

**MINUTES**  
**BOARD OF COMMISSIONERS' MEETING**  
**Tuesday, October 21, 2014 6:00 P.M.**  
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A **MEETING** of the Board of Commissioners of the City of Covington, Kentucky, was opened by Mayor Carran, on Tuesday, October 21, 2014, at 6:00 p.m., in Commission Chambers, 20 West Pike Street, Covington, Kentucky.

Mayor Carran presiding with Commissioners Chuck Eilerman, Steve Frank, Mildred Rains, Michelle Williams, City Manager Larry Klein, and Assistant City Manager/City Solicitor Frank Warnock, present.

**MOTION** of Commissioner Frank, seconded by Commissioner Eilerman to dispense with the reading of and approve the minutes of the October 7, 2014, meeting minutes.

**Passed.** 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

**PRESENTATIONS:**

- Crystal Courtney, Municipal Specialist, briefly explained the Holman Street tree project and how this project received the 2014 Kentucky Environmental Excellence Award and the 2014 Northern Kentucky Urban and Community Forestry Council Award. Both she and Jason Roberts were also honored by these organizations.

**OLD BUSINESS – SECOND READING OF ORDINANCES**

**CITY ELECTIONS** – House Bill 331, the city reclassification bill, removes the requirement that cities like Covington hold nonpartisan elections. When HB 331 goes into effect on January 1, 2015, the default method of election for Covington will become partisan. In order to continue to hold nonpartisan elections, the City must pass an ordinance making all elections for the Board of Commissioners nonpartisan.

**COMMISSIONERS' ORDINANCE NO. O-25-14**

AN ORDINANCE AMENDING CHAPTER 30 OF THE COVINGTON CODE OF ORDINANCES TO PRESCRIBE THAT ELECTION OF CITY OFFICERS SHALL BE UNDER NONPARTISAN CITY ELECTION LAWS AS PROVIDED IN KRS 83A.-45, 83A.170, 83A.175 AND 83A.047.

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

**INVESTMENT OF CITY FUNDS** – Pursuant to KRS 66.480, all cities must adopt an investment policy whether or not they have idle funds to invest. This ordinance designates the City's Finance Director as the officer authorized to invest and oversee the investment of City funds with direction and concurrence of City Manager, who together may seek and rely upon the advice of professional financial advisors.

**COMMISSIONERS' ORDINANCE NO. O-26-14**

AN ORDINANCE ESTABLISHING A POLICY FOR INVESTING CITY FUNDS PURSUANT TO RS 66.480.

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

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**NEW BUSINESS – ORDER/RESOLUTIONS**

**FORESTRY AWARDS** – In April 2014, the City's Urban Forestry Division used a grant from the Kentucky Division of Forestry to conduct a large scale urban forestry planting event along 10 blocks of Holman Avenue. These awards recognize both the project itself and Crystal and Jason individually.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-241-14**

AN ORDER/RESOLUTION HONORING CRYSTAL COURTNEY, MUNICIPAL SPECIALIST, AND JASON ROBERTS, URBAN FORESTRY SUPERVISOR, AS THE RECIPIENTS OF THE KENTUCKY DEPARTMENT FOR ENVIRONMENTAL PROTECTION'S 2014 COMMUNITY ENVIRONMENTAL LUMINARY AWARD AND RECOGNIZING THE SUCCESS OF THEIR URBAN FORESTRY CORRIDOR PROJECT, WHICH WAS AWARDED AS THE 2014 OUTSTANDING FORESTRY PROJECT BY THE NORTHERN KENTUCKY URBAN AND COMMUNITY FORESTRY COUNCIL.

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

**ACCEPT BID** – The City applied for and was awarded an SNK grant for the resurfacing of Russell Street from 6<sup>th</sup> to 18<sup>th</sup> Street. The project was initiated when the Fire Department informed us of the issue with low water pressure along this route. City staff coordinated closely with the water department to insure the main replacement and new hydrant installation become a priority. The City will manage the project, pay for it, and submit for reimbursement.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-242-14**

AN ORDER/RESOLUTION ACCEPTING THE BID OF EATON ASPHALT FOR THE RESURFACING OF RUSSELL STREET FROM SIXTH STREET TO 18<sup>TH</sup> STREET, INCLUDING THE CROSS STREETS WHERE WATER MAINS WERE REPLACED, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH EATON ASPHALT PAVING CO., INC. IN AN AMOUNT NOT TO EXCEED \$224,633.30, WITH \$149,952.00 PAYABLE FROM STATE SNK FUNDS AND \$74,681.30 PAYABLE FROM CDBG FUNDS.

