

# APPENDICES

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1. Registry reports of Carran Campaign for Mayor, 2016.
2. Email related to the IAFF Local 38 Candidate Forum.
3. Email related to the October 25, 2016, IAFF Local 38 Press Release.
4. Email and correspondence related to the IAFF Local 38 Open Records Act request to inspect to the City.
5. Correspondence related to the Kentucky Attorney General and Kentucky Registry of Election Finance investigations.
6. Email related to other electioneering by Larry Klein.

1

## Contribution Detail

( 1 - 8 of 8 Shown )

**CARRAN, SHERRY**  
**MAYOR - COVINGTON-KENTON**  
**PRIMARY - 05/17/2016**  
**30 DAY POST - 06/16/2016**

	BALANCE CARRYFORWARD Contribution \$2,958.15 on 05/03/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
	UNITEMIZED Contribution \$710.00 on 05/03/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>BURR, DANIEL</u> 226 COVINGTON AVE COVINGTON, KY, 41011 <b>Employer :</b> U OF CINCINNATI <b>Occupation :</b> TEACHER	INDIVIDUAL Contribution \$200.00 on 05/05/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$4,000.00 on 05/04/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$5,000.00 on 05/10/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$1,000.00 on 05/27/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>STRUBBE, RUTH</u> 3116 EVERGREEN RIDGE DR CINCINNATI, OH, 45215 <b>Employer :</b> <b>Occupation :</b> RETIRED	INDIVIDUAL Contribution \$500.00 on 05/09/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>WILLIAMS, DENNIS</u> 112 KRUEMPELMAN DRIVE FORT MITCHELL, KY, 41017 <b>Employer :</b> ADAMS, STEPNER, WOLTERMAN & DUSING <b>Occupation :</b> ATTORNEY	INDIVIDUAL Contribution \$500.00 on 05/12/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>

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**Kentucky Registry of Election Finance**  
140 Walnut Street  
Frankfort, Kentucky 40601  
Phone: 502.573.2226 FAX: 502.573.5622  
Regular Hours of Operation: 8:00 am - 4:30 pm

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Contribution Detail

( 1 - 3 of 3 Shown )

**CARRAN, SHERRY  
MAYOR - COVINGTON-KENTON  
GENERAL - 11/08/2016  
60 DAY POST - 01/07/2017**

	BALANCE CARRYFORWARD Contribution \$51.15 on 12/09/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE DEBT ASSUMPTION Contribution \$13,897.04 on 01/07/2017 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$-13,327.46 on 01/07/2017 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>

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## Contribution Detail

( 1 - 8 of 8 Shown )

**CARRAN, SHERRY**  
**MAYOR - COVINGTON-KENTON**  
**GENERAL - 11/08/2016**  
**\*\*30 DAY POST - 12/08/2016**

	BALANCE CARRYFORWARD Contribution \$8,165.86 on 10/25/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
	<u>UNITEMIZED</u> Contribution \$150.00 on 10/25/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$2,553.38 on 10/31/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$2,543.69 on 10/31/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$12.17 on 11/01/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$59.61 on 12/02/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$203.76 on 12/07/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
<u>MILLER, CHARLES</u> 1022 ERVIN TERRACE DAYTON, KY, 41074 <b>Employer :</b> <b>Occupation :</b>	INDIVIDUAL IN-KIND Contribution \$300.00 on 10/25/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>

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## Contribution Detail

( 1 - 10 of 18 Shown )

**CARRAN, SHERRY**  
**MAYOR - COVINGTON-KENTON**  
**GENERAL - 11/08/2016**  
**15 DAY PRE - 10/24/2016**

	BALANCE CARRYFORWARD Contribution \$5,047.44 on 10/08/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
	<u>ANONYMOUS</u> Contribution \$23.00 on 10/08/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
	<u>UNITEMIZED</u> Contribution \$1,755.00 on 10/08/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
	<u>CASH</u> Contribution \$300.00 on 10/08/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$569.58 on 10/12/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$5,000.00 on 10/19/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
<u>GOETZ, WILLIAM</u> 1640 CASTLE HILL FT. WRIGHT, KY, 41011 <b>Employer :</b> <b>Occupation : RETIRED</b>	INDIVIDUAL Contribution \$200.00 on 10/10/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
<u>HARRELL, LORNA</u> 742 STEPHENS ROAD IND, KY, 41501 <b>Employer :</b> <b>Occupation : RETIRED</b>	INDIVIDUAL Contribution \$100.00 on 10/12/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
<u>HEMBERGER, STEVEN</u> 128 EAST 2ND ST COVINGTON, KY, 41011 <b>Employer : ANDERSON PROPERTIES</b> <b>Occupation : PRINCIPLE</b>	INDIVIDUAL Contribution \$1,000.00 on 10/12/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
<u>KERST, VIRGINIA</u> 622 SANFORD STREET # 2 COVINGTON, KY, 41011 <b>Employer :</b> <b>Occupation : RETIRED</b>	INDIVIDUAL Contribution \$500.00 on 10/14/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>

Result Page(s) : 1 2

## Contribution Detail

( 1 - 10 of 13 Shown )

**CARRAN, SHERRY**  
**MAYOR - COVINGTON-KENTON**  
**GENERAL - 11/08/2016**  
**\*\*32-DAY PRE - 10/07/2016**

	BALANCE CARRYFORWARD Contribution \$702.28 on 07/16/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
	UNITEMIZED Contribution \$1,086.00 on 07/16/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
	CASH Contribution \$90.00 on 07/16/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
<u>BANTA, THOMAS</u> 2140 OBRIEN PLACE FT. MITCHELL, KY, 41017 <b>Employer :</b> CORPOREX <b>Occupation :</b> VICE PRESIDENT	INDIVIDUAL Contribution \$750.00 on 09/16/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$3,000.00 on 09/20/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
<u>HARRELL, LORNA</u> 742 STEPHENS ROAD IND, KY, 41501 <b>Employer :</b> <b>Occupation :</b> RETIRED	INDIVIDUAL IN-KIND Contribution \$84.34 on 07/31/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
<u>HARRELL, LORNA</u> 742 STEPHENS ROAD IND, KY, 41501 <b>Employer :</b> <b>Occupation :</b> RETIRED	INDIVIDUAL Contribution \$150.00 on 08/03/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
<u>MOSER, EILEEN</u> 3977 LOFTY VIEW PLACE ERLANGER, KY, 41018 <b>Employer :</b> RETIRED <b>Occupation :</b> RETIRED	INDIVIDUAL Contribution \$200.00 on 09/28/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
<u>SCHRODER, JANICE</u> 78 ORPHANGE ROAD FORT MITCHELL, KY, 41017 <b>Employer :</b> CAR PART.COM <b>Occupation :</b> VP OF MARKETING	INDIVIDUAL Contribution \$1,000.00 on 08/23/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>
<u>SCHRODER, JEFFREY</u> 78 ORPHANAGE ROAD FT MITCHELL, KY, 41017 <b>Employer :</b> USED CAR PARTS <b>Occupation :</b> PRESIDENT	INDIVIDUAL Contribution \$1,000.00 on 08/23/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>GENERAL - 11/08/2016</b>

Result Page(s) : 1 2

## Contribution Detail

( 1 - 3 of 3 Shown )

**CARRAN, SHERRY**  
**MAYOR - COVINGTON-KENTON**  
**PRIMARY - 05/17/2016**  
**60 DAY POST - 07/16/2016**

	BALANCE CARRYFORWARD Contribution \$708.28 on 06/17/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE DEBT ASSUMPTION Contribution \$10,000.00 on 07/16/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$-10,000.00 on 07/16/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>

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## Contribution Detail

( 1 - 8 of 8 Shown )

**CARRAN, SHERRY**  
**MAYOR - COVINGTON-KENTON**  
**PRIMARY - 05/17/2016**  
**30 DAY POST - 06/16/2016**

	BALANCE CARRYFORWARD Contribution \$2,958.15 on 05/03/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
	UNITEMIZED Contribution \$710.00 on 05/03/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>BURR, DANIEL</u> 226 COVINGTON AVE COVINGTON, KY, 41011 <b>Employer :</b> U OF CINCINNATI <b>Occupation :</b> TEACHER	INDIVIDUAL Contribution \$200.00 on 05/05/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$4,000.00 on 05/04/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$5,000.00 on 05/10/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$1,000.00 on 05/27/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>STRUBBE, RUTH</u> 3116 EVERGREEN RIDGE DR CINCINNATI, OH, 45215 <b>Employer :</b> <b>Occupation :</b> RETIRED	INDIVIDUAL Contribution \$500.00 on 05/09/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>WILLIAMS, DENNIS</u> 112 KRUEPELMAN DRIVE FORT MITCHELL, KY, 41017 <b>Employer :</b> ADAMS, STEPNER, WOLTERMAN & DUSING <b>Occupation :</b> ATTORNEY	INDIVIDUAL Contribution \$500.00 on 05/12/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>

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Contribution Detail

( 1 - 4 of 4 Shown )

**CARRAN, SHERRY**  
**MAYOR - COVINGTON-KENTON**  
**PRIMARY - 05/17/2016**  
**15 DAY PRE - 05/02/2016**

	BALANCE CARRYFORWARD Contribution \$4,094.24 on 04/15/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$4,000.00 on 04/22/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>HAYDEN, STEPHEN</u> 415 GARRARD ST COVINGTON, KY, 41011 <b>Employer :</b> <b>Occupation : RETIRED</b>	INDIVIDUAL Contribution \$25.00 on 04/22/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>HORSLEY, RUSSELL</u> 219 STERRET AVE COVINGTON, KY, 41074 <b>Employer :</b> <b>Occupation : RETIRED</b>	INDIVIDUAL Contribution \$250.00 on 04/27/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>

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## Contribution Detail

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**CARRAN, SHERRY**  
**MAYOR - COVINGTON-KENTON**  
**PRIMARY - 05/17/2016**  
**\*\*32-DAY PRE - 04/15/2016**

<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$50.00 on 12/14/2015 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$142.14 on 01/08/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$750.00 on 01/11/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$109.70 on 01/19/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$79.31 on 02/16/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$68.90 on 03/02/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$1,299.59 on 03/08/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$5,000.00 on 03/13/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>CARRAN, SHERRY</u> 927 FOREST AVENUE COVINGTON, KY, 41016 <b>Employer :</b> <b>Occupation :</b>	CANDIDATE Contribution \$4,000.00 on 03/24/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>
<u>DEHAN, KELLY</u> 4225 PAYTON AVE CINCINNATI, OH, 45209 <b>Employer :</b> <b>Occupation :</b>	INDIVIDUAL Contribution \$50.00 on 04/10/2016 CARRAN, SHERRY for MAYOR - COVINGTON-KENTON <b>PRIMARY - 05/17/2016</b>

Result Page(s) : 1 2 3

2

**From:** Sherry Carran  
**To:** Larry Klein  
**Subject:** FW: Updated  
**Date:** Tuesday, August 30, 2016 2:32:11 PM  
**Attachments:** [Covington Local #38 Press Release.docx](#)  
[Covington Local 38 Press Release SAFFR.docx](#)  
[Covington Fire Fleet - #2.xlsx](#)  
[Covington Report 2014 - #3.pdf](#)

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FYI

**From:** Tyler Cherry [mailto:tcherry138@gmail.com]  
**Sent:** Tuesday, August 30, 2016 1:11 PM  
**To:** Joe Meyer; Stuart Warren; michelles.manicure@gmail.com; BlairChristi@yahoo.com; twdowning@gmail.com; Bill Wells; Sherry Carran; Jordan Huizenga; jiflesch@aol.com; lucasdeaton@yahoo.com  
**Cc:** Mike Lee; Mike Davis  
**Subject:** Updated

Currently Covington Professional Firefighters L-38 candidate night (9/8 @ 6:30pm 2232 Howell St. Covington, Ky 41014) has the following confirmed attendees:

Mayoral Candidates: Joe Meyer, Sherry Carran

Commission Candidates: Jordan Huizenga, Timothy Downing, Michelle Williams, Stuart Warren, John Flesch, Bill Wells

Kentucky State Representative Candidates: Lucas Deaton

So as not to ask the candidates to arrive promptly at 6:30pm and have to wait for an extended period of time to address our membership the following schedule has been applied:

Lucas Deaton: 6:30-6:45

Jordan Huizenga: 6:45-7:00

Timothy Downing: 7:00-7:15

Michelle Williams: 7:15-7:30

Stuart Warren: 7:30-7:45

John Flesch: 7:45-8:00

Bill Wells: 8:00-8:15

Christi Blair 8:15-8:30

Sherry Carran: 8:30-8:45

Joe Meyer: 8:45-9:00

We are requesting that each candidate take 5 minutes to speak to our membership and then field questions or comments for up to 10 minutes.

Some issues that are important to our membership:

Fire Department staffing

SAFER grant

Fire apparatus condition and replacement

Wages and benefits

Difficulty communicating with current City administration

Current CBA negotiations

Fire stations condition and possible relocation/replacement

Economic development within the City

Riverfront development

Long term plan for retention of firefighters

Increasing paramedic staffing

CISD/PTSD program availability

Availability of police department assistance/protection

We look forward to seeing and speaking to each of you.

Sincerely,

L-38 Executive Board

Mike Lee (President) 859.620.9936

Mike Davis (Vice President) 859.628.4151

Tyler Cherry (Secretary/Treasurer) 859.993.9279

**From:** [Bill Wells](#)  
**To:** [Larry Klein](#)  
**Subject:** FW: Updated  
**Date:** Tuesday, August 30, 2016 8:22:51 PM  
**Attachments:** [Covington Local #38 Press Release.docx](#)  
[Covington Local 38 Press Release SAFFR.docx](#)  
[Covington Fire Fleet - #2.xlsx](#)  
[Covington Report 2014 - #3.pdf](#)

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**From:** Tyler Cherry [tcherry138@gmail.com]  
**Sent:** Tuesday, August 30, 2016 1:11 PM  
**To:** Joe Meyer; Stuart Warren; michelles.manicure@gmail.com; BlairChristi@yahoo.com; twdowning@gmail.com; Bill Wells; Sherry Carran; Jordan Huizenga; jiflesch@aol.com; lucasdeaton@yahoo.com  
**Cc:** Mike Lee; Mike Davis  
**Subject:** Updated

Currently Covington Professional Firefighters L-38 candidate night (9/8 @ 6:30pm 2232 Howell St. Covington, Ky 41014) has the following confirmed attendess:

Mayoral Candidates: Joe Meyer, Sherry Carran

Commission Candidates: Jordan Huizenga, Timothy Downing, Michelle Williams, Stuart Warren, John Flesch, Bill Wells

Kentucky State Representative Candidates: Lucas Deaton

So as not to ask the candidates to arrive promptly at 6:30pm and have to wait for an extended period of time to address our membership the following schedule has been applied:

Lucas Deaton: 6:30-6:45

Jordan Huizenga: 6:45-7:00

Timothy Downing: 7:00-7:15

Michelle Williams: 7:15-7:30

Stuart Warren: 7:30-7:45

John Flesch: 7:45-8:00

Bill Wells: 8:00-8:15

Christi Blair 8:15-8:30

Sherry Carran: 8:30-8:45

Joe Meyer: 8:45-9:00

We are requesting that each candidate take 5 minutes to speak to our membership and then field questions or comments for up to 10 minutes.

