



**CITY OF COVINGTON, KENTUCKY
LEGISLATIVE MEETING
BOARD OF COMMISSIONERS
TUESDAY, DECEMBER 1, 2015, 6:00 PM**

**20 WEST PIKE STREET
COVINGTON, KENTUCKY**

AGENDA

CALL TO ORDER: Mayor Sherry Carran

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

Reading of Minutes of the meetings of November 10 and November 17, 2015, (or motion to dispense with reading and approve minutes).

PRESENTATIONS:

- Make a Difference Day Tree Planting Projects in Peaselburg and Westside – Susan Barnett, FOPNA, and Crystal Courtney, DPI Municipal Specialist
- Solid Waste Contract Update – Sheila Fields, Solid Waste Coordinator
- Fiscal Stability Ordinance Presentation

ITEMS FOR CONSIDERATION:

NEW BUSINESS – FIRST READING OF ORDINANCES

1. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE ESTABLISHING THE DATES OF THE REGULAR LEGISLATIVE MEETINGS OF THE COVINGTON BOARD OF COMMISSIONERS FOR 2016.** *Establishes by City Ordinance the schedule of regular Legislative Meetings of the Board of Commissioners for calendar year 2016. There are at least two regular Legislative Meetings scheduled for each month, except for months of June and July.*

Staff Reporting: Larry Klein, City Manager
First Reading, No Vote

2. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE ESTABLISHING THE DATES OF THE CAUCUS MEETINGS OF THE COVINGTON BOARD OF COMMISSIONERS FOR 2016.** *Establishes by City Ordinance the schedule of regular Caucus Meetings of the Board of Commissioners for calendar year 2016. There is one regular Caucus meeting scheduled for each month.*

Staff Reporting: Larry Klein, City Manager
First Reading, No Vote

3. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE ESTABLISHING THE MEETING DATES OF THE DEVELOPMENT COMMITTEE, FINANCE COMMITTEE, PARKS AND INFRASTRUCTURE COMMITTEE, AND PUBLIC SAFETY COMMITTEE FOR 2016 FOR THE CITY OF COVINGTON.** *Establishes by City Ordinance the schedule of meetings for standing Committees established by the Board of Commissioners for calendar year 2016.*

Staff Reporting: Larry Klein, City Manager
First Reading, No Vote

4. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE ESTABLISHING THE MEETING DATES OF THE COVINGTON ECONOMIC DEVELOPMENT AUTHORITY FOR 2016.** *Establishes by City Ordinance the schedule of meetings for the Covington Economic Development Authority for calendar year 2016.*

Staff Reporting: Larisa Sims, Assistant City Manager
First Reading, No Vote

5. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE AMENDING ORDINANCE NO. O-30-12 REINSTATING ONE (1) CAPTAIN POSITION IN THE COVINGTON FIRE DEPARTMENT.** *In 2012, the City reduced the total number of Captain, Lieutenant and Engineer positions in the Fire Department. It is now recommended to add back one (1) Captain position, the goal of which is to have a Captain in Car 9 (Inspection) on each shift, adding more supervision and oversight. The total annual budget impact of this change is approximately \$14,000, and will be absorbed by current FY 16 Fire Department budget.*

Staff Reporting: Dan Mathew, Fire Chief
First Reading, No Vote

6. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE AMENDING CHAPTER 76 TRAFFIC SCHEDULES, SCHEDULE IV BUS ROUTES OF THE COVINGTON CODE OF ORDINANCES TO INCLUDE EASTERN AVENUE FROM JAMES AVENUE TO WALLACE AVENUE.** *The Transit Authority of Northern Kentucky (TANK) is planning a minor route change on bus route No. 25 in Latonia. The route currently detours between Kentucky Route 16 and Eastern Avenue via Wallace Avenue, West 20th Street, and Madison Avenue. Beginning in November 2015, TANK rerouted the No. 25 buses through Eastern Avenue from the intersection with James Avenue. This rerouting makes the trip more direct and saves 3 to 4 minutes of travel time on every trip, currently about 50 trips per day. This is one of the TANK 2013 Service Plan Recommendations. The segment of Madison Avenue between James Avenue and West 20th Street is served by three other TANK routes (Nos. 33, 7 and 9), while Eastern Avenue between James Avenue and Wallace Avenue doesn't have any service at all.*

Staff Reporting: Mike Yeager, City Engineer/Community Services Manager
First Reading, No Vote

7. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE AMENDING CHAPTER 98 OF THE COVINGTON CODE OF ORDINANCES TO REFLECT THE MODIFICATIONS THAT HAVE BEEN MADE TO THE CITY'S BILLING PRACTICES AS THEY RELATE TO SOLID WASTE AND RECYCLING SERVICES PROVIDED WITHIN THE CITY.** *The City awarded a franchise for the collection and disposal of solid waste and recyclables to Rumpke of Kentucky, Inc. During this transition, the City took the opportunity to modify its waste management programs, including sanitation and health regulations that its residents and businesses must follow. The current ordinance is not entirely consistent with the new regulations and therefore must be amended accordingly. Major amendments include regulations regarding user fees and payments.*

Staff Reporting: Rick Davis, Dept. of Public Improvements Director/Assistant City Engineer and Sheila Fields, Solid Waste Coordinator
First Reading, No Vote

8. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE AMENDING CHAPTER 95 OF THE COVINGTON CODE OF ORDINANCES TO REFLECT THE MODIFICATIONS THAT HAVE BEEN MADE TO THE CITY'S ENFORCEMENT PRACTICES AS THEY RELATE TO SOLID WASTE AND**

RECYCLING SERVICES PROVIDED WITHIN THE CITY. *The City awarded a franchise for the collection and disposal of solid waste and recyclables to Rumpke of Kentucky, Inc. During this transition, the City took the opportunity to modify its waste management programs, including sanitation and health regulations that its residents and businesses must follow. The current ordinance is not entirely consistent with the new regulations and therefore must be amended accordingly. Major amendments include regulations regarding bulk item set outs, penalties, and container services and placement.*

Staff Reporting: Rick Davis, Dept. of Public Improvements Director/Assistant City Engineer and Sheila Fields, Solid Waste Coordinator

First Reading, No Vote

OLD BUSINESS – SECOND READING OF ORDINANCES

9. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE THAT CREATES A NEW ECONOMIC DEVELOPMENT PROGRAM BY PROVIDING AN INCENTIVE BY LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, AND IMPROVING CERTAIN ENERGY PROJECTS IN COOPERATION WITH ENERGIZE KENTUCKY, LLC, ESTABLISHING A FUND FOR THE DEPOSIT OF THE PROCEEDS OF THE ASSESSMENT, ASSIGNING THE ASSESSMENT TO ENERGIZE KENTUCKY, LLC, AUTHORIZING THE EXECUTION OF AN EPAD AGREEMENT WITH THE PROPERTY OWNER, PROVIDING FOR AN ADJUSTMENT TO THE ASSESSMENTS IN ANY FISCAL YEAR BY ORDINANCE OF THE BOARD OF COMMISSIONERS, AND TAKING OTHER ACTION RELATED TO THE IMPOSITION OF THE ASSESSMENT.** *In August, the Board of Commissioners approved an EPAD ordinance that enabled owners of qualifying property to finance energy projects by consenting to a special assessment to serve as security for project-based financing. To this end, the owners of Ivy Knoll have identified a capital provider for the first EPAD project within the City and have made a petition for the levying of an assessment against their property. The total project cost will be \$750,000. Throughout the term, the Finance Department will collect the assessment and distribute the proceeds directly to the capital provider in consideration for making the loan to Ivy Knoll. This first project will be financed through private bonds that will be issued through Energize Kentucky, LLC, a sole member Kentucky limited liability company and the terms of the trust indenture will require the City to transfer collected assessments directly to the capital provider.*

Staff Reporting: Geoff Milz, Economic Development Manager

Recommendation: Approve Order/Resolution.

NEW BUSINESS – ORDER/RESOLUTIONS

10. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE DISTRIBUTION OF \$149,000.00 FOR NON-UNION EMPLOYEE WAGE INCREASES WHICH REPRESENTS A 3% POOL BASED ON THE BASE SALARY OF ALL NON-UNION EMPLOYEES, FULL AND PART-TIME.** *The non-union employee wage increase pool was distributed based on the following criteria: 1) We had several individuals who were below the minimum for their classification when the Classification and Compensation Plan was approved by the City Commission in 2013. These individuals were on a 3 to 5 year phase-in plan that would bring their salaries to the minimum for their classification. These increases were scheduled to occur on 7/1/14, 7/1/15 and so on until they reached their minimum salary amount. Only one payment increase was implemented, in 2013. Later wage adjustments were eliminated due to budget constraints. The salaries of these employees will be increased by one year's payment and the remaining balance of the 3% pool will be used to give remaining employees an increase; 2) Performance based increases. A 2% increase is provided for employees whose last performance evaluation had a rating of "Exceeds" or "Above Expectations. For employees whose rating was "Meets" or "Satisfactory" a 1.5% increase, and "Needs Improvement" received 1%. These increases will be effective 7/1/15; AND 3) Employees hired in 2015 will also receive an increase of 1%. Those hired prior to 7/1/15 will be effective 7/1/15. Those hired after 7/1/15 will be effective 1/1/16. Part Time employees will receive an increase of \$0.50 cents per hour.*

Staff Reporting: Stacey Hoeter, Human Resources Manager

Recommendation: Approve Order/Resolution.

11. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO AN ECONOMIC DEVELOPMENT AGREEMENT WITH LUCKY TWINS, LLC, INC. TO PROVIDE BUSINESS INCENTIVES PURSUANT TO CITY OF COVINGTON CODE OF ORDINANCES CHAPTER 116.** *In 2014, the City considered support of a project to rehabilitate 602 Main Street. On December 16, 2014, Commission approved an Order/Resolution authorizing a \$20,000 façade improvement grant. At that time, staff reports on the project contained recommendations for use of the Vacant Property Payroll Tax Rebate Program to support the project. Lucky Twins, LLC submitted an application for this incentive.*

The application was reviewed by staff at the Loan Committee meeting on November 5, 2015, and approval of the incentive was recommended. The incentive is a five-year, 1.25% Vacant Property Payroll Tax Rebate that is expected to be worth \$54,687.50 to the company and will result in \$52,500 in new Occupational License Fees to the City.

Staff Reporting: Geoff Milz, Economic Development Manager

Recommendation: Approve Order/Resolution. Approval provides an approximate \$55,000 rebate of City payroll taxes to the applicant over the next five years for the new “Frida’s” restaurant at 602 Main Street in Mainstrasse.

12. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION ACCEPTING THE BID OF LINKOLOGY FOR THE PURCHASE AND INSTALLATION OF THE PARKING PAY STATIONS IN THE MAINSTRASSE NEIGHBORHOOD, AND REJECTING ALL OTHER BIDS, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH LINKOLOGY IN AN AMOUNT NOT TO EXCEED \$73,305.00, PAYABLE FROM THE CAPITAL FUND.** *The City owned lots in the MainStrasse area are the only remaining free lots in the City. Residents in the area are having a difficult time finding available on street parking at times and businesses are not seeing the parking turnover in front of their buildings that they would like to see. City staff has been gathering feedback on potential solutions for the past several months with stakeholder groups and public meetings. The adopted plan is an attempt to address all of the concerns that have been brought up to date. In order for the plan to work, a blend of off street paid parking, on street paid parking, and a residential parking program are needed. The plan has been approved by commission and the equipment will be purchased with bond money that is set up in the capital budget. The City issued an RFP for the equipment and Linkology was the lowest responsive bidder. Cale was the other bidder and they came in at \$90,342.*

Staff Reporting: Mike Yeager, City Engineer/Community Services Manager

Recommendation: Approve Order/Resolution. Approval allows the installation of pay stations in MainStrasse and implementation of the MainStrasse parking plan approved by the City Commission on October 6, 2015.

13. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION ACCEPTING THE BID OF TASER INTERNATIONAL FOR THE PURCHASE OF 95 TASER X26P UNITS AND RELATED ACCESSORIES, AND REJECTING ALL OTHER BIDS, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH TASER**

INTERNATIONAL IN AN AMOUNT NOT TO EXCEED \$89,810.42, WITH \$44,000.00 PAYABLE FROM A PRIVATE DONOR AND \$45,810.42 PAYABLE FROM THE POLICE DEPARTMENT ASSET FORFEITURE ACCOUNT. *The Police Department is upgrading its compliment of Tasers which are becoming obsolete with the current technology. This purchase will equip our patrol officers with a necessary more reliable and up to date piece of equipment.*

Staff Reporting: Bryan Carter, Police Chief

Recommendation: Approve Order/Resolution. Approval allows the Police Department to proceed to acquire 95 Tasers and related equipment that is necessary for the Department to operate effectively, paid for with private donor funds and Asset Forfeiture Account funds.

14. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION AMENDING THE CITY'S PURCHASING POLICY AND PROCEDURES MANUAL TO INCLUDE AN EMPLOYEE CREDIT CARD USAGE SECTION.** *The City's Operations Department has been working to implement a unified Employee Credit Card service and coordinating policy, so as to create consistency in credit card payment systems within the City. Previously, each department had various set(s) of departmental credit cards, including but not limited to: Home Depot, Lowe's, Sam's Club, as well as various lines of credit(s) at stores throughout the area, including but not limited to: Klingenberg's, Crescent Springs Hardware. The Operations Department researched and met with various credit lenders and ultimately decided on U.S. Bank as the best service provider for the City. The City has decided to implement the use of U.S. Bank One-Card, Employee Credit Cards, to improve efficiencies, cut costs, and create consistency in payments systems. The cards have been ordered and slowly rolled-out to departments for use, so as to not interrupt daily business needs. We developed an Employee Credit Card Policy to coincide with the use, issuance, control and monitoring of U.S. Bank One-Cards. Additionally, each Cardholder Employee is required to sign off on an Employee Authorization Form, attesting to their understanding of the proper use of these cards. Cards are restricted and monitored for use by monthly credit limits, single purchase limits and limitations on transactions per day. These restrictive measures are set by the Plan Administrator prior to card activation and are based on departmental considerations. After this policy has been formally adopted by Commission we will begin the next steps of closing departmental, store-specific, credit cards and existing open lines of credit.*

