

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, October 18, 2016 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 18, 2016, at 6:00 p.m., in Commission Chambers, 20 West Pike Street, Covington, Kentucky.

Mayor Carran presiding with Commissioners Steve Frank, Jordan Huizenga, Bill Wells, City Manager Larry Klein, and City Solicitor Frank Warnock, present. Commissioner Chuck Eilerman was absent.

PRESENTATION

- City Manager Larry Klein outlined the terms of the FOP Working Agreement which was approved by the FOP membership.

NEW BUSINESS – ORDER/RESOLUTIONS

FRATERNAL ORDER OF POLICE WORKING AGREEMENT

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-318-16

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A WORKING AGREEMENT WITH THE FRATERNAL ORDER OF POLICE, COVINGTON LODGE NO. 1, EFFECTIVE JANUARY 1, 2016, THROUGH DECEMBER 31, 2017.

MOTION of Commissioner Wells, seconded by Commissioner Huizenga.
Passed. 4 Yeas. Commissioners Frank, Huizenga, Wells, and Mayor Carran.

PRESENTATION

- Pat Frew, Executive Director of the Covington Business Council presented to the Mayor and Commissioners the CBC's 2017 Legislative Agenda.

OLD BUSINESS – SECOND READING OF ORDINANCES

AMEND CHAPTER 11 CODE OF ORDINANCES – In the 2016 Legislative session, the legislature amended alcoholic beverage control statutes to allow for the operation of commercial quadricycle businesses, aka pedal wagons. The amendments require local governments to enact ordinances relating to the operation, licensing, insurance, inspections, and safety of the vehicle and business.

COMMISSIONERS' ORDINANCE NO. O-27-16

AN ORDINANCE AMENDING CHAPTER 111 OF THE COVINGTON CODE OF ORDINANCES TO ESTABLISH A NEW SUBCHAPTER CONTAINING THE REQUIREMENTS AND PROCEDURES FOR THE REGISTRATION AND OPERATION OF A COMMERCIAL QUADRICYCLE AND COMMERCIAL QUADRICYCLE BUSINESS WITHIN THE CITY AND AMENDED SECTION 111.999 REGARDING PENALTIES ASSOCIATED WITH COMMERCIAL QUADRICYCLES.

MOTION of Commissioner Huizenga, seconded by Commissioner Wells.
Passed. 4 Yeas. Commissioners Frank, Huizenga, Wells, and Mayor Carran.

AMEND CHAPTER 111, "ALCOHOLIC BEVERAGES" – This amendment will establish an Authorized Public Consumption license, which is required for the operation of a commercial quadricycle business.

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COMMISSIONERS' ORDINANCE NO. O-28-16

AN ORDINANCE AMENDING THE ALCOHOLIC BEVERAGES SUBCHAPTER OF CHAPTER 111, SECTION 111.025 OF THE COVINGTON CODE OF ORDINANCES TO ALLOW THE ISSUANCE OF AN AUTHORIZED CONSUMPTION LICENSE.

MOTION of Commissioner Frank, seconded by Commissioner Huizenga.
Passed. 4 Yeas. Commissioners Frank, Huizenga, Wells, and Mayor Carran.

CHAPTER 111 EXCEPTION – The Bengals will be facing the Washington Redskins in Wembley Stadium in London on October 30, 2016 with kickoff at 9:30 a.m.. EST. Several proprietors of local businesses have requested permission to serve alcoholic beverages earlier than 11:00 a.m. to commemorate this event. Kentucky alcoholic beverage control laws allow regulation of Sunday sales by local government.

COMMISSIONERS' ORDINANCE NO. O-29-16

AN ORDINANCE AMENDING COVINGTON CODE OF ORDINANCES SECTION 111.021 ESTABLISHING A ONE-TIME EXCEPTION TO CHAPTER 111 OF THE COVINGTON CODE OF ORDINANCES TO ALLOW MALT BEVERAGES BY THE DRINK OR BY THE PACKAGE AND DISTILLED SPIRITS AND WINE BY THE DRINK OR BY THE PACKAGE TO BE SOLD BEGINNING AT 9:00 A.M. ON SUNDAY, OCTOBER 30, 2016.

MOTION of Commissioner Huizenga, seconded by Commissioner Frank.
Passed. 4 Yeas. Commissioners Frank, Huizenga, Wells, and Mayor Carran.

AMEND CHAPTER 116 – Currently, the measure for the disbursement of economic development incentives is based upon the execution date of an incentive agreement between the City and an applicant. The issue that arises is that applicants receiving State incentives are not able to sufficiently stagger their City incentives to correspond with State incentives. Basing the disbursement upon the effective date allows the City to collect the fully taxable amount from a business until the incentive is initiated.

COMMISSIONERS' ORDINANCE NO. O-30-16

AN ORDINANCE AMENDING CHAPTER 116.02(B)(1) OF THE COVINGTON CODE OF ORDINANCES BASING THE DISBURSEMENT PERIOD FOR ECONOMIC DEVELOPMENT INCENTIVES UPON THE EFFECTIVE DATE OF AN INCENTIVE AGREEMENT EXECUTED BETWEEN THE CITY AND AN APPLICANT.

MOTION of Commissioner Frank, seconded by Commissioner Wells.
Passed. 4 Yeas. Commissioners Frank, Huizenga, Wells, and Mayor Carran.

AMEND O-27-13 – This change is necessary to comply with the recent changes in the Fair Labor Standards Act (FSLA) which requires all exempt positions have a minimum salary of \$47,476.00, effective December 1, 2016.

COMMISSIONERS' ORDINANCE NO. O-31-16

AN ORDINANCE AMENDING ORDINANCE NO. O-27-13, CLASSIFICATION 700, STEP 1, RAISING THE MAXIMUM SALARY FROM \$46,310.00 TO \$48,000.00

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MOTION of Commissioner Huizenga, seconded by Commissioner Frank.
Passed. 4 Yeas. Commissioners Frank, Huizenga, Wells, and Mayor Carran.

NEW BUSINESS – ORDER/RESOLUTIONS

REQUEST FOR PROPOSALS

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-319-16

AN ORDER/RESOLUTION APPROVING THE PUBLICATION OF A
REQUEST FOR PROPOSALS FOR THE ADMINISTRATION OF THE
CITY OF COVINGTON'S SELF-INSURED EMPLOYEE HEALTH PLAN.

MOTION of Commissioner Wells, seconded by Commissioner Huizenga.
Passed. 4 Yeas. Commissioners Frank, Huizenga, Wells, and Mayor Carran.

CAUCUS ITEMS

- House Bill 422 Code Enforcement Updates and Revisions presented by Michael Bartlett, Assistant City Solicitor
- OpenGov – Transparency Portal and CovStat Data Decision Making Portal presented by Todd Sink, Analytics and Intelligence Manager

ADJOURNMENT

Mayor Carran adjourned the meeting at 8:30 p.m.

/s/ SHERRY CARRAN
MAYOR

ATTEST:

/s/ Margaret M. Nyhan
CITY CLERK

APPROVED: October 25, 2016