

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, October 6, 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, October 6, 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 Frank, seconded by Commissioner Huizenga to dispense with the reading of and approve the minutes of the September 1 and September 15, 2015, meeting minutes.

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

NEW BUSINESS – FIRST READING OF ORDINANCES

CREATE POSITION – In August, the city posted an open job position for Finance Director and received a limited response with only some degree of match to the desired skills for the Finance Director role. This alternate position will fill a need in the Department by assisting the Interim Finance Director with day-to-day oversight and management as well as general duties now being performed by the Interim Finance Director.

COMMISSIONERS' ORDINANCE NO. O-XX-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 SENIOR ACCOUNTING MANAGER AND ESTABLISHING A SALARY FOR THE POSITION.

First Reading, No Vote

CREATE POSITION – The position of Administration and Intelligence Director was a civilian position created for the Police Department. After thorough review, it is recommended to eliminate this position and create a similar but more broadly focused position in City Operations that will assist the Operations Director/Interim Finance Director in implementation of COVSTAT that was presented to the Commission earlier this year, which is a City department-wide data management and analysis initiative, for more data-driven decision making by the City Commission.

COMMISSIONERS' ORDINANCE NO. O-XX-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, ELIMINATING THE POSITION OF ADMINISTRATION AND INTELLIGENCE DIRECTOR AND CREATING THE POSITION OF MANAGER OF ANALYTICS AND INTELLIGENCE AND ESTABLISHING A SALARY FOR THAT POSITION.

First Reading, No Vote

SALARY ADJUSTMENT – A survey was completed by the Human Resources Department that indicates that the hourly salary range for our seasonal employees lags behind other cities in the area. It is becoming more difficult to fill and retain seasonal

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workers and has become very time consuming and costly to select, perform drug testing, and process seasonal employees who do not remain due to the lower than average pay.

COMMISSIONERS' ORDINANCE NO. O-XX-15

AN ORDINANCE AMENDING COMMISSIONERS' ORDINANCE NO. O-27-13 ESTABLISHING A SALARY RANGE OF \$10.25 TO \$11.25 PER HOUR FOR SEASONAL EMPLOYEES.

First Reading, No Vote

NEW BUSINESS – ORDER/RESOLUTIONS

TIME WARNER CABLE SALE – Charter Communications is acquiring Time Warner Cable which is the owner of Insight Kentucky Partners LLC, our local cable franchisee. Included in the transfer is settlement of a dispute between Time Warner Cable and the cities in Kenton County who participate in the franchise agreement, over the closure of the Time Warner Cable customer service center in Covington in violation of the franchise agreement. In the settlement agreement, Covington will receive about 75% of the amount and the remaining 25% is being distributed to the other cities in compensation for them removing the requirement from their franchise agreements.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-300-15

AN ORDER/RESOLUTION OF THE CITY OF COVINGTON, KENTUCKY APPROVING THE TRANSFER OF CONTROL OF TIME WARNER CABLE, INC. AND INSIGHT KENTUCKY PARTNERS II, LP TO CHARTER COMMUNICATIONS.

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

KENTUCKY BOND DEVELOPMENT CORPORATION – St. Elizabeth annually spends about \$75 million on various capital projects at its facilities in Northern Kentucky. The hospital funds these projects from its capital project fund using the proceeds of bonds issued pursuant to KRS that allows a non-profit to finance its capital projects in such a manner. The O/R in no way impacts the city's credit rating or borrowing capacity and the City is not responsible for payment in the event of default.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-301-15

AN ORDER/RESOLUTION OF THE CITY OF COVINGTON, KENTUCKY AUTHORIZING AND REQUESTING THAT THE KENTUCKY BOND DEVELOPMENT CORPORATION ISSUE BONDS IN ONE OR MORE SERIES IN THE APPROXIMATE PRINCIPAL AMOUNT OF \$100,000,000, PAYABLE SOLELY FROM REVENUES TO BE DERIVED FROM A LOAN AGREEMENT WITH SAINT ELIZABETH MEDICAL CENTER, INC. TO FINANCE THE COSTS OF THE ACQUISITION, CONSTRUCTION, INSTALLATION AND EQUIPPING OF HEALTH CARE AND RELATED FACILITIES TO BE USED BY SAINT ELIZABETH MEDICAL CENTER, INC.

