

**MINUTES**  
**BOARD OF COMMISSIONERS' MEETING**  
**Tuesday, December 16, 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, December 16, 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 Rains, seconded by Commissioner Frank to dispense with the reading of and approve the minutes of the December 2, 2014, meeting minutes.

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

**PRESENTATIONS:**

- Norm Desmarais, Chairman of the COV200, presented an update of the progress and future activities for the City's 200 birthday celebration.
- Lisa Goetz, Finance Director, gave a brief overview of the City's finances and budget activities to date.

**OLD BUSINESS – SECOND READING OF ORDINANCES**

**2015 LEGISLATIVE MEETING DATES** – Cities are required by KRS to establish the dates for the Board of Commissioners by ordinance. The dates identified in the legislation outline all the regular meeting of the Board of Commissioners for calendar year 2015

**COMMISSIONERS' ORDINANCE NO. O-27-14**

AN ORDINANCE ESTABLISHING THE DATES OF THE REGULAR LEGISLATIVE MEETINGS OF THE COVINGTON BOARD OF COMMISSIONERS FOR 2015.

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

**TEXT AMENDMENT** – This text amendment has been requested from the Linden Gateway Small Area Study Implementation Group in order to encourage private development at the residential and commercial properties on MLK Jr. Blvd. that are west of Main Street on what is referred to as the Bavarian Brewery Complex.

**COMMISSIONERS' ORDINANCE NO. O-28-14**

AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE KENTON COUNTY PLANNING COMMISSION TO AMEND THE TEXT OF THE BAVARIAN BREWERY REDEVELOPMENT PROJECT URBAN RENEWAL PLAN OF THE CITY OF COVINGTON, KENTUCKY (COMMISSIONERS' ORDINANCE NO. O-40-96 AS AMENDED BY COMMISSIONERS' ORDINANCE NO. O-24-09) TO ELIMINATE LANGUAGE THAT AUTHORIZED THE CITY TO OBTAIN PROPERTIES DESIGNATED IN PHASE II THROUGH CONDEMNATION PROCEEDINGS.

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

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**TEXT AMENDMENT** – A number of local retail businesses in the CBD zoning district have expressed interest in setting out merchandise on City sidewalks. The current Code of Ordinances has provisions that allow for the set-out; however, the Zoning Ordinance needs to be amended in order to provide consistencies in the regulations.

**COMMISSIONERS' ORDINANCE NO. O-29-14**

AN ORDINANCE APPROVING A TEXT AMENDMENT TO THE CITY OF COVINGTON ZONING ORDINANCE AMENDING SECTION 9.04 OUTDOOR STORAGE/DISPLAY REGULATIONS.

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

**SIDEWALK MAINTENANCE GUIDELINES** Public sidewalks in the City have been neglected for too long. By City ordinance, sidewalks always have been and will continue to be the responsibility of the property owner to maintain. The City recently repaired the sidewalks in South Covington and will be repairing sidewalks in the northern section of the City in 2015. To keep improvements moving forward and become self-sustaining and to help ease the burden on residents to find the maintenance of their sidewalks, the City has developed a plan that will allow owners to take advantage of lower rates offered by City contracts, 3 year tax assessments for the cost of the work, and potential grants toward sidewalk replacement based on household income. This plan will commence upon the completion of the sidewalk work in northern Covington.

**COMMISSIONERS' ORDINANCE NO. O-30-14**

AN ORDINANCE AMENDING COVINGTON CODE OF ORDINANCES § 96.35 TO ESTABLISH SIDEWALK MAINTENANCE GUIDELINES AND ESTABLISHING A LONG-TERM MAINTENANCE PLAN.

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

**NEW BUSINESS – ORDER/RESOLUTIONS**

**FAÇADE GRANT** – Lucky Twins, Emily and Paul Weckman, purchased 602 Main Street in April 2014 and has begun rehabilitation of the property. They are requesting this grant from the City to act as gap funding to help complete the company's plan to open a Latin-themed small plate restaurant.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-279-14**

AN ORDER/RESOLUTION APPROVING A FAÇADE GRANT IN AN AMOUNT NOT TO EXCEED \$20,000.00, TO LUCKY TWINS, LLC FOR PROPERTY LOCATED AT 602 MAIN STREET, PAYABLE FROM THE COVINGTON ECONOMIC DEVELOPMENT PROGRAM FUNDS.