Some issues that are important to our membership:

Fire Department staffing

**From:** [Larry Klein](#)  
**To:** [Frank E. Warnock](#); [Lisa Desmarais](#); [Dan Mathew](#)  
**Cc:** [Larry Klein](#)  
**Subject:** Local 38 Candidate Forum Questions  
**Date:** Thursday, September 01, 2016 10:43:40 PM  
**Attachments:** [Covington Local #38 Press Release.docx](#)  
[Covington Local 38 Press Release SAFER.docx](#)  
[Covington Fire Fleet - #2.xlsx](#)  
[Covington Report 2014 - #3.pdf](#)

---

Frank, Lisa and Dan,

I would like for us to help develop a quick briefing on the subject areas below for Mayor and Commission and any candidate for office who asks, so each are as well informed as they want to be for the Local 38 candidate forum on September 8th, next Thursday.

Are you all available to meet on Tuesday at 3?

Fire Department staffing

SAFER grant

Fire apparatus condition and replacement

Wages and benefits

Difficulty communicating with current City administration

Current CBA negotiations

Fire stations condition and possible relocation/replacement

Economic development within the City

Riverfront development

Long term plan for retention of firefighters

Increasing paramedic staffing

CISD/PTSD program availability

Availability of police department assistance/protection

**Scott White**

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 7:47 PM  
**To:** Scott White  
**Subject:** FW: Local 38 Candidate Forum Questions

-----Original Message-----

**From:** Larry Klein  
**Sent:** Friday, September 02, 2016 10:04 AM  
**To:** Fire Chief  
**Subject:** RE: Local 38 Candidate Forum Questions

Thank you!

-----Original Message-----

**From:** Fire Chief  
**Sent:** Friday, September 02, 2016 8:39 AM  
**To:** Larry Klein; Frank E. Warnock; Lisa Desmarais; Dan Mathew  
**Subject:** RE: Local 38 Candidate Forum Questions

Affirmative

-----Original Message-----

**From:** Larry Klein  
**Sent:** Thursday, September 01, 2016 10:44 PM  
**To:** Frank E. Warnock; Lisa Desmarais; Dan Mathew  
**Cc:** Larry Klein  
**Subject:** Local 38 Candidate Forum Questions

Frank, Lisa and Dan,

I would like for us to help develop a quick briefing on the subject areas below for Mayor and Commission and any candidate for office who asks, so each are as well informed as they want to be for the Local 38 candidate forum on September 8th, next Thursday.

Are you all available to meet on Tuesday at 3?

Fire Department staffing

SAFER grant

Fire apparatus condition and replacement

Wages and benefits

Difficulty communicating with current City administration

Current CBA negotiations

## Scott White

---

**From:** Larry Klein </O=COVINGTON, KY/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=LKLEIN>  
**Sent:** Sunday, September 04, 2016 1:27 PM  
**To:** Lisa Desmarais  
**Cc:** Larry Klein; Sherry Carran  
**Subject:** Todd and FD response times

Lisa,

Sherry asked me if we had any information yet from Todd on response times for Fire department.

Specifically I think she is looking for:

- 1) By station, response times for both the ambulance (for transport) to arrive, and the arrival of first responders (paramedics) which may come on ambulance or on a pumper, as you know.

**From:** [Sherry Carran](#)  
**To:** [Lisa Desmarais](#); [Larry Klein](#)  
**Subject:** Re: Todd and FD response times  
**Date:** Tuesday, September 06, 2016 9:41:43 AM

---

Friday works as far as getting the information to the voters when we go door-to-door.

We have our candidate forum with Local 38 on Thursday but they're not going to be happy with answers we give them.

Sherry

---

**From:** Lisa Desmarais <[L.Desmarais@covingtonky.gov](mailto:L.Desmarais@covingtonky.gov)>  
**Date:** Tuesday, September 6, 2016 at 9:37 AM  
**To:** Larry Klein <[lklein@covingtonky.gov](mailto:lklein@covingtonky.gov)>  
**Cc:** Sherry Carran <[scarran@covingtonky.gov](mailto:scarran@covingtonky.gov)>  
**Subject:** RE: Todd and FD response times

Todd is working with the data and verifying it with Dan for clarity and accuracy. We should have this information by Friday of this week.

Does that work?

**Lisa Desmarais**  
**Director of Finance & Operations**  
City of Covington, Administration  
20 West Pike Street, 2nd Floor Covington, KY 41011  
859-292-2174 direct | 859-292-2133 main

---

**From:** Larry Klein  
**Sent:** Sunday, September 04, 2016 1:27 PM  
**To:** Lisa Desmarais  
**Cc:** Larry Klein; Sherry Carran  
**Subject:** Todd and FD response times

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Specifically I think she is looking for:

- 1) By station, response times for both the ambulance (for transport) to arrive, and the arrival of first responders (paramedics) which may come on ambulance or on a pumper, as you know.

**Larry Klein**  
**City Manager**  
City of Covington, Administration  
20 West Pike Street, 2nd Floor, Covington, KY 41011

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Monday, December 11, 2017 11:42 AM  
**To:** Scott White  
**Subject:** FW: EMS Response Times

Scott White

City of Covington.

**From:** Todd Sink  
**Sent:** Tuesday, November 01, 2016 4:59 PM  
**To:** Lisa Desmarais  
**Subject:** Fwd: EMS Response Times

Hi Lisa,

We can show the numbers but they will be a little different from what he has.

Begin forwarded message:

**From:** Bill Wells <[bwells2@covingtonky.gov](mailto:bwells2@covingtonky.gov)>  
**Date:** November 1, 2016 at 4:45:21 PM EDT  
**To:** Todd Sink <[tsink@covingtonky.gov](mailto:tsink@covingtonky.gov)>  
**Cc:** Fire Chief <[firechief@covingtonky.gov](mailto:firechief@covingtonky.gov)>, Lisa Desmarais <[LDesmarais@covingtonky.gov](mailto:LDesmarais@covingtonky.gov)>  
**Subject:** RE: EMS Response Times

Is there a way to see the time from each of the bars on the graph? Such as 5.25 minutes? I would also like to have the ability to change the graph from a bar to a line, in the same way as other graphs in open gov.

Thanks again  
Bill

**Bill Wells**  
**Commissioner**  
City of Covington, Office of the City Commission  
20 West Pike Street, 2nd Floor Covington KY 41011  
[859-292-2306](tel:859-292-2306) direct | [859-292-2306](tel:859-292-2306) main

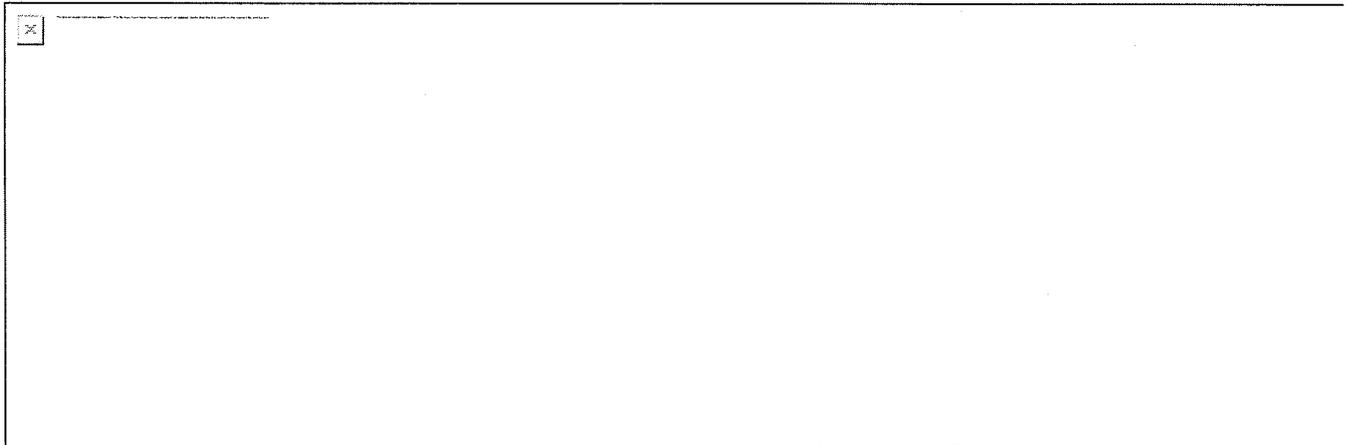
**From:** Todd Sink  
**Sent:** Tuesday, November 01, 2016 4:26 PM  
**To:** Bill Wells  
**Cc:** Fire Chief; Lisa Desmarais  
**Subject:** EMS Response Times

Hi Commissioner Wells,

The EMS response times information is now on our transparency home page. We have chosen to provide access to this information in two places:

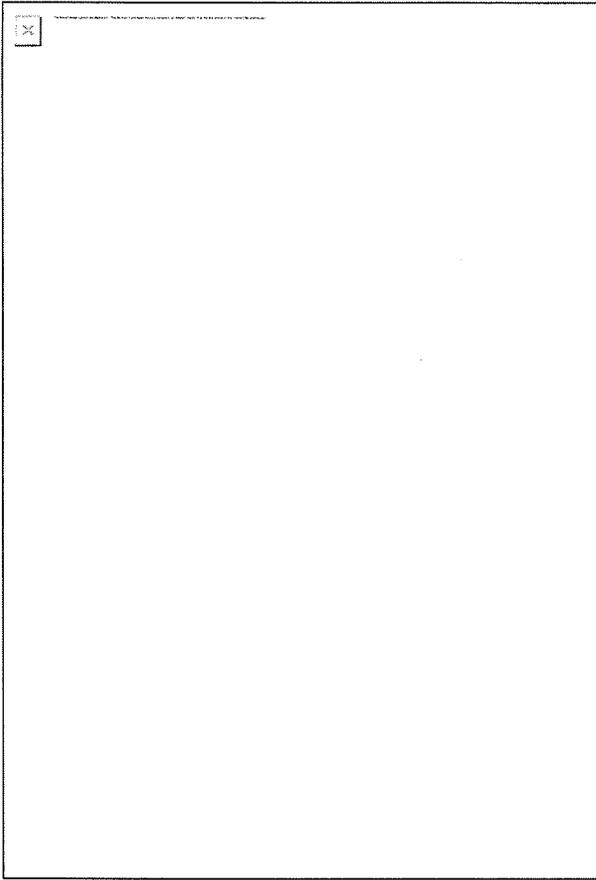
1. Frequently Asked Questions

When you navigate to the transparency homepage you can access this information in a PDF document by clicking on the first question: "What is the average response time of the first arriving EMS unit by neighborhood?"



2. OpenGov Site

On the OpenGov site, you can scroll down on the left vertical scrollbar and click on 'Filters'. This reveals the documents we have attached on the OpenGov site. The first document is the PDF of the response times of the first arriving EMS unit by neighborhood.



If you have any questions, just let me know.

Thanks,

**Todd Sink**

**Manager of Analytics and Intelligence**

City of Covington, Operations

20 West Pike Street, 2nd Floor, Covington, KY 41011

859-292-2313 direct | 859-292-2313 main

859-292-2107 fax

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[www.covingtonky.gov](http://www.covingtonky.gov)

Sign up to receive our [Eblasts](#)

Disclaimer: Please note all content in this email may be subject to open records request.

## Scott White

---

**From:** Larry Klein </O=COVINGTON, KY/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=LKLEIN>  
**Sent:** Tuesday, September 06, 2016 5:11 PM  
**To:** Dan Mathew; desmarais@covingtonky.gov; Frank E. Warnock  
**Attachments:** Local 38 Questions 2016.docx

Dan, Lisa and Frank,

See attached.

Please note I highlighted your respective names in yellow where I asked you to drop in some info you have.

Please get this back to me tomorrow morning so I can send to Sherry, Bill and Jordan.

Thanks!

## Local 38 Questions

### 1) Fire Department staffing

Local 38 may ask if Fire Department “going to get staffing back” in reference to SAFER grant or Pumper 1 etc. to be closer to NFPA standards, which are just recommendations. I know of no fire department in NKY that is compliant with NFPA standards.

### 2) SAFER grant

The SAFER grant is intended to improve our NFPA 17 requirement. We are waiting for confirmation from Washington D.C. on the “staffing maintenance” number for our SAFER grant which we calculate to be 114 (current staffing of 106 plus 8 SAFER hires). Local 38 may refer to language in the grant about keeping 28 on duty each day. We believe the terms and conditions for the SAFER grant require us to maintain at least 114 in total. We are waiting on confirmation for this from D.C. Currently we often meet or exceed 28 each day. Chief Mathew has a different staffing scenario for equipment based on the staffing level each day, for 26, 207, 28, 29 etc. See below. Dan to provide his daily staffing plan here.

With staffing of 114 that is 38 per platoon, or 24 hour shift. With Kelly days, sick days, vacation days, union days, bereavement days, military leave days, light duty injuries etc we see a number less than 38 show up for work each day.

### 3) Fire apparatus condition and replacement

The City now has a funding source for fleet and other equipment. The City has issued bids for fire. I will be placing an item on September 13<sup>th</sup> agenda to authorize staff to reissue our RFP for financing. The previous financing RFP we used for Police and DPI has expired. We also believe a separate, fire only RFP, will garner better responses and rates. We will ask for financing for one ladder truck, up to two pumpers and up to two ambulances. There is not yet a consensus on Commission on the need for a \$1.1 million rescue truck. We will continue to work on filling our need for a replacement rescue truck.

### 4) Wages and benefits

We understand that Local 38 and IAFF have conducted a salary survey. City staff have also compiled a salary survey based on NKY Fire Departments and KLC survey data we will be sharing with Local 38.

Our proposal to date to Local 38 has included the Reference Based Pricing health insurance option, which they agreed to and over 70% of their members have opted to enroll in, with no premiums the first six months. As agreed upon with Local 38, this health care option ends on December 31, 2016 unless a new contract has been signed by then.

5) Difficulty communicating with current City administration

Not sure what this means. I believe communication is good. I call or text Mike Lee as needed. He does the same with me. I believe Local 38 also communicates well with Frank Warnock and Lisa Desmarais.

6) Current CBA negotiations

Below is current offer we have made to Local 38.

Lisa or Frank do you have current proposal we have made to Local 38?

7) Fire stations condition and possible relocation/replacement

The City has made building maintenance and quality of life improvements to the fire stations in past year.

Lisa D to provide list of fire station improvements here.

As for possible relocation/replacement of firehouses, the City is always looking for a more central location north Covington in center of run volume area to provide better and quicker response. One impediment is high real estate prices in north Covington.

City even originally proposed a new firehouse be integrated into development of 501 Main but that was not feasible after further evaluation by City and developer.

8) Economic development within the City

Self-Explanatory.

See [Opengov. Com](http://Opengov.Com) link for updated building permit activity that is evidence of new development and increased property value appreciation.