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

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RETIREMENT – Engineer Dreyer began his career with the City in the Communications Center before transferring to the Fire Department. He has been employed by the City for almost 25 years and will be missed by the Department.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-302-15

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION FOR RETIREMENT OF ENGINEER STEPHEN DREYER FROM THE COVINGTON FIRE DEPARTMENT, EFFECTIVE OCTOBER 1, 2015.

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

RESIGNATION – Mr. Mills will be leaving the NKY area and pursuing a career in Louisiana.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-303-15

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION OF FIREFIGHTER/PARAMEDIC JERRY MILLS FROM THE COVINGTON FIRE DEPARTMENT, EFFECTIVE OCTOBER 1, 2015.

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

EMPLOYMENT – The hiring of these recruits will bring departmental shift staffing to 110.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-304-15

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF BENJAMIN ERDMAN, DANIEL HODGE, BENJAMIN KENNEDY, MICHAEL KOENINGER, ADAM MARDIS, WILLIAM STEVIE, KYLE VOGELPOHL, JACOB WESTRICH, DANIEL ZEMBRODT, AND DYLAN MEYER AS FIREFIGHTERS IN THE COVINGTON FIRE DEPARTMENT, WITH A TWELVE-MONTH PROBATIONARY PERIOD, EFFECTIVE OCTOBER 12, 2015.

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

RESIGNATION – Mr. Smith was just recently hired for this position and has decided that it was not a good fit for him.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-305-15

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION OF STEPHEN SMITH FROM THE POSITION OF PART-TIME FIRE/RENTAL INSPECTOR, EFFECTIVE SEPTEMBER 23, 2015.

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

PROMOTION – With the resignation of Mr. Smith, Mr. Schmale will moving to the position of Part-Time Fire/Rental Inspector.

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COMMISSIONERS' ORDER/RESOLUTION NO. O/R-306-15

AN ORDER/RESOLUTION APPROVING THE PROMOTION OF STAN SCHMALE TO THE POSITION OF PART-TIME FIRE/RENTAL INSPECTOR, EFFECTIVE SEPTEMBER 28, 2015.

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

EMPLOYMENT – With the promotion of Mr. Schmale, an opening occurred for a Part-Time Code Enforcement Inspector and Mr. Doyle was the next candidate on the list to fill the position.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-307-15

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF RYAN DOYLE TO THE POSITION OF PART-TIME CODE ENFORCEMENT INSPECTOR IN THE COMMUNITY SERVICES DEPARTMENT, EFFECTIVE OCTOBER 12, 2015.

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

JOB DESCRIPTION – This position will fill a need in the Finance Department by assisting the Interim Finance Director with day-to-day oversight and management and other general duties.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-308-15

AN ORDER/RESOLUTION ADOPTING THE JOB DESCRIPTION FOR THE POSITION OF SENIOR ACCOUNTING MANAGER.

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

JOB DESCRIPTION - The position of Administration and Intelligence Director was a civilian position created for the Police Department. After thorough review, it is recommended to eliminate this position and create a similar but more broadly focused position in City Operations that will assist the Operations Director/Interim Finance Director in implementation of COVSTAT that was presented to the Commission earlier this year, which is a City department-wide data management and analysis initiative, for more data-driven decision making by the City Commission.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-309-15

AN ORDER/RESOLUTION ADOPTING THE JOB DESCRIPTION FOR THE POSITION OF MANAGER OF ANALYTICS AND INTELLIGENCE.