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

**SURPLUS PROPERTY** – The surplus item is a 2002 Ford F150 truck assigned to the Department of Public Improvements.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-243-14**

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

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

**DEVELOPMENT LOAN AMENDMENT** – The original development loan will now include a new partner, BCKD LLC, who will be added to the original loan documents. The new partner, who has a good track record in developing properties for restaurants,

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will take over the development of the property and will execute a performance and completion guarantee.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-244-14**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A PROMISSORY NOTE WITH CCB 621, LLC, WHICH SHALL SUPERSEDE THE PRIOR PROMISSORY NOTE AUTHORIZED BY COMMISSIONERS' ORDER/RESOLUTION NO. O/R-100-13, AND FURTHER AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO A PERFORMANCE AND COMPLETION GUARANTEE WITH BCKD, LLC, PURSUANT TO WHICH BCKD, LLC WILL GUARANTEE COMPLETION OF THE REDEVELOPMENT OF PROPERTIES LOCATED AT 621-623 MAIN STREET.

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

**DOJ FUNDS** – The Police Department has been applying for and obtaining BVP funds from the US Department of Justice since 2007. The department is asking for authorization of receipt of these funds for FY 2013-2014 and 2014-2015.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-245-14**

AN ORDER/RESOLUTION AUTHORIZING THE ACCEPTANCE OF FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE BULLETPROOF VEST PARTNERSHIP PROGRAM FOR UP TO 50% OF THE COST OF ELIGIBLE BALLISTIC VEST PURCHASES, EFFECTIVE BEGINNING SEPTEMBER 2013.

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

**CYANOACRYLATE FUMING CHAMBER** – The Police Department has been awarded up to \$7,900 from the Department of Justice for the purchase of a cyanoacrylate fuming chamber for the crime lab.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-246-14**

AN ORDER/RESOLUTION AUTHORIZING THE ACCEPTANCE OF \$7,900.00 FROM THE UNITED STATES DEPARTMENT OF JUSTICE PAUL COVERDELL FORENSIC SCIENCE IMPROVEMENT GRANTS PROGRAM AND AUTHORIZING THE PURCHASE OF A CYANOACRYLATE FUMING CHAMBER FOR THE COVINGTON POLICE DEPARTMENT'S CRIME LAB USING SAID GRANT FUNDS.

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

**BOARD APPOINTMENT** – Ms. Vorherr will be filling a vacant seat on the Devou Park Advisory Committee.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-247-14**

AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF DORA J. VORHERR TO THE DEVOU PARK ADVISORY COMMITTEE, FOR A THREE-YEAR TERM, EFFECTIVE JANUARY 1, 2015, AND EXPIRING DECEMBER 31, 2017.

**MOTION** of Commissioner Rains, seconded by Commissioner Frank.

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Passed. 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

**HALLOWEEN**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-248-14**

AN ORDER/RESOLUTION PROCLAIMING FRIDAY, OCTOBER 31, 2014, AS THE OFFICIAL HALLOWEEN "TRICK OR TREAT" CELEBRATION, BETWEEN THE HOURS OF 6:00 P.M. AND 8:00 P.M. IN THE CITY OF COVINGTON.

**MOTION** of Commissioner Rains, seconded by Commissioner Williams.

Passed. 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

**GRANT ACCEPTANCE** – The City has received this grant award in previous years. This year the grant will fund the City's efforts to prepare a National Register nomination for the Peaselburg neighborhood as well as sponsoring the annual NKY restoration Weekend. The matching funds are in the form of in-kind contributions of City staff time.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-249-14**

AN ORDER/RESOLUTION ACCEPTING A 2014-2015 CERTIFIED LOCAL GOVERNMENT GRANT FROM THE KENTUCKY HERITAGE COUNCIL IN THE AMOUNT OF \$13,400.00 AND AUTHORIZING THE EXPENDITURE OF \$9,067.00, IN MATCHING FUNDS, TO BE USED FOR PREPARATION OF THE NATIONAL REGISTER NOMINATION FOR THE PEASELBURG NEIGHBORHOOD AND FOR EXPENSES ASSOCIATED WITH THE NKY RESTORATION WEEKEND, AND FURTHER AUTHORIZING THE MAYOR TO EXECUTE THE GRANT CONTRACT ON BEHALF OF THE CITY.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Frank.

Passed. 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

**ADJOURNMENT**

MAYOR CARRAN adjourned the meeting at 6:35 p.m.

/s/ Sherry Carran  
MAYOR

ATTEST:

/s/ Margaret Nyhan  
CITY CLERK

APPROVED: November 18, 2014