Lisa is there a link you can provide here?

500 new jobs at average \$80k per year life science industry to Rivercenter  
Clubessential relocating to Rivercenter, about 80 high paying jobs  
Another to announce shortly

9) Riverfront development

Self-Explanatory

10) Long term plan for retention of firefighters

We are not aware of any problem with retention of firefighters. Chief Mathews and I cannot think of an instance where a Covington firefighter left for a job in another department.

11) Increasing paramedic staffing

Increased paramedic staffing is a priority of this Mayor and Commission and City Administration. In 2015 Local 38 members voted down a proposal by the City to increase paramedic staffing and with certification pay for each paramedic.

The City has been trying to increase paramedic staffing and negotiating with Local 38 to change the contract to allow us to increase the number beyond 30 paramedics. The City offered, and Local 38 now agreed, to increase the number up to 60 over time, with a \$3500 certification stipend paid to each paramedic, instead of the current 14% salary increase, beginning with our next class of fire recruits who would be hired in as paramedics and remain in the paramedic pool. Local 38 has agreed to put this contract change to a vote of its membership within 10 days after Chief Mathew announces he will be hiring a new recruit class, which will be shortly, pending Commission approval and acceptance of the SAFER grant.

As of right now, increased paramedic staffing ball is in court of Local 38.

12) CISD (Critical Incident Stress Debriefing) / PTSD program availability

Currently the City offers Employee Assistance Program free to all City employees. EAP can provide referrals for more intense counseling. Police Department also has a chaplain program to assist.

13) Availability of police department assistance/protection

The contract with Local 38 requires police assistance/protection when needed on fire and ambulance runs.

Chief Carter believes the Police are called on many runs that are not necessary such as emotional crisis.

One recent incident, 3 paramedics/EMT's were dispatched to the Covington Ladies Home for someone having an emotional crisis. The Covington ambulance would not respond until Police assistance was available.

Chief Mathews cannot recall an incident when police assistance was needed and not provided.

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 8:12 PM  
**To:** Scott White  
**Subject:** FW:  
**Attachments:** Local 38 Questions 2016.docx

## Scott White

City of Covington

direct - main

**From:** Larry Klein  
**Sent:** Tuesday, September 06, 2016 10:12 PM  
**To:** Sherry Carran; Bill Wells; Jordan Huizenga  
**Subject:**

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Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 8:17 PM  
**To:** Scott White  
**Subject:** FW:  
**Attachments:** AD Equipment Staffing.pdf

-----Original Message-----

**From:** Larry Klein  
**Sent:** Tuesday, September 06, 2016 11:23 PM  
**To:** Larry Klein  
**Subject:** FW:

-----Original Message-----

**From:** Fire Chief  
**Sent:** Tuesday, September 06, 2016 11:03 PM  
**To:** Larry Klein  
**Subject:** RE:

Yes

-----Original Message-----

**From:** Larry Klein  
**Sent:** Tuesday, September 06, 2016 11:01 PM  
**To:** Fire Chief  
**Subject:** RE:

2 separate emails?

-----Original Message-----

**From:** Fire Chief  
**Sent:** Tuesday, September 06, 2016 10:59 PM  
**To:** Larry Klein  
**Subject:** RE:

2 separate emails

Dan Mathew  
Fire Chief  
City of Covington, Fire  
100 E. Robbins Street, Covington, KY 41011  
859-431-0462 direct | main  
859-431-3315 fax  
Facebook | Twitter  
[www.covingtonky.gov](http://www.covingtonky.gov)

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Disclaimer: Please note all content in this email may be subject to open records request.

---

From: Larry Klein

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 8:18 PM  
**To:** Scott White  
**Subject:** FW: RE:

-----Original Message-----

**From:** Larry Klein  
**Sent:** Wednesday, September 07, 2016 7:44 AM  
**To:** Bill Wells  
**Subject:** Re: RE:

I will ask dan

Sent from my iPhone

> On Sep 7, 2016, at 7:42 AM, Bill Wells <[bwells2@covingtonky.gov](mailto:bwells2@covingtonky.gov)> wrote:

>

> I can't find my list of all cities in northern Kyocera. Fire ratings, do you have that?

>

---

> **From:** Larry Klein  
> **Sent:** Wednesday, September 07, 2016 7:27 AM  
> **To:** Sherry Carran  
> **Cc:** Bill Wells; Jordan Huizenga  
> **Subject:** Re:

>

> More to come today

>

> Sent from my iPhone

>

> On Sep 7, 2016, at 7:23 AM, Sherry Carran <[scarran@covingtonky.gov](mailto:scarran@covingtonky.gov)<<mailto:scarran@covingtonky.gov>>> wrote:

>

> Thank you Larry for pulling this information together. It is a big help.

>

> Sherry

>

> **From:** Larry Klein <[lklein@covingtonky.gov](mailto:lklein@covingtonky.gov)<<mailto:lklein@covingtonky.gov>>>  
> **Date:** Tuesday, September 6, 2016 at 10:11 PM  
> **To:** Sherry Carran <[scarran@covingtonky.gov](mailto:scarran@covingtonky.gov)<<mailto:scarran@covingtonky.gov>>>, Bill Wells <[bwells2@covingtonky.gov](mailto:bwells2@covingtonky.gov)<<mailto:bwells2@covingtonky.gov>>>, Jordan Huizenga <[jhuizenga@covingtonky.gov](mailto:jhuizenga@covingtonky.gov)<<mailto:jhuizenga@covingtonky.gov>>>  
> **Subject:** <no subject>

>

> FYI the attached draft of some background information for the candidate night questions you asked me for for Local 38's event this Thursday.

>

> Per the attached I am waiting on additional information from Lisa and Dan but thought this would give you a start.

>

> Larry Klein  
> City Manager

From: B&B Wells  
To: B&B Wells  
Cc: B&B Wells  
Subject: B&B Wells  
Date: Wednesday, September 07, 2016 9:24:16 AM

Do you have the ISO fire rating for cities in KY?

-----Original Message-----

From: B&B Wells  
Sent: Wednesday, September 07, 2016 7:43 AM  
To: Larry Klein  
Subject: RE:

I can't find my list of all cities in northern KY area. Fire ratings, do you have that?

From: Larry Klein  
Sent: Wednesday, September 07, 2016 7:27 AM  
To: Sherry Carran  
Cc: B&B Wells; Jordan Hutzenpa  
Subject: Re:

More to come today

Sent from my iPhone

On Sep 7, 2016, at 7:23 AM, Sherry Carran <[scarran@covingtonky.gov](mailto:scarran@covingtonky.gov)<mailto:scarran@covingtonky.gov>> wrote:

Thank you Larry for pulling this information together. It is a big help.

Sherry

From: Larry Klein <[klein@covingtonky.gov](mailto:klein@covingtonky.gov)<mailto:klein@covingtonky.gov>>  
Date: Tuesday, September 6, 2016 at 10:11 PM  
To: Sherry Carran <[scarran@covingtonky.gov](mailto:scarran@covingtonky.gov)<mailto:scarran@covingtonky.gov>> , B&B Wells <[bwells1@covingtonky.gov](mailto:bwells1@covingtonky.gov)<mailto:bwells1@covingtonky.gov>> , Jordan Hutzenpa <[jhutzenpa@covingtonky.gov](mailto:jhutzenpa@covingtonky.gov)<mailto:jhutzenpa@covingtonky.gov>>  
Subject: <no subject>

FYI the attached draft of some background information for the candidate night questions you asked me for for Local 39's event this Thursday.

Per the attached I am waiting on additional information from Lisa and Dan but thought this would give you a start.

Larry Klein

City Manager

City of Covington, Administration

20 West Pike Street, 2nd Floor, Covington, KY 41011

859-252-2133 direct | 859-252-2133 main

859-252-2137 fax

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[www.covingtonky.gov](http://www.covingtonky.gov) <<http://www.covingtonky.gov/>>

Sign up to receive our eBlasts <<http://www.covingtonky.gov/management>>

<https://www.covingtonky.gov/management>

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## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 8:21 PM  
**To:** Scott White  
**Subject:** FW: Contact-ISOMITIGATION  
**Attachments:** image001.png

### Scott White

City of Covington,

[direct](#) | [main](#)

**From:** Larry Klein  
**Sent:** Wednesday, September 07, 2016 12:56 PM  
**To:** Bill Wells  
**Subject:** FW: Contact-ISOMITIGATION

### Larry Klein City Manager

City of Covington, Administration  
20 West Pike Street, 2nd Floor Covington KY 41011  
[859-292-2133 direct](#) | [859-292-2133 main](#)

**From:** Fire Chief  
**Sent:** Wednesday, September 07, 2016 11:05 AM  
**To:** Larry Klein  
**Subject:** Fwd: Contact-ISOMITIGATION

Begin forwarded message:

**From:** PPC-Cust-Serv <[ppc-cust-serv@iso.com](mailto:ppc-cust-serv@iso.com)>  
**Date:** September 7, 2016 at 10:58:43 AM EDT  
**To:** "[firechief@covingtonky.gov](mailto:firechief@covingtonky.gov)" <[firechief@covingtonky.gov](mailto:firechief@covingtonky.gov)>  
**Subject:** RE: Contact-ISOMITIGATION

Good morning-

ISO does not provide a list of ratings for fire protection areas. The ratings would have to be released by the individual fire departments/communities.

Thank you,

Community Mitigation Analyst



**From:** Iso Mitigation Contact [<mailto:info@verisk.com>]  
**Sent:** Wednesday, September 07, 2016 10:48 AM  
**To:** PPC-Cust-Serv  
**Subject:** Contact-ISOMITIGATION

Administrator,

The below person has requested information.

Subject :Other

First Name:Daniel

Last Name:Mathew

Job Title:Fire Chief

Company:City of Covington Fire

Type of Organization:Fire Department

E-mail:[firechief@covingtonky.gov](mailto:firechief@covingtonky.gov)

Address:100 East Robbins St

Address2:

City:Covington

State:KY

Zip:41091

**Scott White**

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 8:22 PM  
**To:** Scott White  
**Subject:** FW: Contact-ISOMITIGATION

Scott White

City of Covington

direct | main

**From:** Larry Klein  
**Sent:** Wednesday, September 07, 2016 2:16 PM  
**To:** Fire Chief  
**Subject:** RE: Contact-ISOMITIGATION

That would be very useful.

But I know the Fire Chiefs don't like to compare departments in any way.

**Larry Klein**  
**City Manager**

City of Covington, Administration  
20 West Pike Street, 2nd Floor Covington KY 41011  
[859-292-2133 direct](tel:859-292-2133) | [859-292-2133 main](tel:859-292-2133)

**From:** Fire Chief  
**Sent:** Wednesday, September 07, 2016 1:05 PM  
**To:** Larry Klein  
**Subject:** Re: Contact-ISOMITIGATION

I already asked and it is not collected but could be.

On Sep 7, 2016, at 12:56 PM, Larry Klein <[lklein@covingtonky.gov](mailto:lklein@covingtonky.gov)> wrote:

Dan would the Kenton County Fire Chiefs have this info for each community since they represent each department?

**Larry Klein**  
**City Manager**

City of Covington, Administration  
20 West Pike Street, 2nd Floor Covington KY 41011  
[859-292-2133 direct](tel:859-292-2133) | [859-292-2133 main](tel:859-292-2133)

**From:** Fire Chief  
**Sent:** Wednesday, September 07, 2016 11:05 AM  
**To:** Larry Klein  
**Subject:** Fwd: Contact-ISOMITIGATION

**Scott White**

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 8:23 PM  
**To:** Scott White  
**Subject:** FW: Covington Fire Department, Kentucky: EMW-2015-FH-00650

**Scott White**

City of Covington,

[direct](#) | [main](#)

**From:** Larry Klein  
**Sent:** Wednesday, September 07, 2016 2:20 PM  
**To:** Fire Chief; Lisa Desmarais  
**Subject:** RE: Covington Fire Department, Kentucky: EMW-2015-FH-00650

Thanks Dan!

I think this is the answer we wanted!

**Larry Klein**  
**City Manager**

City of Covington, Administration  
20 West Pike Street, 2nd Floor Covington KY 4 (01)  
[359-299-2133 direct](#) | [359-299-2135 fax](#)

---

**From:** Fire Chief  
**Sent:** Wednesday, September 07, 2016 2:19 PM  
**To:** Larry Klein; Lisa Desmarais  
**Subject:** Fwd: Covington Fire Department, Kentucky: EMW-2015-FH-00650

Begin forwarded message:

**From:** "Diaz, Yesenia" <[yesenia.diaz@fema.dhs.gov](mailto:yesenia.diaz@fema.dhs.gov)>  
**Date:** September 7, 2016 at 1:22:09 PM EDT  
**To:** Fire Chief <[firechief@covingtonky.gov](mailto:firechief@covingtonky.gov)>  
**Subject:** RE: Covington Fire Department, Kentucky: EMW-2015-FH-00650

Yes, you are responsible for maintaining the total staffing maintenance level of 114. That is the operational positions that must be maintained throughout the grant period of performance in order to be in compliance with this grant.

Respectfully,  
Yesenia

**From:** Fire Chief [mailto:firechief@covingtonky.gov]  
**Sent:** Tuesday, September 06, 2016 12:43 PM  
**To:** Diaz, Yesenia <yesenia.diaz@fema.dhs.gov>  
**Subject:** RE: Covington Fire Department, Kentucky: EMW-2015-FH-00650

Ms. Diaz,

I am trying to provide clarity to the public officials regarding the "maintenance number". I understand that our maintenance number is 114.

- Is the maintenance number the only number that we will be accountable for? If the maintenance number of 114 will impact our ability to maintain the described daily staffing of 28 as noted in section 1a. without the utilization of overtime, are we accountable for the "daily staffing" number or just the maintenance number of 114?
- The number of 114 will positively impact our staffing and ability to meet 1710.

Thank you,

**From:** Diaz, Yesenia [mailto:yesenia.diaz@fema.dhs.gov]  
**Sent:** Wednesday, August 31, 2016 8:48 AM  
**To:** Dan Mathew; Andrew Schultz; jbowman@covingtonky.gov; Fire Chief  
**Subject:** RE: Covington Fire Department, Kentucky: EMW-2015-FH-00650

Thank you for providing the completed pre-SAFER roster.

#### Maintenance Number

Based on the roster you submitted & the information you provided, your department's maintenance staffing number for this grant is 114 (106 pre-SAFER and 8 FY 2015 SAFER positions). Please respond to this e-mail letting me know that you understand the operational maintenance number. The maintenance number has been added to your grant file.

#### Vacancies

At minimum, your department must maintain these operational positions throughout the grant period of performance in order to be in compliance with this grant. We understand that vacancies occur but we expect your department to take active and timely steps to fill any operational vacancies (pre-SAFER and SAFER). SAFER positions should be filled consistently. If a SAFER position becomes vacant, it will need to be filled by someone hired after the grant award date.