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

**RETIREMENT** – Officer Berry has served on the Covington Police Department for over 20 years. She has served as an officer on the third shift since being hired on and she will be missed by her fellow officers and the City of Covington.

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**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-280-14**

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION FOR RETIREMENT OF OFFICER MELISSA BERRY AND IN THE COVINGTON POLICE DEPARTMENT, EFFECTIVE JANUARY 31, 2015.

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

**EMPLOYMENT** – Mr. Holbrook is filling the position left open by Lori Collins who retired in September 2014. He previously worked for the Cincinnati Metropolitan Housing Authority as a Section 8 Housing Specialist.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-281-14**

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF JASON HOLBROOK AS A SERVICE REPRESENTATIVE IN THE SECTION 8 HOUSING PROGRAM, EFFECTIVE JANUARY 5, 2015.

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

**BOARD REAPPOINTMENT** – Mr. Hammons will begin a two-year term on the TBNK Board which he has served on since August of 2013.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-282-14**

AN ORDER/RESOLUTION REAPPOINTING JOHN HAMMONS AS THE CITY OF COVINGTON'S REPRESENTATIVE TO THE TELECOMMUNICATIONS BOARD OF NORTHERN KENTUCKY FOR A TWO-YEAR TERM, EFFECTIVE JANUARY 1, 2015, AND EXPIRING DECEMBER 31, 2016.

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

**BOARD APPOINTMENT** – Mr. Spoor is an attorney with Keating Muething & Klekamp, PLL, who has been practicing law for over 35 years in the areas of government financing and economic development.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-283-14**

AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF RICHARD SPOOR TO THE COVINGTON ECONOMIC DEVELOPMENT AUTHORITY BOARD FOR A FOUR-YEAR TERM, EFFECTIVE JANUARY 1, 2015, AND EXPIRING DECEMBER 31, 2018.

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

**BOARD APPOINTMENT** – One of the positions on the Covington Economic Development Authority Board is reserved for the County Judge Executive or his appointee since the County is a participant in the city's Tax Increment Financing District.

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**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-284-14**

AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF KENTON COUNTY JUDGE EXECUTIVE-ELECT KRIS KNOCHELMANN TO THE COVINGTON ECONOMIC DEVELOPMENT AUTHORITY BOARD FOR A FOUR-YEAR TERM, EFFECTIVE JANUARY 1, 2015, AND EXPIRING DECEMBER 31, 2018.

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

**BOARD REAPPOINTMENT** – Ms. Halloran has been a DPAC Board member for some time and is currently the Board Secretary.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-285-14**

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

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

**FAIR MARKET RENT** – Each year, the US Department of Housing and Urban Development establishes Fair Market Rent Amounts for geographical areas. The City's Section 8 Program desires to update its Fair Market Rent Amounts to be consistent with HUD guidelines and with other housing agencies in Northern Kentucky.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-286-14**

AN ORDER/RESOLUTION ADOPTING NEW FAIR MARKET RENT AMOUNTS FOR THE SECTION 8 PROGRAM, EFFECTIVE JANUARY 1, 2015.

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

**DEVELOPMENT AGREEMENT** – 3DLT began as a startup under UpTech, LLC and is now seeking its own space within the City. The firm will create a new annual payroll of at least \$250,000 within the first year and is eligible to enter into an economic development agreement with the City and receive a New Business Incentive equal to 1% of taxable payroll.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-287-14**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO AN ECONOMIC DEVELOPMENT AGREEMENT WITH 3DLT, LLC TO PROVIDE JOB DEVELOPMENT INCENTIVES PURSUANT TO CITY OF COVINGTON CODE OF ORDINANCES CHAPTER 116.

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

**EXTERNAL BOARDS** – Compensation for various City boards and for City appointees to external boards and commissions has been set by prior order/resolutions.

