATION.

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

CLG GRANT

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-200-15

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE 2015-2016 CERTIFIED LOCAL GOVERNMENT GRANT IN AN AMOUNT OF \$6,000.00 TO BE USED FOR THE NORTHERN KENTUCKY PRESERVATION VIDEO TAKE 3.

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

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

RESOLUTION NO. R-03-15

A RESOLUTION BY THE CITY OF COVINGTON, KENTUCKY DEVELOPMENT PROPERTIES CORPORATION GRANTING AN EASEMENT TO DUKE ENERGY FOR THE EXECUTION OF CERTAIN IMPROVEMENT AND THE INSTALLATION OF UNDERGROUND UTILITIES AT 15-21 EAST FIFTH STREET.

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

Motion of Commissioner Huizenga and second by Commissioner Frank to adjourn the Board of Directors meeting of the City of Covington, Kentucky Development Properties Corporation and return to the Board of Commissioners Legislative meeting. Motion passed 5-0.

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RESIGNATION

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-201-15

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION OF CHRIS PRESTON, CODE ENFORCEMENT OFFICER.

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

SPIRIT OF PROGRESS 2015 VISION STATEMENT

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-202-15

AN ORDER/RESOLUTION APPROVING THE SPIRIT OF PROGRESS 2015 VISION STATEMENT.

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

PROJECT UPDATE

Natalie Gardner, Programs and Strategic Projects Manager gave an update on initial implementation of the Randolph Park Improvements Project.

ADJOURNMENT

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

/s/ Sherry Carran _____
MAYOR

ATTEST:

/s/ Margaret M. Nyhan _____
CITY CLERK

APPROVED: July 7, 2015