#### Quarterly Performance Reports

You will need to remember your maintenance number when you complete performance reports. Please refer to the SAFER Hiring User Guide for instructions about how to complete the reports. If you have any operational vacancies, please use the comments section of the report to explain why the position is vacant, the date that the position became open, and your plan to fill the vacancy.

#### Early POP Start

If you have already filled the newly awarded SAFER positions, or you fill them before the start of your period of performance, please let me know and I can give you instructions for how to submit an amendment to start the grant early. Starting the period of performance early would move up the entire two year grant period of performance and allow you to request payment immediately.

If you have not already done so, please review the User Guide and let me know if I can be of further assistance.

Respectfully,

*Yesenia Diaz*

Program Analyst, SAFER  
Assistance to Firefighters Grant (AFG) Program  
DHS/FEMA/Grant Programs Directorate  
400 C Street S.W., 3N  
Washington, D.C. 20472-3625  
**Desk:** (202) 212-7314  
**AFG Help Desk:** (866) 274-0960  
**Email:** [yesenia.diaz@fema.dhs.gov](mailto:yesenia.diaz@fema.dhs.gov)

**\*\*Please include your grant number in the subject line of your email\*\***

**From:** Diaz, Yesenia  
**Sent:** Monday, August 29, 2016 3:58 PM  
**To:** '[dmathew@covingtonky.gov](mailto:dmathew@covingtonky.gov)' <[dmathew@covingtonky.gov](mailto:dmathew@covingtonky.gov)>; '[aschultz@covingtonky.gov](mailto:aschultz@covingtonky.gov)' <[aschultz@covingtonky.gov](mailto:aschultz@covingtonky.gov)>; '[ibowman@covingtonky.gov](mailto:ibowman@covingtonky.gov)' <[ibowman@covingtonky.gov](mailto:ibowman@covingtonky.gov)>  
**Subject:** Covington Fire Department, Kentucky: EMW-2015-FH-00650

Congratulations on being selected to receive a FY 2015 SAFER Grant award!

I am your SAFER Program Office point of contact. The SAFER Program Office is responsible for the programmatic monitoring of this grant. As such, I will be reviewing your payment requests, performance reports, and amendment requests.

This e-mail and its attachments contain the information that you need to know in order to be successful with this grant.

If you have not already done so, you will need to officially accept or reject this grant award within the eGrant system. If no action is taken within thirty (30) days from the date of notification of award, the system will retract the award. If you need additional time to make a decision, please let me know.

Be sure to print and carefully read your Award Package, which is available in e-Grants. The Negotiations Comments section of the Award Package may contain adjustments or special conditions that were added during the award process. You should print and review your grant application if adjustments were made to it. To access the Award Package and the updated application, please refer to the instructions in the attached User Guide.

Please read the attached User Guide, as it contains important information about grant requirements and instructions about how to submit reports and requests in the e-Grants system. We strongly encourage you to refer to the attached guide when you have questions about this grant.

Under this grant, you have a 180-day recruitment period to fill the awarded SAFER positions. The recruitment period started on the date the application was approved for award, and ends with the start date of the performance period; therefore, the 180-day recruitment period has already begun. You can find your grant period of performance (POP) in a number of places in the E-grant system, including in the Award Package and on the SAFER Payment Request(s) screen. Please see the *Period of Performance* section of the User Guide for additional information.

If your department is able to hire the SAFER positions before the end of the 180 day recruitment period (or if you were awarded retention positions), you can start the POP early. You must submit an amendment request in eGrants to change the start date. Salary and benefit costs incurred during the 180-day recruitment period are eligible for reimbursement only if you submit an amendment to start your POP early.

During the grant period of performance, your department is required to fill all SAFER-funded positions and maintain the operational staffing at the level that existed on the date of award as well as the number of awarded SAFER positions. This requirement is referred to as the "Staffing Maintenance Number."

In order to determine your department's staffing maintenance number, please complete and submit a "Pre-SAFER Roster." The Pre-SAFER Roster is a list of your department's paid operational/firefighting personnel, in support of the department's NFPA 1710 or NFPA 1720 compliance, who were in full-time or job-share positions at the time of award. You may also list administrative personnel on the roster, but they will not be included in the staffing maintenance number. Volunteer personnel, administrative civilian, and paid-on-call/stipend personnel do not need to be included on the list. An operational position is defined as a position with a primary assignment (more than 50 percent of duties) of fire suppression, which includes staffing a fire suppression vehicle, regardless of collateral duties, in support of the department's NFPA 1710 or NFPA 1720 compliance. Additional information on how to complete the pre-SAFER roster can be found in the *Staffing Maintenance Number* section of the User Guide.

Please submit your "Pre-SAFER Roster" to me by e-mail no later than September 12, 2016. For your convenience, a roster template is attached as an example for developing your Pre-SAFER Roster. You may use this template or one of your own, as long as all requested information is provided.

Please note that we will not be able to process quarterly performance reports or payment requests until the roster has been received and the Staffing Maintenance Number has been established.

Finally, please make sure to advise me if you encounter any issue that will prevent you from meeting the requirements of this grant. Please remember to include your grant number on all correspondence and e-mails. Thank you for participating in the SAFER grant program and congratulations again on your award!

Respectfully,

*Yesenia Diaz*

Program Analyst, SAFER  
Assistance to Firefighters Grant (AFG) Program  
DHS/FEMA/Grant Programs Directorate  
400 C Street S.W., 3N  
Washington, D.C. 20472-3635  
Desk: (202) 212-7314  
AFG Help Desk: (866) 274-0960  
Email: [yesenia.diaz@fema.dhs.gov](mailto:yesenia.diaz@fema.dhs.gov)

\*\*Please include your grant number in the subject line of your email\*\*

Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 8:23 PM  
**To:** Scott White  
**Subject:** FW:

-----Original Message-----

**From:** Larry Klein  
**Sent:** Wednesday, September 07, 2016 2:23 PM  
**To:** Fire Chief  
**Subject:** RE:

Thanks!

Much better!

-----Original Message-----

**From:** Fire Chief  
**Sent:** Wednesday, September 07, 2016 1:13 PM  
**To:** Larry Klein  
**Subject:** RE:

Dan Mathew  
Fire Chief  
City of Covington, Fire  
100 E. Robbins Street, Covington, KY 41011  
859-431-0462 direct | main  
859-431-3315 fax  
Facebook | Twitter  
[www.covingtonky.gov](http://www.covingtonky.gov)

Sign up to receive our Eblasts

Disclaimer: Please note all content in this email may be subject to open records request.

---

**From:** Larry Klein  
**Sent:** Wednesday, September 07, 2016 12:53 PM  
**To:** Fire Chief  
**Subject:** RE: RE:

I don't see page 1 pasted in this?

-----Original Message-----

**From:** Fire Chief  
**Sent:** Wednesday, September 07, 2016 10:43 AM  
**To:** Larry Klein  
**Subject:** RE:

Dan Mathew  
Fire Chief  
City of Covington, Fire  
100 E. Robbins Street, Covington, KY 41011  
859-431-0462 direct | main  
859-431-3315 fax  
Facebook | Twitter  
[www.covingtonky.gov](http://www.covingtonky.gov)  
Sign up to receive our Eblasts  
Disclaimer: Please note all content in this email may be subject to open records request.

---

From: Larry Klein  
Sent: Tuesday, September 06, 2016 11:21 PM  
To: Fire Chief  
Subject: RE: RE:

I was not able to do it.

-----Original Message-----

From: Fire Chief  
Sent: Tuesday, September 06, 2016 11:15 PM  
To: Larry Klein  
Subject: Re: RE:

It's easier to cut and paste it as an image than a word document.

> On Sep 6, 2016, at 11:04 PM, Larry Klein <[lklein@covingtonky.gov](mailto:lklein@covingtonky.gov)> wrote:

>  
> OK.  
>  
> Now I see.  
>  
> You don't have this in Word form so I can cut ans paste?

> -----Original Message-----

> From: Fire Chief  
> Sent: Tuesday, September 06, 2016 11:03 PM  
> To: Larry Klein  
> Subject: RE:

>  
> Yes

> -----Original Message-----

> From: Larry Klein  
> Sent: Tuesday, September 06, 2016 11:01 PM  
> To: Fire Chief  
> Subject: RE:

>  
> 2 separate emails?

> -----Original Message-----

> From: Fire Chief  
> Sent: Tuesday, September 06, 2016 10:59 PM  
> To: Larry Klein  
> Subject: RE:

>

- > 2 separate emails
- >
- > Dan Mathew
- > Fire Chief
- > City of Covington, Fire
- > 100 E. Robbins Street, Covington, KY 41011
- > 859-431-0462 direct | main
- > 859-431-3315 fax
- > Facebook | Twitter
- > [www.covingtonky.gov](http://www.covingtonky.gov)
- > Sign up to receive our Eblasts
- > Disclaimer: Please note all content in this email may be subject to open records request.
- >

---

> From: Larry Klein  
> Sent: Tuesday, September 06, 2016 5:11 PM  
> To: Dan Mathew; Lisa Desmarais; Frank E. Warnock  
> Subject:

- >
- > Dan, Lisa and Frank,
- >
- > See attached.
- >
- > Please note I highlighted your respective names in yellow where I asked you to drop in some info you have.
- >
- > Please get this back to me tomorrow morning so I can send to Sherry, Bill and Jordan.
- >
- >
- > Thanks!
- >

> Larry Klein  
> City Manager  
> City of Covington, Administration  
> 20 West Pike Street, 2nd Floor, Covington, KY 41011  
> 859-292-2133 direct | 859-292-2133 main  
> 859-292-2137 fax  
> Facebook <<https://www.facebook.com/CovingtonKentuckygovernment/>> |  
> Twitter <<https://twitter.com/covingtonkygov/>>  
> [www.covingtonky.gov](http://www.covingtonky.gov) <<http://www.covingtonky.gov/>>

> Sign up to receive our  
Eblasts <[http://visitor.r20.constantcontact.com/manage/optin?v=001KovZ43z4toj70fvJwS5G\\_6hPWwk4msp\\_wgHKV34DlpDN3tbErl1jaG8vwXJr27ue4qJXoTjgTChv15x1qgLOWzXCA3VqjsHDpv8O8vU8vj32v9Tv734FIV\\_cnoIVqo3rtPYjuimjp\\_8ov5\\_ivuZMwV7zXA6zUekjpMovOi8h3\\_EaO%3D](http://visitor.r20.constantcontact.com/manage/optin?v=001KovZ43z4toj70fvJwS5G_6hPWwk4msp_wgHKV34DlpDN3tbErl1jaG8vwXJr27ue4qJXoTjgTChv15x1qgLOWzXCA3VqjsHDpv8O8vU8vj32v9Tv734FIV_cnoIVqo3rtPYjuimjp_8ov5_ivuZMwV7zXA6zUekjpMovOi8h3_EaO%3D)>

- > Disclaimer: Please note all content in this email may be subject to open records request.

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 8:23 PM  
**To:** Scott White  
**Subject:** FW:  
**Attachments:** Local 38 Questions 2016.docx

## Scott White

City of Covington

direct main

**From:** Larry Klein  
**Sent:** Wednesday, September 07, 2016 2:25 PM  
**To:** Dan Mathew; [desmarais@covingtonky.gov](mailto:desmarais@covingtonky.gov); Frank E. Warnock  
**Subject:** RE:

Frank and Lisa,

Use attached for any of your response.

Dan has completed his input on the attached.

From Lisa on attached I need list of fire station facility improvements, and from Frank if you have most recent contract proposal summary to Local 38.

See yellow highlighted areas for each of you to insert.

## Larry Klein

### City Manager

City of Covington, Administration  
20 West Pike Street, 2nd Floor Covington KY 41011  
859-232-2133 direct, 859-232-2133 main

**From:** Larry Klein  
**Sent:** Tuesday, September 06, 2016 5:11 PM  
**To:** Dan Mathew; Lisa Desmarais ([LDesmarais@covingtonky.gov](mailto:LDesmarais@covingtonky.gov)); Frank E. Warnock  
**Subject:**

Dan, Lisa and Frank,

See attached.

Please note I highlighted your respective names in yellow where I asked you to drop in some info you have.

Please get this back to me tomorrow morning so I can send to Sherry, Bill and Jordan.

## Local 38 Questions

### 1) Fire Department staffing

Local 38 may ask if Fire Department “going to get staffing back” in reference to SAFER grant or Pumper 1 etc. to be closer to NFPA standards, which are just recommendations. I know of no fire department in NKY that is compliant with NFPA standards.

### 2) SAFER grant

The SAFER grant is intended to improve our NFPA 1710: Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments. We are waiting for confirmation from Washington D.C. on the “staffing maintenance” number for our SAFER grant which we calculate to be 114 (current staffing of 106 plus 8 SAFER hires). Local 38 may refer to language in the grant about keeping 28 on duty each day. We believe the terms and conditions for the SAFER grant require us to maintain at least 114 in total. We are waiting on confirmation for this from D.C. Currently we often meet or exceed 28 each day. Chief Mathew has a different staffing scenario for equipment based on the staffing level each day, for 26, 207,28, 29 etc.

#### I. Purpose

To address fluctuations in daily staffing for consistency and safety

#### II. Scope

AD Equipment Staffing applies to all shifts

#### III. Policy and Procedure

##### Ambulance 3

Housed at Company 8

Dispatched as Ambulance 3

Primary response territory is CF5

Secondary response territory is CF8

Tertiary response territory is CF1, CF2, and CF6

##### Ambulance 8

Housed at Company 8

Cross-manned with Truck 7

Dispatched as Ambulance 8 and will not leave the city

Primary response territory is CF5

Secondary response territory is CF8

Tertiary response territory is CF1, CF2, and CF6

##### Ambulance 6

Will only be utilized as the 4<sup>th</sup> ambulance in CF1, CF2, and CF6

Will not respond into CF8 or CF5

Will not leave the city

Pumper 5

Assigned to every run in CF5

Truck 7

Cross-manned with Ambulance 3 (dependent upon staffing)

Pumper 8

Will have a 4<sup>th</sup> person when Truck 7 is out of service on an ambulance run

Changes are highlighted in yellow

<u>26</u>	<u>27</u>	<u>28</u>	<u>29</u>	<u>30</u>	<u>31</u>
<u>Co. 1</u>					
BC- 1					
ISO- 1					
Truck- 3					
Rescue- 2	Rescue- 2	Rescue- 2	Rescue- 2	Rescue- 3	Rescue- 4
Ambulance- 2					
<u>Co. 2</u>					
Pumper- 3					
<u>Co. 5</u>					
Pumper- 3	Pumper- 4	Pumper- 3	Pumper- 4	Pumper- 4	Pumper- 4
Ambulance- 0					
<u>Co. 6</u>					
Pumper- 3					
Ambulance- X					
<u>Co. 8</u>					
Pumper- 3					
Truck- 3					
Ambulance- 2					
Ambulance- X	Ambulance- X	Ambulance- 2	Ambulance- 2	Ambulance- 2	Ambulance- 2

IV. Exceptions

Fleet availability may necessitate deviation from this directive

With staffing of 114 that is 38 per platoon, or 24 hour shift. With Kelly days, sick days, vacation days, union days, bereavement days, military leave days, light duty injuries etc we see a number less than 38 show up for work each day.