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

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STAFFING LEVELS

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-310-15

AN ORDER/RESOLUTION AUTHORIZING THE CITY MANAGER TO INCREASE THE BUDGETED STAFFING LEVELS IN THE POLICE AND FIRE DEPARTMENTS NOT TO EXCEED ONE HUNDRED TEN (110) EMPLOYEES EACH AND AUTHORIZING THE CITY MANAGER TO PRESENT FOR FUTURE APPROVAL BY THE BOARD OF COMMISSIONERS, A NON-UNION WAGE PLAN, WITH BOTH AUTHORIZATIONS BEING CONTINGENT UPON THE ADOPTION OF THE PROPOSED PARKING PLAN.

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

MAINSTRASSE PARKING PLAN – The proposed parking plan in the neighborhood is an attempt to address the parking concerns that have been raised by the residents and businesses. 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.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-311-15

AN ORDER/RESOLUTION APPROVING THE PARKING PLAN FOR THE MAINSTRASSE AND MUTTER GOTTES NEIGHBORHOODS AND APPROVING THE PURCHASE OF THE NECESSARY EQUIPMENT OR THE IMPLEMENTATION OF THE PLAN, PAYABLE FROM CAPITAL BOND FUND.

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

PARKING RATES – These parking rate changes were presented and discussed at several City Commission caucus meetings as a means to increase public safety staffing and for non-union wage increases. At the last Public Safety Committee meeting, a majority of City Commission officials indicated support for these parking rate changes as a means to fund the increased public safety staffing and non-union wage increase plan.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-312-15

AN ORDER/RESOLUTION APPROVING AN INCREASE IN THE CITY PARKING METER RATES FROM 35 CENTS PER HALF-HOUR TO 55 CENTS PER HALF-HOUR AND AN INCREASE OF \$5.00 IN MONTHLY PARKING RATES AND ESTABLISHING THE RATE OF 35 CENTS PER HALF-HOUR FOR THE PARKING STATIONS AND PARKING METERS TO BE INSTALLED IN THE MAINSTRASSE NEIGHBORHOOD.

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

LICENSE AGREEMENT – This License Agreement would allow a new restaurant in MainStrasse, Frida, LLC, to utilize portions of the public right-of-way for outdoor service located near the restaurant at 602 Main Street.

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COMMISSIONERS' ORDER/RESOLUTION NO. O/R-313-15

AN ORDER/RESOLUTION ACCEPTING THE TERMS AND CONDITIONS OF A LICENSE AND NON-EXCLUSIVE EASEMENT AGREEMENT BETWEEN THE CITY OF COVINGTON AND FRIDA, LLC REGARDING THE USE OF OUTDOOR AREAS FOR THE OPERATION OF A RESTAURANT.

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

RENAISSANCE COVINGTON – When Renaissance Covington non-profit Board was created in 2005, it was the intent for the non-profit to eventually exist as a separate entity from the City. After a best practice analysis and input from key partner agencies, it was decided to recommend allowing Renaissance Covington to become a separate entity and manage the Renaissance and Arts Program.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-314-15

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACTUAL AGREEMENT WITH RENAISSANCE COVINGTON FOR IMPLEMENTATION OF THE 4-POINT MAIN STREET PROGRAM AND THE COVINGTON ARTS PROGRAM, IN AN ANNUAL AMOUNT OF \$127,250.00, FOR A PERIOD OF FIVE YEARS, PAYABLE FROM GENERAL FUND.

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

EMPLOYMENT DATE – A vacancy has arisen in the Police Basic Training Academy which begins on October 26, 2015. In order to get Mr. Jones in the Academy at that time, his effective date of employment needs to be changed to October 11, 2015.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-315-15

AN ORDER/RESOLUTION CHANGING THE EFFECTIVE DATE OF EMPLOYMENT FOR RYAN JONES AS A POLICE OFFICER FROM NOVEMBER 15, 2015, TO OCTOBER 11, 2015.