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This Order/Resolution will allow the Board of Commissioners to set and reaffirm consistent compensation for various City boards and for City appointees.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-288-14**

AN ORDER/RESOLUTION ESTABLISHING COMPENSATION RATES FOR MEMBERS OF CITY BOARDS AND CITY APPOINTEES TO EXTERNAL BOARDS AND COMMISSIONS, AND REPEALING ALL PRIOR ORDER/RESOLUTIONS SETTING BOARD COMPENSATION.

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

**DEVELOPMENT AGREEMENT** – The property located at 402-422 Scott Boulevard is currently mostly vacant. Boone Block, LLC has proposed to convert the entire structure into nine single-family townhomes. The City's funding, along with funds provided by the Catalytic Development Funding Corp. of Northern Kentucky, will allow Boone Block, LLC to complete the project's first model unit and the front façade for the property.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-289-14**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A DEVELOPMENT AGREEMENT WITH BOONE BLOCK, LLC FOR A FORGIVABLE LOAN IN THE AMOUNT OF \$350,000.00 FOR THE REDEVELOPMENT OF PROPERTY LOCATED AT 402-422 SCOTT BOULEVARD, PAYABLE THROUGH THE COVINGTON ECONOMIC DEVELOPMENT PROGRAM.

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

**NEGOTIATION AGREEMENT** – Queen City Water Sports Club, Inc. ("QCSC") is looking for a new location to build a boathouse due to the increasing demand for quality kayak and canoe facilities and programs and approached the City with interest at the former Waterfront restaurant site. The agreement will outline plans and terms for the design, development, and construction of a boathouse and associated facilities. The Board of Commissioners has already approved \$52,600 in capital funds for the design of the site, per Commissioners' O/R-309-13, and the remainder of the costs are expected to be funded by QCSC.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-290-14**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO A NEGOTIATION AGREEMENT WITH QUEEN CITY WATER SPORTS CLUB, INC. FOR THE DESIGN AND DEVELOPMENT OF A BOATHOUSE FACILITY ALONG THE OHIO RIVER AT THE TERMINUS OF PETE ROSE PIER.

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

**CONTACT AMENDMENT** – The City and KOI entered into a five-year contract in October 2009, wherein KOI provides on-site vehicle supply services for the City. This amendment will allow the City and KOI to enter into a month-to-month agreement so that the City can maintain current services while having time to prepare and issue a Request for Proposals.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-291-14**

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AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN AMENDMENT TO THE CONTRACT ON BEHALF OF THE CITY WITH KOI WAREHOUSE, INC. d/b/a KOI AUTO PARTS TO ALLOW KOI TO CONTINUE TO PROVIDE ON-SITE VEHICLE SUPPLY SERVICES AT THE DEPARTMENT OF PUBLIC IMPROVEMENTS.

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

**SEC RULE 15c2-12** – The City has outstanding, and may in the future issue, financial obligations in connection with which the City has entered into one or more continuing disclosure undertakings under Rule 15c2-12 of the Securities and Exchange Commission. The City wishes to institute written procedures to enable the City to satisfy its commitments under the Rule and the Disclosure Undertakings.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-292-14**

AN ORDER/RESOLUTION ESTABLISHING WRITTEN PROCEDURES TO ENABLE THE CITY OF COVINGTON TO SATISFY ITS CONTINUING DISCLOSURE UNDERTAKINGS UNDER SECURITIES AND EXCHANGE COMMISSION RULE 15c2-13, AS AMENDED, IN CONNECTION WITH THE ISSUANCE FROM TIME TO TIME OF CITY FINANCIAL OBLIGATIONS.

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

**RESIGNATION** – Ms. Marx has been employed since October 2012. She has decided to take a position as the Vice President of Business Growth and International Trade at the Northern Kentucky Chamber of Commerce.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-293-14**

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION OF NAASHOM MARX, BUSINESS DEVELOPMENT MANAGER, EFFECTIVE JANUARY 2, 2015.

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

**ADJOURNMENT**

MAYOR CARRAN adjourned the meeting at 8:15 p.m.

/s/ Sherry Carran  
\_\_\_\_\_  
MAYOR

ATTEST:

/s/ Margaret Nyhan  
\_\_\_\_\_  
CITY CLERK

APPROVED: January 6, 2015