3) Fire apparatus condition and replacement

The City now has a funding source for fleet and other equipment. The City has issued bids for fire. I will be placing an item on September 13<sup>th</sup> agenda to authorize staff to reissue our RFP for financing. The previous financing RFP we used for Police and DPI has expired. We also believe a separate, fire only RFP, will garner better responses and rates. We will ask for financing for one ladder truck, up to two pumpers and up to two ambulances. There is not yet a consensus on Commission on the need for a \$1.1 million rescue truck. We will continue to work on filling our need for a replacement rescue truck.

4) Wages and benefits

We understand that Local 38 and IAFF have conducted a salary survey. City staff have also compiled a salary survey based on NKY Fire Departments and KLC survey data we will be sharing with Local 38.

Our proposal to date to Local 38 has included the Reference Based Pricing health insurance option, which they agreed to and over 70% of their members have opted to enroll in, with no premiums the first six months. As agreed upon with Local 38, this health care option ends on December 31, 2016 unless a new contract has been signed by then.

5) Difficulty communicating with current City administration

Not sure what this means. I believe communication is good. I call or text Mike Lee as needed. He does the same with me. I believe Local 38 also communicates well with Frank Warnock and Lisa Desmarais.

6) Current CBA negotiations

Below is current offer we have made to Local 38.

Lisa or Frank do you have current proposal we have made to Local 38?

7) Fire stations condition and possible relocation/replacement

The City has made building maintenance and quality of life improvements to the fire stations in past year.

Lisa D to provide list of fire station improvements here.

As for possible relocation/replacement of firehouses, the City is always looking for a more central location north Covington in center of run volume area to provide better and quicker response. One impediment is high real estate prices in north Covington.

City even originally proposed a new firehouse be integrated into development of 501 Main but that was not feasible after further evaluation by City and developer.

8) Economic development within the City

Self-Explanatory.

See [Opengov. Com](http://Opengov.Com) link for updated building permit activity that is evidence of new development and increased property value appreciation.

Lisa is there a link you can provide here?

500 new jobs at average \$80k per year life science industry to Rivercenter  
Clubessential relocating to Rivercenter, about 80 high paying jobs  
Another to announce shortly

9) Riverfront development

Self-Explanatory

10) Long term plan for retention of firefighters

We are not aware of any problem with retention of firefighters. Chief Mathews and I cannot think of an instance where a Covington firefighter left for a job in another department.

11) Increasing paramedic staffing

Increased paramedic staffing is a priority of this Mayor and Commission and City Administration. In 2015 Local 38 members voted down a proposal by the City to increase paramedic staffing and with certification pay for each paramedic.

The City has been trying to increase paramedic staffing and negotiating with Local 38 to change the contract to allow us to increase the number beyond 30 paramedics. The City offered, and Local 38 now agreed, to increase the number up to 60 over time, with a \$3500 certification stipend paid to each paramedic, instead of the current 14% salary increase, beginning with our next class of fire recruits who would be hired in as paramedics and remain in the paramedic pool. Local 38 has agreed to put this contract change to a vote of its membership within 10 days after Chief Mathew announces he will be hiring a new recruit class, which will be shortly, pending Commission approval and acceptance of the SAFER grant.

As of right now, increased paramedic staffing ball is in court of Local 38.

#### 12) CISD (Critical Incident Stress Debriefing) / PTSD program availability

Currently the City offers Employee Assistance Program free to all City employees. EAP can provide referrals for more intense counseling. Police Department also has a chaplain program to assist.

#### 13) Availability of police department assistance/protection

The contract with Local 38 requires police assistance/protection when needed on fire and ambulance runs.

Chief Carter believes the Police are called on many runs that are not necessary such as emotional crisis.

One recent incident, 3 paramedics/EMT's were dispatched to the Covington Ladies Home for someone having an emotional crisis. The Covington ambulance would not respond until Police assistance was available.

Chief Mathews cannot recall an incident when police assistance was needed and not provided.

Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 8:29 PM  
**To:** Scott White  
**Subject:** FW: question

Scott White

City of Covington

OFFICE: (502)

**From:** Larry Klein  
**Sent:** Wednesday, September 07, 2016 2:31 PM  
**To:** Frank E. Warnock  
**Subject:** RE: question

Here I come.

**Larry Klein**  
**City Manager**

City of Covington, Administration  
20 West Pike Street, 2nd Floor Covington KY 41011  
502-292-2132 direct | 502-292-2133 main

---

**From:** Frank E. Warnock  
**Sent:** Wednesday, September 07, 2016 2:29 PM  
**To:** Larry Klein  
**Subject:** RE: question

I was wanting to talk to you about this. I have some concerns.

**Frank E. Warnock**  
**City Solicitor/Assistant City Manager**

City of Covington, Administration, Legal  
20 West Pike Street, 1st Floor Covington KY 41011  
502-292-2312 direct | 502-292-2311 main

---

**From:** Larry Klein  
**Sent:** Wednesday, September 07, 2016 2:25 PM  
**To:** Dan Mathew; Lisa Desmarais; Frank E. Warnock  
**Subject:** RE:

Frank and Lisa,

Use attached for any of your response.

Dan has completed his input on the attached.

From Lisa on attached I need list of fire station facility improvements, and from Frank if you have most recent contract proposal summary to Local 38.

See yellow highlighted areas for each of you to insert.

**Larry Klein**  
**City Manager**

City of Covington, Administration  
20 West Pike Street, 3rd Floor, Covington, LA 70424  
556-233-2100 direct | 556-252-2100 main

**From:** Larry Klein  
**Sent:** Tuesday, September 06, 2016 5:11 PM  
**To:** Dan Mathew; Lisa Desmarais ([LDesmarais@covingtonky.gov](mailto:LDesmarais@covingtonky.gov)); Frank E. Warnock  
**Subject:**

Dan, Lisa and Frank,

See attached.

Please note I highlighted your respective names in yellow where I asked you to drop in some info you have.

Please get this back to me tomorrow morning so I can send to Sherry, Bill and Jordan.

Thanks!

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 8:30 PM  
**To:** Scott White  
**Subject:** FW: Local 38 Questions 2016 - with edits from Lisa.docx

Scott White

City of Covington

[Direct Email](#)

**From:** Larry Klein  
**Sent:** Wednesday, September 07, 2016 2:48 PM  
**To:** Lisa Desmarais; Fire Chief; Frank E. Warnock  
**Subject:** RE: Local 38 Questions 2016 - with edits from Lisa.docx

Thanks!

**Larry Klein**  
**City Manager**

City of Covington, Administration  
20 West Pike Street, 2nd Floor, Covington, KY 41011  
859-292-2133 direct | 859-292-2133 main

**From:** Lisa Desmarais  
**Sent:** Wednesday, September 07, 2016 2:47 PM  
**To:** Larry Klein; Fire Chief; Frank E. Warnock  
**Subject:** Local 38 Questions 2016 - with edits from Lisa.docx

Updated with my input.

**Lisa Desmarais**  
**Director of Finance & Operations**  
City of Covington, Administration  
20 West Pike Street, 2nd Floor, Covington, KY 41011  
859-292-2174 direct | 859-292-2133 main  
859-292-2137 fax

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**Frank E. Warnock**

---

**From:** Frank E. Warnock  
**Sent:** Wednesday, September 07, 2016 3:15 PM  
**To:** Larry Klein  
**Subject:** FW: Local 38 Mgt offer 7 12 16 v.1 7 6 16.docx  
**Attachments:** Local 38 Mgt offer 7 12 16 v.1 7 6 16.docx

**Frank E. Warnock**  
**City Solicitor/Assistant City Manager**  
City of Covington, Administration, Legal  
20 West Pike Street, 1st Floor Covington KY 41011  
859-292-2312 direct | 859-292-2311 main

**From:** Michael Carrell [<mailto:carrellm@nku.edu>]  
**Sent:** Monday, July 11, 2016 3:23 PM  
**To:** Larry Klein; Dan Mathew; Frank E. Warnock; Lisa Desmarais; Stacey A. Hoeter  
**Cc:** Michael Carrell  
**Subject:** Local 38 Mgt offer 7 12 16 v.1 7 6 16.docx

Larry, Frank, Dan, Lisa, Stacey;

As a reminder, tomorrow we meet with Local 38 at 10:00 at City Hall. Attached is our most recent offers on remaining open articles. We have about 8 – 9 articles remaining.

Art. X and XII are not included because we expect Local 38 to present language drafted in a recent meeting with Dan.

Article IV, Union Business, in the past we had proposed changing the number of leave hours from 456 to 301, and they proposed increasing the number of hours. I propose that tomorrow we offer current contract language (CCL) in a package deal with Article I Recognition , also CCL. Remember they have proposed adding Battalion Chiefs to the bargaining unit in Art. 1, which we have strongly opposed. I think by offering Art. I & IV , CCL, as a package we can see if they are really ready to move the process forward.

Article XXVI, Term, I have as current contract language (CCL) and thus no change in the “evergreen” clause. From recent discussions I believe that is acceptable ?

Also, Lisa is meeting with Larry today on the wage article and will add any changes to the attached for tomorrow.

Mike

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 8:32 PM  
**To:** Scott White  
**Subject:** FW: Company 2 floor

## Scott White

City of Covington

direct\_main

**From:** Larry Klein  
**Sent:** Wednesday, September 07, 2016 3:45 PM  
**To:** Dan Mathew; [desmarais@covingtonky.gov](mailto:desmarais@covingtonky.gov)  
**Subject:** Company 2 floor

Does the description below suffice in explaining our planned repair to fire station in Botany Hills?

- Have received proposals to replace garage floor in bay where pumper parks. A building assessment has determined that an exterior basement wall is falling, causing bay floor where pumper parks to be in danger, and we are seeking an engineered solution/repair.

**Scott White**

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 8:32 PM  
**To:** Scott White  
**Subject:** FW: Daily Staffing Plans

Scott White

City of Covington

direct:0310111111

**From:** Larry Klein  
**Sent:** Wednesday, September 07, 2016 3:46 PM  
**To:** Dan Mathew  
**Subject:** Daily Staffing Plans

Dan is there a way you can expound on the description below you provided for daily staffing in Fire department and put it in lay terms?

It is really hard to understand even for me.

Below is Chief Mathew's staffing plan based on number of staff who show up each day to work:

**Ambulance 3**

Housed at Company 8 (Latonia)  
Dispatched as Ambulance 3  
Primary response territory is CF5  
Secondary response territory is CF8  
Tertiary response territory is CF1, CF2, and CF6

**Ambulance 8**

Housed at Company 8 (Latonia)  
Cross-manned with Truck 7  
Dispatched as Ambulance 8 and will not leave the city  
Primary response territory is CF5  
Secondary response territory is CF8  
Tertiary response territory is CF1, CF2, and CF6

**Ambulance 6 (also Latonia)**

Will only be utilized as the 4<sup>th</sup> ambulance in CF1, CF2, and CF6  
Will not respond into CF8 or CF5  
Will not leave the city

**Pumper 5 (Hands Pike)**

Assigned to every run in CF5

Truck 7

Cross-manned with Ambulance 3 (dependent upon staffing)

Pumper 8

Will have a 4<sup>th</sup> person when Truck 7 is out of service on an ambulance run

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 8:34 PM  
**To:** Scott White  
**Subject:** FW:  
**Attachments:** Local 38 Questions 2016.docx

Scott White

City of Covington,

[direct | main](#)

**From:** Larry Klein  
**Sent:** Wednesday, September 07, 2016 5:05 PM  
**To:** Sherry Carran; Bill Wells; Jordan Huizenga  
**Cc:** Dan Mathew; Frank E. Warnock; [desmarais@covingtonky.gov](mailto:desmarais@covingtonky.gov)  
**Subject:** RE:

Sherry, Bill and Jordan,

Attached is final draft of the background/update information you asked me for about potential Local 38 topics you will be discussing.

Let me know if there is anything else you need at this time or if you want further clarification, information or a sit down meeting.

Please feel free to share this information with any candidate who may also want to review it.

There is nothing confidential in this.

I want to thank Dan, Frank and Lisa for their quick and complete response in helping to provide this information to you all.

Thanks!

**Larry Klein**  
**City Manager**

City of Covington, Administration  
20 West Pike Street, 2nd Floor Covington KY 41011  
859-292-2103 direct | 859-292-2103 main

**From:** Larry Klein  
**Sent:** Tuesday, September 06, 2016 10:12 PM  
**To:** Sherry Carran; Bill Wells; Jordan Huizenga  
**Subject:**

FYI the attached draft of some background information for the candidate night questions you asked me for for Local 38's event this Thursday.

Per the attached I am waiting on additional information from Lisa and Dan but thought this would give you a start.

## Update on Local 38 Topics

### 1) Fire Department staffing

Local 38 may ask if Fire Department "going to get staffing back" in reference to SAFER grant or Pumper 1 etc. to be closer to NFPA standards, which are just recommendations. I know of no fire department in NKY that is compliant with NFPA standards.

### 2) SAFER grant

The SAFER grant is intended to improve our NFPA 1710: Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments. We received confirmation 9-7-16 from FEMA in the email exchange below on the "staffing maintenance" number for our SAFER grant which we calculate to be 114 (current staffing of 106 plus 8 SAFER hires).

We will be placing the SAFER grant award on September 13<sup>th</sup> Commission meeting agenda with recommendation to accept.

Local 38 may refer to language in the grant about keeping 28 on duty each day. We believe the terms and conditions for the SAFER grant require us to maintain at least 114 in total. The email exchange below confirms our interpretation of the staffing maintenance number for this grant.

Chief Mathew has a different staffing scenario for equipment based on the staffing level each day, for 26, 207, 28, 29 etc. Those staffing scenarios are outlined below, after the SAFER grant email exchange.

**From:** "Diaz, Yesenia" <[yesenia.diaz@fema.dhs.gov](mailto:yesenia.diaz@fema.dhs.gov)>  
**Date:** September 7, 2016 at 1:22:09 PM EDT  
**To:** Fire Chief <[firechief@covingtonky.gov](mailto:firechief@covingtonky.gov)>  
**Subject:** RE: Covington Fire Department, Kentucky: EMW-2015-FH-00650

Yes, you are responsible for maintaining the total staffing maintenance level of 114. That is the operational positions that must be maintained throughout the grant period of performance in order to be in compliance with this grant.

Respectfully,  
Yesenia

**From:** Fire Chief [<mailto:firechief@covingtonky.gov>]  
**Sent:** Tuesday, September 06, 2016 12:43 PM  
**To:** Diaz, Yesenia <[yesenia.diaz@fema.dhs.gov](mailto:yesenia.diaz@fema.dhs.gov)>  
**Subject:** RE: Covington Fire Department, Kentucky: EMW-2015-FH-00650

Ms. Diaz,

I am trying to provide clarity to the public officials regarding the "maintenance number". I understand that our maintenance number is 114.