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

LEASE AGREEMENT – The City has been leasing this property from R.A. Kennedy for the substation and the current lease has expired. A new lease is required to continue the use of the property as a Police substation for \$2,000.00 per year.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-316-15

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH R.A. KENNEDY FOR PROPERTY DESCRIBED AS THE STORE-FRONT ROOM ON THE FIRST FLOOR OF REAL ESTATE LOCATED AT 4 WEST SOUTHERN AVENUE FOR USE AS A POLICE SUBSTATION.

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

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FAÇADE GRANT – This façade grant was approved in April of 2014 and since that time the property owner has determined not to move forward with the grant.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-317-15

AN ORDER/RESOLUTION REPEALING ORDER/RESOLUTION NO. O/R-83-14 APPROVING A FAÇADE GRANT FOR THE PROPERTY LOCATED AT 230 PIKE STREET, IN AN AMOUNT OF \$7,221.00.

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

ACCEPT BID – Two bids were received for the medical pharmaceuticals and Boundtree Medical submitted the best responsible bid.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-318-15

AN ORDER/RESOLUTION ACCEPTING THE BID OF BOUNDTREE MEDICAL, LLC FOR MEDICAL PHARMACEUTICALS, AND REJECTING ALL OTHER BIDS, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH BOUNDTREE MEDICAL.

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

ACCEPT BID – Four bids were received for medical supplies and Boundtree Medical submitted the best responsible bid.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-319-15

AN ORDER/RESOLUTION ACCEPTING THE BID OF BOUNDTREE MEDICAL, LLC FOR MEDICAL SUPPLIES, AND REJECTING ALL OTHER BIDS, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH BOUNDTREE MEDICAL.

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

RFP BULK SUPPLIES – The RFP will include bulk items such as concrete, asphalt, mulch, and trash can liners.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-320-15

AN ORDER/RESOLUTION APPROVING THE PUBLICATION OF A REQUEST FOR PROPOSALS FOR THE PURCHASE OF VARIOUS BULK ITEMS FOR THE DEPARTMENT OF PUBLIC IMPROVEMENTS.

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

APPOINTMENT – The term of Glenn Kukla on the Housing Authority of Covington Board has expired and Mayor Carran is nominating Paul Patton, a Latonia resident to serve in this position.

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COMMISSIONERS' ORDER/RESOLUTION NO. O/R-321-15

AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF PAUL PATTON TO THE HOUSING AUTHORITY OF COVINGTON BOARD FOR A FOUR-YEAR TERM, EFFECTIVE OCTOBER 6, 2015, AND EXPIRING OCTOBER 5, 2018.

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

WOOLPERT CONTRACT – In 2013, the City contracted with Woolpert, Inc. to design Phase I of the City's portion of Riverfront Commons. This design work included engineering design to facilitate permitting and construction for the plaza, trails, cobbled beach and other typical public space amenities. This contract amendment scope would identify potential opportunities to enhance this original plan with additional amenities along the Ohio riverfront.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-322-15

AN ORDER/RESOLUTION AMENDING COMMISSIONERS' ORDER/RESOLUTION NO. O/R-186-14 TO PROVIDE FOR PAYMENT OF UP TO \$30,000.00 OF THE PREVIOUSLY APPROVED \$52,600.00 TO WOOLPERT, INC. FOR ADDITIONAL PROFESSIONAL DESIGN SERVICES TO INCLUDE CONCEPTUAL OVERLAYS AND STORY BOARDS WITH ADDITIONAL IMPROVEMENT OPPORTUNITIES FOR THE COVINGTON PORTION OF RIVERFRONT COMMONS, PAYABLE FROM THE CAPITAL FUND.

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

ADJOURNMENT

Mayor Carran adjourned the meeting at 9:25 p.m.

/s/ Sherry Carran
MAYOR

ATTEST:

/s/ Margaret M. Nyhan
CITY CLERK

APPROVED: October 20, 2015