Staff Reporting: Allison Hudson, Compliance Officer

Recommendation: Approve Order/Resolution. Approval allows the City to amend its Purchasing Policy and Procedures Manual to include greater accountability and restrictive use of City-issued credit cards.

15. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION DECLARING CERTAIN CITY PROPERTY AS SURPLUS AND AUTHORIZING ITS SALE AND DISPOSITION PURSUANT TO KRS §§ 82.083 AND 45A.425.** *Devou Park Golf Course Clubhouse items are included in the surplus items.*

Staff Reporting: Rick Davis, Department of Public Improvements Director/Assistant City Engineer

Recommendation: Approve Order/Resolution. Approval allows the City to dispose of obsolete and/or inefficient equipment/items from the Devou Park Golf Course clubhouse and to maximize the resale potential.

16. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION DECLARING CERTAIN CITY PROPERTY AS SURPLUS AND AUTHORIZING ITS SALE AND DISPOSITION PURSUANT TO KRS §§ 82.083 AND 45A.425.** *Miscellaneous equipment and vehicles from DPI.*

Staff Reporting: Rick Davis, Department of Public Improvements Director/Assistant City Engineer

Recommendation: Approve Order/Resolution. Approval allows the City to dispose of obsolete and/or inefficient equipment and to maximize the resale potential.

17. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPOINTING CHARLES KILLIAN TO THE URBAN DESIGN REVIEW BOARD FOR A FOUR-YEAR TERM, EFFECTIVE DECEMBER 1, 2015, AND EXPIRING NOVEMBER 30, 2019.** *Will Yokel resigned from the Urban Design Review Board due to relocation outside the City he has served as a resident and representative of the Licking Riverside Historic Preservation Overlay Zone. Charles Killian has expressed interest in serving on the UDRB and is recommended for appointment by Mayor Carran. He is a resident of the Licking Riverside Historic Preservation Overlay Zone, business owner in Mainstrasse Historic Preservation Overlay Zone, and has experience with the redevelopment of historic properties within the City of Covington.*

Staff Reporting: Larry Klein, City Manager

Recommendation: Approve Order/Resolution. Approval fills a vacant position on the UDRB. Mr. Killian is highly qualified and highly recommended.

18. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION SUSPENDING CHARGING FEES FOR USE THE CITY'S AQUATIC FACILITIES FOR THE YEAR 2016.**

Staff Reporting: Larry Klein, City Manager

Recommendation: Approve Order/Resolution. Approval suspends the imposition of admission fees for the City's aquatic facilities for 2016. With positive FY 15 CAFR results, the approximate \$240,000 of needed repairs can be accomplished this year without admission fees. However, anticipated repairs after the 2016 season and beyond may necessitate consideration of admission fees.

19. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING A LICENSE TRANSFER AGREEMENT BETWEEN FLOYD C. HOPPER D/B/A FLOYD'S 7-11 AND THE CITY OF COVINGTON.**

Staff Reporting: Frank Warnock, Asst. City Manager/City Solicitor

Recommendation: Approve Order/Resolution.

20. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE REAPPOINTMENT OF MICHAEL J. BASSI TO THE TELECOMMUNICATIONS BOARD OF NORTHERN KENTUCKY FOR A TWO-YEAR TERM, EFFECTIVE JANUARY 1, 2016, AND EXPIRING DECEMBER 31, 2017.**

Staff Reporting: Larry Klein, City Manager

Recommendation: Approve Order/Resolution.

PROJECT UPDATES:

- None

Next regularly scheduled Legislative Commission Meeting: 6:00 PM, Tuesday, December 15, 2015.

Next regularly scheduled Caucus Meeting: 6:00 PM, Tuesday, December 8, 2015.

PUBLIC COMMENTS

COMMISSIONERS' COMMENTS

CITY MANAGER'S COMMENTS

CITY SOLICITOR'S COMMENTS

MAYOR'S COMMENTS

ADJOURNMENT