- Is the maintenance number the only number that we will be accountable for? If the maintenance number of 114 will impact our ability to maintain the described daily staffing of 28 as noted in section 1a. without the utilization of overtime, are we accountable for the "daily staffing" number or just the maintenance number of 114?
- The number of 114 will positively impact our staffing and ability to meet 1710.

Thank you,

**From:** Diaz, Yesenia [<mailto:yesenia.diaz@fema.dhs.gov>]  
**Sent:** Wednesday, August 31, 2016 8:48 AM  
**To:** Dan Mathew; Andrew Schultz; [ibowman@covingtonky.gov](mailto:ibowman@covingtonky.gov); Fire Chief  
**Subject:** RE: Covington Fire Department, Kentucky: EMW-2015-FH-00650

Thank you for providing the completed pre-SAFER roster.

#### Maintenance Number

Based on the roster you submitted & the information you provided, your department's maintenance staffing number for this grant is 114 (106 pre-SAFER and 8 FY 2015 SAFER positions). Please respond to this e-mail letting me know that you understand the operational maintenance number. The maintenance number has been added to your grant file.

#### Vacancies

At minimum, your department must maintain these operational positions throughout the grant period of performance in order to be in compliance with this grant. We understand that vacancies occur but we expect your department to take active and timely steps to fill any operational vacancies (pre-SAFER and SAFER). SAFER positions should be filled consistently. If a SAFER position becomes vacant, it will need to be filled by someone hired after the grant award date.

#### Quarterly Performance Reports

You will need to remember your maintenance number when you complete performance reports. Please refer to the SAFER Hiring User Guide for instructions about how to complete the reports. If you have any operational vacancies, please use the comments section of the report to explain why the position is vacant, the date that the position became open, and your plan to fill the vacancy.

#### Early POP Start

If you have already filled the newly awarded SAFER positions, or you fill them before the start of your period of performance, please let me know and I can give you instructions for how to submit an

amendment to start the grant early. Starting the period of performance early would move up the entire two year grant period of performance and allow you to request payment immediately.

If you have not already done so, please review the User Guide and let me know if I can be of further assistance.

Respectfully,

*Yesenia Diaz*

Program Analyst, SAFER  
Assistance to Firefighters Grant (AFG) Program  
DHS/FEMA/Grant Programs Directorate  
400 C Street S.W., 3N  
Washington, D.C. 20472-3635  
Desk: (202) 212-7314  
AFG Help Desk: (866) 274-0960  
Email: [yesenia.diaz@fema.dhs.gov](mailto:yesenia.diaz@fema.dhs.gov)

\*\*Please include your grant number in the subject line of your email\*\*

**From:** Diaz, Yesenia

**Sent:** Monday, August 29, 2016 3:58 PM

**To:** '[dmathew@covingtonky.gov](mailto:dmathew@covingtonky.gov)' <[dmathew@covingtonky.gov](mailto:dmathew@covingtonky.gov)>; '[aschultz@covingtonky.gov](mailto:aschultz@covingtonky.gov)' <[aschultz@covingtonky.gov](mailto:aschultz@covingtonky.gov)>; '[jbowman@covingtonky.gov](mailto:jbowman@covingtonky.gov)' <[jbowman@covingtonky.gov](mailto:jbowman@covingtonky.gov)>

**Subject:** Covington Fire Department, Kentucky: EMW-2015-FH-00650

Congratulations on being selected to receive a FY 2015 SAFER Grant award!

I am your SAFER Program Office point of contact. The SAFER Program Office is responsible for the programmatic monitoring of this grant. As such, I will be reviewing your payment requests, performance reports, and amendment requests.

Below is Chief Mathew's staffing plan based on number of staff who show up each day to work:

**Ambulance 3**

Housed at Company 8 (Latonia)

Dispatched as Ambulance 3

Primary response territory is CF5

Secondary response territory is CF8

Tertiary response territory is CF1, CF2, and CF6

**Ambulance 8**

Housed at Company 8 (Latonia)

Cross-manned with Truck 7

Dispatched as Ambulance 8 and will not leave the city

Primary response territory is CF5

Secondary response territory is CF8

Tertiary response territory is CF1, CF2, and CF6

Ambulance 6 (also Latonia)

Will only be utilized as the 4<sup>th</sup> ambulance in CF1, CF2, and CF6

Will not respond into CF8 or CF5

Will not leave the city

Pumper 5 (Hands Pike)

Assigned to every run in CF5

Truck 7

Cross-manned with Ambulance 3 (dependent upon staffing)

Pumper 8

Will have a 4<sup>th</sup> person when Truck 7 is out of service on an ambulance run

Changes are highlighted in yellow

<u>26</u>	<u>27</u>	<u>28</u>	<u>29</u>	<u>30</u>	<u>31</u>
<u>Co. 1</u>					
BC- 1					
ISO- 1					
Truck- 3					
Rescue- 2	Rescue- 2	Rescue- 2	Rescue- 2	Rescue- 3	Rescue- 4
Ambulance- 2					
<u>Co. 2</u>	<u>Co. 2</u>	<u>Co.2</u>	<u>Co. 2</u>	<u>Co. 2</u>	<u>Co. 2</u>
Pumper- 3					
<u>Co. 5</u>					
Pumper- 3	Pumper- 4	Pumper- 3	Pumper- 4	Pumper- 4	Pumper- 4
Ambulance- 0					
<u>Co. 6</u>					
Pumper- 3					
Ambulance- X					
<u>Co. 8</u>					
Pumper- 3					
Truck- 3					
Ambulance- 2					
Ambulance- X	Ambulance- X	Ambulance- 2	Ambulance- 2	Ambulance- 2	Ambulance- 2

With staffing of 114 that is 38 per platoon, or 24 hour shift. With Kelly days, sick days, vacation days, union days, bereavement days, military leave days, light duty injuries etc we see a number less than 38 show up for work each day.

3) Fire apparatus condition and replacement

The City now has a funding source for fleet and other equipment. The City has issued bids for fire equipment. I will be placing an item on September 13<sup>th</sup> agenda to authorize staff to reissue our RFP for financing for the fire equipment. The previous financing RFP we used for Police and DPI has expired. We also believe a separate, fire only RFP, will garner better responses and rates. We will ask for financing for one ladder truck, up to two pumpers and up to two ambulances. There is not yet a consensus on Commission on the need for a \$1.1 million rescue truck. We will continue to work on filling our need for a replacement rescue truck.

4) Wages and benefits

We understand that Local 38 and IAFF have conducted a salary survey. City staff have also compiled a salary survey based on NKY Fire Departments and KLC survey data we will be sharing with Local 38.

Our proposal to date to Local 38 has included the Reference Based Pricing health insurance option, which they agreed to and over 70% of their members have opted to enroll in, with no premiums the first six months. As agreed upon with Local 38, this health care option ends on December 31, 2016 unless a new contract has been signed by then.

5) Difficulty communicating with current City administration

Not sure what this means. I believe communication is good. I call or text Mike Lee as needed. He does the same with me. I believe Local 38 also communicates well with Frank Warnock and Lisa Desmarais.

6) Current CBA negotiations

Since we are currently engaged in contract negotiations with Local 38, I am hesitant to provide details of our most recent proposals, but the following are the major subject areas we are exchanging proposals with Local 38 on.

**Article XI Wage Rate Article XVII Grievance Procedure**

**Article XIX Sick Leave**

**Article (New) Workers Compensation (and Limited Duty)**

**Article XXI Hospitalization, Life Ins., Dental Plan**

**Article (new) Random Drug and Alcohol Testing**

7) Fire stations condition and possible relocation/replacement

The City has made building maintenance and quality of life improvements to the fire stations in past year.

The following is a list of those improvements.

- **Fire – Company # 1 (Main Station-Robbins)**
  - Completed 6 Of 12 Projects on Annual Safety Audit Listing; Including New Carpet In Sleeping Quarters
  - Placed Generator On Maintenance And Twice Annual Load Testing Contracts
  - Placed HVAC On Maintenance Contract (Made Needed Repairs)
  - Placed Garage Doors On Maintenance Contract
- **Fire – Company # 5 (Hands Pike)**
  - Completed 5 Of 15 Projects on Annual Safety Audit Listing – Most Significant Projects Were Completed
    - Replaced Roof With New Metal Roof & Gutters – 99% complete
    - Replaced All Windows
    - Replaced Carpeting In Sleeping Quarters
    - Fire Department Replaced Flooring In Kitchen Area With New Tile
  - Placed HVAC On Maintenance Contract
  - Placed Garage Doors On Maintenance Contract (Made Needed Repairs)
- **Fire – Company # 2 (Botany Hills)**
  - Placed HVAC On Maintenance Contract (Made Needed Repairs)
  - Placed Garage Doors On Maintenance Contract (Made Needed Repairs)
  - Have received proposals to replace garage floor in bay where pumper parks. A building assessment has determined that an exterior basement wall is failing, causing bay floor where pumper parks to be in danger, and we are seeking an engineered solution/repair.
- **Fire – Company # 6 (Holman Street)**
  - Completed 3 Of 6 Projects on Annual Safety Audit Listing; Including New Carpet In Sleeping Quarters
  - Replaced Emergency Lights And Exit Signage
  - Placed HVAC On Maintenance Contract (Made Needed Repairs)
  - Placed Garage Doors On Maintenance Contract (Made Needed Repairs)
- **Fire – Company # 8 (Latonia)**
  - Completed 2 Of 5 Projects on Annual Safety Audit Listing
  - Placed HVAC On Maintenance Contract
  - Placed Garage Doors On Maintenance Contract (Made Needed Repairs)

As for possible relocation/replacement of firehouses, the City is always looking for a more central location north Covington in center of run volume area to provide better and quicker response. One impediment is high real estate prices in north Covington.

City even originally proposed a new firehouse be integrated into development of 501 Main but that was not feasible after further evaluation by City and developer.

8) Economic development within the City

Self-Explanatory.

See Opengov. Com link for updated building permit activity that is evidence of new development and increased property value appreciation.

Here is the link to the building permits – value. The OpenGov page also has the building permits count.

<https://covingtonkv.opengov.com/data#/9340/queriv=F47C631CB7BC9386D5B5959D2DB4C478>

500 new jobs at average \$80k per year life science industry to Rivercenter  
Clubessential relocating to Rivercenter, about 80 high paying jobs  
Another to announce shortly

9) Riverfront development

Self-Explanatory

10) Long term plan for retention of firefighters

We are not aware of any problem with retention of firefighters. Chief Mathews and I cannot think of an instance where a Covington firefighter left for a job in another department.

11) Increasing paramedic staffing

Increased paramedic staffing is a priority of this Mayor and Commission and City Administration. In 2015 Local 38 members voted down a proposal by the City to increase paramedic staffing and with certification pay for each paramedic.

The City has been trying to increase paramedic staffing and negotiating with Local 38 to change the contract to allow us to increase the number beyond 30 paramedics. The City offered, and Local 38 now agreed, to increase the number up to 60 over time, with a \$3500 certification stipend paid to each paramedic, instead of the current 14% salary increase, beginning with our next class of fire recruits who would be hired in as paramedics and remain in the paramedic pool. Local 38 has agreed to put this contract change to a vote of its membership within 10 days after Chief Mathew announces he will be hiring a new recruit class, which will be shortly, pending Commission approval and acceptance of the SAFER grant.

As of right now, increased paramedic staffing ball is in court of Local 38.

12) CISD (Critical Incident Stress Debriefing) / PTSD program availability

Currently the City offers Employee Assistance Program free to all City employees. EAP can provide referrals for more intense counseling. Police Department also has a chaplain program to assist.

13) Availability of police department assistance/protection

The contract with Local 38 requires police assistance/protection when needed on fire and ambulance runs.

Chief Carter believes the Police are called on many runs that are not necessary such as emotional crisis.

On one recent incident, 3 paramedics/EMT's were dispatched to the Covington Ladies Home for someone having an emotional crisis. The Covington ambulance would not respond until Police assistance was available.

Chief Mathews cannot recall an incident when police assistance was needed and not provided.

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 2:39 PM  
**To:** Scott White  
**Subject:** FW: Update on Response Times  
**Attachments:** image001.jpg

-----Original Message-----

**From:** Larry Klein  
**Sent:** Thursday, September 08, 2016 10:58 PM  
**To:** Larry Klein  
**Subject:** FW: Update on Response Times

-----Original Message-----

**From:** Fire Chief  
**Sent:** Thursday, September 08, 2016 9:39 PM  
**To:** Todd Sink  
**Cc:** Larry Klein; Lisa Desmarais  
**Subject:** RE: Update on Response Times

Need to remember that these are only ambulance response times and not first response fire equipment times.

Todd has committed to understanding the operations of the department to make these times represent as accurately as possible the reality of the department. Although I cannot confirm that these are 100% accurate, I am confident in Todd's work and that I cannot see any glaring abnormalities in the data.

Thanks for your hard work!

Dan Mathew  
Fire Chief  
City of Covington, Fire  
100 E. Robbins Street, Covington, KY 41011  
859-431-0462 direct | main  
859-431-3315 fax  
Facebook | Twitter  
[www.covingtonky.gov](http://www.covingtonky.gov)

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**From:** Todd Sink  
**Sent:** Wednesday, September 07, 2016 12:42 PM  
**To:** Fire Chief  
**Subject:** Update on Response Times

Hi Dan,

The dashboard that shows percentage of EMS response times under 300 seconds is ready in the CovStat portal.

[cid:image001.jpg@01D20905.42A2D5E0]

Also, could you take a look at the attached graphic and let me know if you agree with the figures. The mayor is asking for this information and it is important that you sign off on it before Lisa passes it along to her.

Thanks,

Todd Sink

Manager of Analytics and Intelligence

City of Covington, Operations

20 West Pike Street, 2nd Floor, Covington, KY 41011

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859-292-2107 fax

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Disclaimer: Please note all content in this email may be subject to open records request.



Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 2:41 PM  
**To:** Scott White  
**Subject:** FW: Response times

-----Original Message-----

**From:** Larry Klein  
**Sent:** Thursday, September 08, 2016 7:17 PM  
**To:** Dan Mathew  
**Cc:** Lisa Desmarais  
**Subject:** Response times

Dan I understand Lisa has sent you data about response times to review and get your concurrence.

Pleas let me know ASAP if upu concur

Sent from my iPhone

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 2:32 PM  
**To:** Scott White  
**Subject:** FW: Update on Response Times

-----Original Message-----

From: Larry Klein  
Sent: Friday, September 09, 2016 8:47 PM  
To: Sherry Carran; Bill Wells  
Subject: FW: Update on Response Times

-----Original Message-----

From: Todd Sink  
Sent: Friday, September 09, 2016 4:41 PM  
To: Larry Klein  
Cc: Fire Chief; Lisa Desmarais  
Subject: Re: Update on Response Times

Absolutely. I will do that.

> On Sep 9, 2016, at 4:03 PM, Larry Klein <lklein@covingtonky.gov> wrote:

>

> Thank you Todd.

>

> Is it possible to show these average response times, especially for South Covington, prior to July 1, 2015 when the ambulance from Company 5 station in South Covington was relocated to Latonia?

>

> It would be important to see if response times change before/after that relocation of the ambulance.

>

>

> -----Original Message-----

> From: Todd Sink  
> Sent: Friday, September 09, 2016 9:29 AM  
> To: Fire Chief; Larry Klein  
> Cc: Lisa Desmarais  
> Subject: RE: Update on Response Times

>

> Dan and I just spoke.

>

> The first graphic (attached) shows average response times for EMS runs made across all units. I will be revising this graphic to exclude the few instances in Intermedix where non-ambulances responded. The averages will not likely change, but after this adjustment it will be the most realistic depiction of average response times by ambulances only, broken out by neighborhood and company.

>

> I will be creating a second graphic with data from Firehouse that shows average response times for non-ambulances (i.e., Pumper 5) for only EMS calls. This will provide the most realistic depiction of average response times for first response fire equipment.

>

> Thanks,

>  
>  
> -----Original Message-----  
> From: Fire Chief  
> Sent: Friday, September 09, 2016 9:05 AM  
> To: Todd Sink; Larry Klein  
> Cc: Lisa Desmarais  
> Subject: RE: Update on Response Times  
>  
> I made the assumption that these were ambulance only times as the graphic source is listed as Intermedix. Intermedix only reports ambulance times and not "first responder units" such as an engine responding with an ambulance.  
>  
> If the graphic is showing all units then the graphic is deceptive in showing that people are waiting 9.18 minutes in South Covington for help when in reality they are waiting much less as Pumper 5 arrives much sooner with a paramedic on it. Is Local 38 helping with this? That's a union joke Todd, just ignore it!  
>  
> It would be beneficial to separate the two.  
>  
> -----Original Message-----  
> From: Todd Sink  
> Sent: Friday, September 09, 2016 5:54 AM  
> To: Larry Klein  
> Cc: Fire Chief; Lisa Desmarais  
> Subject: Re: Update on Response Times  
>  
> Hi Dan,  
>  
> The graphic shows average response times across all units (ambulance and other units).  
>  
> I can separate response times by unit (Ambulance and Pumpers) as there is a field that indicates the responding unit, but I am not sure the extent to which I am able to determine which unit arrives first to a call, or if the data currently shows this.  
>  
> I join the 'Shift Report' and 'Dispatch Times' report out of Intermedix if this helps.  
>  
> Thanks,  
>  
>> On Sep 8, 2016, at 10:58 PM, Larry Klein <lklein@covingtonky.gov> wrote:  
>>  
>> Thanks Dan.  
>>  
>> I do think the intent was to have separate response time reports both for the ambulance, and for the first responder which may be an ambulance or a pumper with paramedics on it.  
>>  
>> Is that still a possibility?  
>>  
>> -----Original Message-----  
>> From: Fire Chief  
>> Sent: Thursday, September 08, 2016 9:39 PM  
>> To: Todd Sink  
>> Cc: Larry Klein; Lisa Desmarais  
>> Subject: RE: Update on Response Times  
>>  
>> Need to remember that these are only ambulance response times and not first response fire equipment times.

>>  
>> Todd has committed to understanding the operations of the department to make these times represent as accurately as possible the reality of the department. Although I cannot confirm that these are 100% accurate, I am confident in Todd's work and that I cannot see any glaring abnormalities in the data.  
>>  
>> Thanks for your hard work!  
>>  
>> Dan Mathew  
>> Fire Chief  
>> City of Covington, Fire  
>> 100 E. Robbins Street, Covington, KY 41011  
>> 859-431-0462 direct | main  
>> 859-431-3315 fax  
>> Facebook | Twitter  
>> www.covingtonky.gov  
>> Sign up to receive our Eblasts  
>> Disclaimer: Please note all content in this email may be subject to open records request.  
>>  
>> \_\_\_\_\_  
>> From: Todd Sink  
>> Sent: Wednesday, September 07, 2016 12:42 PM  
>> To: Fire Chief  
>> Subject: Update on Response Times  
>>  
>> Hi Dan,  
>>  
>> The dashboard that shows percentage of EMS response times under 300 seconds is ready in the CovStat portal.  
>>  
>> [cid:image001.jpg@01D20905.42A2D5E0]  
>>  
>> Also, could you take a look at the attached graphic and let me know if you agree with the figures. The mayor is asking for this information and it is important that you sign off on it before Lisa passes it along to her.  
>>  
>> Thanks,  
>>  
>>  
>> Todd Sink  
>> Manager of Analytics and Intelligence City of Covington, Operations  
>> 20 West Pike Street, 2nd Floor, Covington, KY 41011  
>> 859-292-2313 direct | 859-292-2313 main  
>> 859-292-2107 fax  
>> Facebook<<https://www.facebook.com/CovingtonKentuckygovernment/>> |  
>> Twitter<<https://twitter.com/covingtonkygov/>>  
>> www.covingtonky.gov<<http://www.covingtonky.gov/>>  
>> Sign up to receive our  
>> Eblasts<[http://visitor.r20.constantcontact.com/manage/optin?v=001KoyZ43z4t0j70fyIwS5G\\_6hPWwk4mspwgHKV34DlpDN3tbErl1jaG8vwXJr27ue4qJXoTigTC](http://visitor.r20.constantcontact.com/manage/optin?v=001KoyZ43z4t0j70fyIwS5G_6hPWwk4mspwgHKV34DlpDN3tbErl1jaG8vwXJr27ue4qJXoTigTC)  
>> hy15x1qgLQWzXCA3VqjsHDpv8Q8yU8yj32v9Ty734FIVcnoIVqo3rtPYjujmdp\_8oy5\_i  
>> yuZMwV7gXA6zUekjpMoyQi8h3\_EaQ%3D>  
>> Disclaimer: Please note all content in this email may be subject to open records request.

3

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 10:32 PM  
**To:** Scott White  
**Subject:** FW: Covington Professional Firefighters IAFF Local 38

Scott White

City of Covington,

[direct](#) | [main](#)

---

**From:** Larry Klein  
**Sent:** Wednesday, November 02, 2016 3:03 PM  
**To:** Carolann Baughman  
**Subject:** Re: Covington Professional Firefighters IAFF Local 38

Interesting. Who at local 38 told you that ?

Sent from my iPhone

On Nov 2, 2016, at 12:41 PM, Carolann Baughman <[cbaughman@covingtonky.gov](mailto:cbaughman@covingtonky.gov)> wrote:

I've done further reading on this and when asked what is it that they are looking for they reply that the content of the emails are irrelevant.

**Carolann Baughman**  
**Executive Assistant**  
City of Covington, Administration  
20 West Pike Street Covington KY 41011  
[859-292-2133](tel:859-292-2133) direct | [859-292-2133](tel:859-292-2133) main

---

**From:** Larry Klein  
**Sent:** Wednesday, November 02, 2016 12:16 PM  
**To:** Carolann Baughman  
**Cc:** Cassandra Zoda; Michael Bartlett  
**Subject:** Re: Covington Professional Firefighters IAFF Local 38

Ok

Before I talk with her michael or cassandra can you let me know general nature of those emails ?

Sent from my iPhone

On Nov 2, 2016, at 12:11 PM, Carolann Baughman <[cbaughman@covingtonky.gov](mailto:cbaughman@covingtonky.gov)> wrote:

Larry,

I received a call from Rose Ann Aragon with WCPO. She is calling to see if you or someone else would be willing/ able to comment on "The Covington Professional Firefighters IAFF Local 38 is pleased the City of Covington has turned over a portion of its open records request, specifically emails sent by the city manager to the mayor, and emails sent by the city manager to the fire chief."

[https://www.facebook.com/Covington-Professional-Firefighters-Local-38-145587315541424/?ref=page\\_internal](https://www.facebook.com/Covington-Professional-Firefighters-Local-38-145587315541424/?ref=page_internal) . her number is 513-919-1119 and her email is [rose-ann.aragon@wcpo.com](mailto:rose-ann.aragon@wcpo.com)

**Carolann Baughman**

**Executive Assistant**

City of Covington, Administration  
20 West Pike Street, Covington, KY 41011  
859-292-2133 direct | 859-292-2133 main  
859-292-2137 fax

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[www.covingtonky.gov](http://www.covingtonky.gov)

Sign up to receive our [Eblasts](#)

Disclaimer: Please note all content in this email may be subject to open records request.

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 10:31 PM  
**To:** Scott White  
**Subject:** FW:

Scott White

City of Covington,

[direct](#) | [main](#)

---

**From:** Larry Klein  
**Sent:** Wednesday, November 02, 2016 5:53 PM  
**To:** [rose-ann.aragon@wcpo.com](mailto:rose-ann.aragon@wcpo.com)  
**Subject:**

Hi Rose,

Sorry I missed your call today.

I am available tomorrow to respond to your questions about Local 38 and their emails requests at your convenience.

Larry Klein

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 9:47 PM  
**To:** Scott White  
**Subject:** FW: Covington Firefighter's Press Release

Scott White

City of Covington,

[direct](#) | [main](#)

**From:** Larry Klein  
**Sent:** Thursday, November 03, 2016 6:26 PM  
**To:** Michael Monks  
**Subject:** Re: Covington Firefighter's Press Release

Thanks ! Will be glad to comment on this

Sent from my iPhone

On Nov 3, 2016, at 5:52 PM, Michael Monks <[mmonks@renky.com](mailto:mmonks@renky.com)> wrote:

----- Forwarded message -----

**From:** Tyler Cherry <[тчerry138@gmail.com](mailto:тчerry138@gmail.com)>  
**Date:** Thu, Nov 3, 2016 at 5:47 PM  
**Subject:** Covington Firefighter's Press Release  
**To:** "[assignmentdesk@fox19.com](mailto:assignmentdesk@fox19.com)" <[assignmentdesk@fox19.com](mailto:assignmentdesk@fox19.com)>, "[assignmentdesk@wlwt.com](mailto:assignmentdesk@wlwt.com)" <[assignmentdesk@wlwt.com](mailto:assignmentdesk@wlwt.com)>, Ben Katko <[bkatko@fox19.com](mailto:bkatko@fox19.com)>, "Joe Webb (Channel 12)" <[jwebb@local12.com](mailto:jwebb@local12.com)>, "[local12@wkrc.com](mailto:local12@wkrc.com)" <[local12@wkrc.com](mailto:local12@wkrc.com)>, "[news@nktrib.com](mailto:news@nktrib.com)" <[news@nktrib.com](mailto:news@nktrib.com)>, "[news@renky.com](mailto:news@renky.com)" <[news@renky.com](mailto:news@renky.com)>, "[news@rnky.com](mailto:news@rnky.com)" <[news@rnky.com](mailto:news@rnky.com)>, "[news@wiw.com](mailto:news@wiw.com)" <[news@wiw.com](mailto:news@wiw.com)>, "[newsdesk@wcpo.com](mailto:newsdesk@wcpo.com)" <[newsdesk@wcpo.com](mailto:newsdesk@wcpo.com)>, "[newsdesk@wlwt.com](mailto:newsdesk@wlwt.com)" <[newsdesk@wlwt.com](mailto:newsdesk@wlwt.com)>, Robert Woodward <[rwoodward@fox19.com](mailto:rwoodward@fox19.com)>, "[swartman@nky.com](mailto:swartman@nky.com)" <[swartman@nky.com](mailto:swartman@nky.com)>

Attached is a press release clarifying information in reference to the emails received by Local 38 from the City of Covington due to an open records request. Our contact information is on the release if any additional information is needed.

Thank You.

Tyler Cherry  
L-38 Secretary/Treasurer

--

Michael A. Monks

Editor & Publisher

The River City News

621 Madison Avenue

Covington, KY 41011

859.261.1202 (office)

859.801.9133 (mobile)

Facebook, Twitter

***Northern Kentucky's News Leader***

<Local 38 Press Release RE emails.docx>

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 9:46 PM  
**To:** Scott White  
**Subject:** FW: Covington Firefighter's Press Release  
**Attachments:** Local 38 Press Release RE emails.docx; ATT00001.htm

Scott White

City of Covington,

[direct](#) | [main](#)

**From:** Larry Klein  
**Sent:** Thursday, November 03, 2016 6:37 PM  
**To:** Sherry Carran  
**Subject:** Fwd: Covington Firefighter's Press Release

Fyi the attached. No problem here. I give info to mayor and Commission all the time as we do for other political candidates including joe

Sent from my iPhone

Begin forwarded message:

**From:** Michael Monks <[mmonks@rcnky.com](mailto:mmonks@rcnky.com)>  
**Date:** November 3, 2016 at 5:52:20 PM EDT  
**To:** Larry Klein <[lklein@covingtonky.gov](mailto:lklein@covingtonky.gov)>  
**Subject:** Fwd: Covington Firefighter's Press Release

----- Forwarded message -----

**From:** Tyler Cherry <[tcherry138@gmail.com](mailto:tcherry138@gmail.com)>  
**Date:** Thu, Nov 3, 2016 at 5:47 PM  
**Subject:** Covington Firefighter's Press Release  
**To:** "[assignmentdesk@fox19.com](mailto:assignmentdesk@fox19.com)" <[assignmentdesk@fox19.com](mailto:assignmentdesk@fox19.com)>, "[assignmentdesk@wlwt.com](mailto:assignmentdesk@wlwt.com)" <[assignmentdesk@wlwt.com](mailto:assignmentdesk@wlwt.com)>, Ben Katko <[bkatko@fox19.com](mailto:bkatko@fox19.com)>, "Joe Webb (Channel 12)" <[jwebb@local12.com](mailto:jwebb@local12.com)>, "[local12@wkrc.com](mailto:local12@wkrc.com)" <[local12@wkrc.com](mailto:local12@wkrc.com)>, "[news@nkvttrib.com](mailto:news@nkvttrib.com)" <[news@nkvttrib.com](mailto:news@nkvttrib.com)>, "[news@rcnky.com](mailto:news@rcnky.com)" <[news@rcnky.com](mailto:news@rcnky.com)>, "[news@wlw.com](mailto:news@wlw.com)" <[news@wlw.com](mailto:news@wlw.com)>, "[newsdesk@wcpo.com](mailto:newsdesk@wcpo.com)" <[newsdesk@wcpo.com](mailto:newsdesk@wcpo.com)>, "[newsdesk@wlwt.com](mailto:newsdesk@wlwt.com)" <[newsdesk@wlwt.com](mailto:newsdesk@wlwt.com)>, Robert Woodward <[rwoodward@fox19.com](mailto:rwoodward@fox19.com)>, "[swartman@nkvttrib.com](mailto:swartman@nkvttrib.com)" <[swartman@nkvttrib.com](mailto:swartman@nkvttrib.com)>

Attached is a press release clarifying information in reference to the emails received by Local 38 from the City of Covington due to an open records request. Our contact information is on the release if any additional information is needed.

Thank You.

Tyler Cherry  
L-38 Secretary-Treasurer

--

Michael A. Monks  
Editor & Publisher  
The River City News  
621 Madison Avenue  
Covington, KY 41011  
859.261.1202 (office)  
859.801.9133 (mobile)  
Facebook, Twitter  
***Northern Kentucky's News Leader***

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 9:44 PM  
**To:** Scott White  
**Subject:** FW: Covington Firefighter's Press Release  
**Attachments:** Screenshot\_20161103-214833.png

Scott White

City of Covington.

[direct](#) | [main](#)

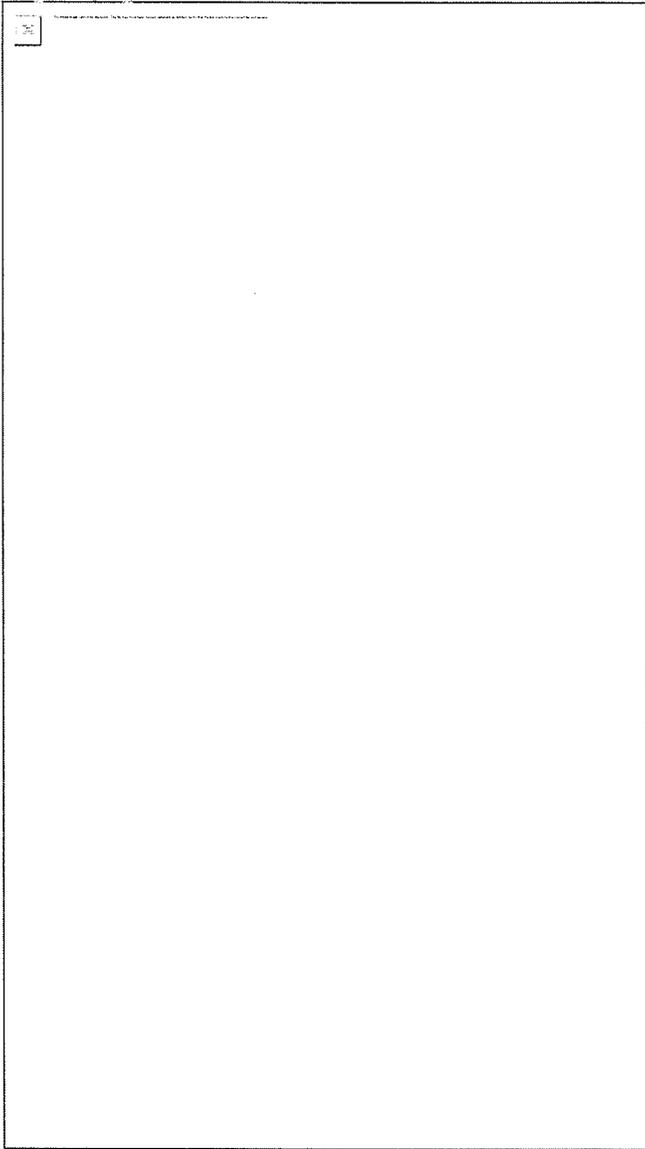
**From:** Larry Klein  
**Sent:** Thursday, November 03, 2016 9:56 PM  
**To:** 'Michael Monks'  
**Subject:** FW: Covington Firefighter's Press Release

FYI the attached email that we also gave Local 38 in same batch that they are reporting on in their press release.

Their press release failed to include this email I gave them wherein I told Sherry, Bill and Jordan to feel free to share with any political candidate they wanted to.

It is public information.

**From:** Cassandra Zoda  
**Sent:** Thursday, November 03, 2016 9:52 PM  
**To:** Larry Klein  
**Subject:** RE: Covington Firefighter's Press Release



Will send the full thing tomorrow but thought this might help you remember in the meantime.

Sent via the Samsung Galaxy S@ 6, an AT&T 4G LTE smartphone

----- Original message -----

From: Larry Klein <[lklein@covingtonky.gov](mailto:lklein@covingtonky.gov)>  
Date: 11/3/16 9:41 PM (GMT-05:00)  
To: Cassandra Zoda <[czoda@covingtonky.gov](mailto:czoda@covingtonky.gov)>  
Subject: RE: Covington Firefighter's Press Release

Perfect.

Thank you.

---

**From:** Cassandra Zoda  
**Sent:** Thursday, November 03, 2016 9:41 PM

**To:** Larry Klein  
**Subject:** RE: Covington Firefighter's Press Release

I can.

And yes it was given to them.

Sent via the Samsung Galaxy S® 6, an AT&T 4G LTE smartphone

----- Original message -----

**From:** Larry Klein <[lklein@covingtonky.gov](mailto:lklein@covingtonky.gov)>  
**Date:** 11/3/16 9:39 PM (GMT-05:00)  
**To:** Cassandra Zoda <[czoda@covingtonky.gov](mailto:czoda@covingtonky.gov)>  
**Subject:** RE: Covington Firefighter's Press Release

Can you send me that email tomorrow?

Was that email also given to Local 38?

---

**From:** Cassandra Zoda  
**Sent:** Thursday, November 03, 2016 6:55 PM  
**To:** Larry Klein  
**Subject:** RE: Covington Firefighter's Press Release

This was an email where a document was sent and you stated there is nothing confidential in this document. Please share with any candidate running for office so all tax payers etc can be informed. I can come in and print it if you want to counter.

If you have any questions I'm here.

Sent via the Samsung Galaxy S® 6, an AT&T 4G LTE smartphone

----- Original message -----

**From:** Larry Klein <[lklein@covingtonky.gov](mailto:lklein@covingtonky.gov)>  
**Date:** 11/3/16 6:34 PM (GMT-05:00)  
**To:** Cassandra Zoda <[czoda@covingtonky.gov](mailto:czoda@covingtonky.gov)>  
**Subject:** Fwd: Covington Firefighter's Press Release

Sent from my iPhone

Begin forwarded message:

**From:** Michael Monks <[mmonks@rcnky.com](mailto:mmonks@rcnky.com)>  
**Date:** November 3, 2016 at 5:52:20 PM EDT  
**To:** Larry Klein <[lklein@covingtonky.gov](mailto:lklein@covingtonky.gov)>  
**Subject:** Fwd: Covington Firefighter's Press Release

----- Forwarded message -----

From: **Tyler Cherry** <[tcherry138@gmail.com](mailto:tcherry138@gmail.com)>

Date: Thu, Nov 3, 2016 at 5:47 PM

Subject: Covington Firefighter's Press Release

To: "[assignmentdesk@fox19.com](mailto:assignmentdesk@fox19.com)" <[assignmentdesk@fox19.com](mailto:assignmentdesk@fox19.com)>,

"[assignmentdesk@wlwt.com](mailto:assignmentdesk@wlwt.com)" <[assignmentdesk@wlwt.com](mailto:assignmentdesk@wlwt.com)>, Ben Katko

<[bkatko@fox19.com](mailto:bkatko@fox19.com)>, "Joe Webb (Channel 12)" <[jwebb@local12.com](mailto:jwebb@local12.com)>, "[local12@wkrc.com](mailto:local12@wkrc.com)"

<[local12@wkrc.com](mailto:local12@wkrc.com)>, "[news@nkytrib.com](mailto:news@nkytrib.com)" <[news@nkytrib.com](mailto:news@nkytrib.com)>, "[news@rcnky.com](mailto:news@rcnky.com)"

<[news@rcnky.com](mailto:news@rcnky.com)>, "[news@wlw.com](mailto:news@wlw.com)" <[news@wlw.com](mailto:news@wlw.com)>, "[newsdesk@wcpo.com](mailto:newsdesk@wcpo.com)"

<[newsdesk@wcpo.com](mailto:newsdesk@wcpo.com)>, "[newsdesk@wlwt.com](mailto:newsdesk@wlwt.com)" <[newsdesk@wlwt.com](mailto:newsdesk@wlwt.com)>, Robert Woodward

<[rwoodward@fox19.com](mailto:rwoodward@fox19.com)>, "[swartman@nky.com](mailto:swartman@nky.com)" <[swartman@nky.com](mailto:swartman@nky.com)>

Attached is a press release clarifying information in reference to the emails received by Local 38 from the City of Covington due to an open records request. Our contact information is on the release if any additional information is needed.

Thank You.

Tyler Cherry

L-38 Secretary/Treasurer

--

Michael A. Monks

Editor & Publisher

The River City News

621 Madison Avenue

Covington, KY 41011

859.261.1202 (office)

859.801.9133 (mobile)

Facebook, Twitter

*Northern Kentucky's News Leader*

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 10:26 PM  
**To:** Scott White  
**Subject:** FW: Covington Firefighter's Press Release  
**Attachments:** Local 38 Press Release RE emails.docx; Screenshot\_20161103-214833.png

### Scott White

City of Covington,

[direct](#) | [main](#)

---

**From:** Larry Klein  
**Sent:** Thursday, November 03, 2016 10:22 PM  
**To:** Sherry Carran; Bill Wells; Jordan Huizenga; Chuck B Eilerman  
**Cc:** Lisa Desmarais; Frank E. Warnock; Dan Mathew; Bryan Carter; Mike Yeager; Monica Beavers; Carolann Baughman; Donald Warner, Esq.; Cassandra Zoda; Michael Bartlett  
**Subject:** FW: Covington Firefighter's Press Release

Fyi the attached Local 38's most recent press release, and an attached email we also provided them in same batch, wherein I let you all know the info I gave you was available to all political candidates.

Their press release did not reference this other email of course.

Please feel free to share this with the world if you like.

I work for you all.

When you ask me for info I give it to you.

If I don't have it, I go get it.

I think you all know that.

Please let me know if you have any questions.

Thanks!

Larry

## Covington city officials' emails turned over to Commonwealth Attorney's office

Multiple emails sent from Covington City Manager Larry Klein to Mayor Sherry Carran and from Klein to Fire Chief Dan Mathew were turned over to the Kenton County Commonwealth Attorney's office. The emails were turned over to the Covington Professional Firefighters IAFF Local 38 within the past week.

The emails from Klein to Mayor Carran were discovered after the city delivered 179 emails to Local 38 late October 27, 2016 as a result of an open records request. The union requested emails sent by the city manager to the mayor between August 15, 2016 and September 11, 2016. Four emails were found to be troubling by the union.

Additional emails covering the same time frame sent from Klein to Chief Mathew were delivered earlier this week. Again, more troubling emails were discovered and turned over to the Commonwealth Attorney's office.

The emails concern preparation materials the city manager prepared, or had other Covington public officials prepare, for Mayor Carran, and current city commissioners Jordan Huizenga and Bill Wells for the September 8, 2016 candidates' night organized by Local 38.

A subsequent review of emails from Klein to Fire Chief Dan Mathew show further examples of the city manager directing the fire chief to assist Mayor Carran and Commissioners Huizenga and Wells.

Any other information requests, questions, comments can be directed to:

President Mike Lee: [859.620.9963](tel:859.620.9963) [iafflocal38@gmail.com](mailto:iafflocal38@gmail.com)

Vice President Mike Davis: [859.628.4151](tel:859.628.4151) [miked330@hotmail.com](mailto:miked330@hotmail.com)

Secretary/Treasurer Tyler Cherry: [859.992.9229](tel:859.992.9229) [tcherryL38@gmail.com](mailto:tcherryL38@gmail.com)

**From:** Larry Klein  
**To:** Sherry Carran; Bill Wells; Jordan Huizenga  
**CC:** Dan Malachuk; Frank E. Wenzel; Lisa DeMarco; J.Donovan@cityofjeffco.us  
**Subject:** RE: Tuesday, September 07, 2016 5:04:37 PM  
**Date:** Tuesday, September 07, 2016 5:04:37 PM  
**Attachments:** Local 38 Candidates 2018.docx

Sherry, Bill and Jordan,

Attached is final draft of the background/eligible information you asked me for about potential Local 38 topics you will be discussing.

Let me know if there is anything else you need at this time or if you want further clarification, information or a call down meeting.

Please feel free to share this information with any candidate who may also want to review it.

There is nothing confidential in this.

I want to thank Dan, Frank and Lisa for their quick and complete response in helping to provide this information to you all.

Thanks!

**Larry Klein**  
**City Manager**  
City of Government Affairs and  
City of Public Works and Public Utilities  
100 West Park Drive, Suite 2000, Denver, CO 80202  
303.233.8118 (office) 303.233.7472 (cell)

**From:** Larry Klein  
**Sent:** Tuesday, September 06, 2016 10:12 AM  
**To:** Sherry Carran; Bill Wells; Jordan Huizenga  
**Subject:**

FYI the attached draft of some background information for the candidate night questions you asked me for Local 38's event this Thursday.

Per the attached I am waiting on additional information from Lisa and Dan but thought this would give you a start.

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 10:22 PM  
**To:** Scott White  
**Subject:** FW: Covington Firefighter's Press Release

## Scott White

City of Covington.

[direct](#) | [main](#)

---

**From:** Larry Klein  
**Sent:** Friday, November 04, 2016 9:22 AM  
**To:** Monica Beavers  
**Subject:** RE: Covington Firefighter's Press Release

Thanks Monica.

I am going to hold off for now and only respond to media if they inquire about it.

## Larry Klein City Manager

City of Covington, Administration  
20 West Pike Street, 2nd Floor Covington KY 41011  
[859-292-2133 direct](#) | [859-292-2133 main](#)

---

**From:** Monica Beavers  
**Sent:** Friday, November 04, 2016 8:48 AM  
**To:** Larry Klein  
**Subject:** RE: Covington Firefighter's Press Release

We definitely do know that Larry!

Is there any sort of press release you would like me to put together in response?

Please let me know if there is anything I can do to help.

Kind Regards,

## Monica Beavers Public Information Officer

City of Covington, Administration, Legal  
20 W. Pike St., 2nd Floor Covington KY 41011  
[859-292-2186 direct](#) | [859-292-2133 main](#)

---

**From:** Larry Klein  
**Sent:** Thursday, November 03, 2016 10:22 PM  
**To:** Sherry Carran; Bill Wells; Jordan Huizenga; Chuck B Eilerman; Chuck B Eilerman  
**Cc:** Lisa Desmarais; Frank E. Warnock; Dan Mathew; Bryan Carter; Mike Yeager; Monica Beavers; Carolann Baughman;

Donald Warner, Esq.; Cassandra Zoda; Michael Bartlett

**Subject:** FW: Covington Firefighter's Press Release

Fyi the attached Local 38's most recent press release, and an attached email we also provided them in same batch, wherein I let you all know the info I gave you was available to all political candidates.

Their press release did not reference this other email of course.

Please feel free to share this with the world if you like.

I work for you all.

When you ask me for info I give it to you.

If I don't have it, I go get it.

I think you all know that.

Please let me know if you have any questions.

Thanks!

Larry

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 10:19 PM  
**To:** Scott White  
**Subject:** FW: Call from Mark Hansel

Scott White

City of Covington.

[direct](#) | [main](#)

---

**From:** Larry Klein  
**Sent:** Friday, November 04, 2016 1:51 PM  
**To:** Sherry Carran  
**Subject:** Fwd: Call from Mark Hansel

Sent from my iPhone

Begin forwarded message:

**From:** Carolann Baughman <[cbaughman@covingtonky.gov](mailto:cbaughman@covingtonky.gov)>  
**Date:** November 4, 2016 at 1:21:05 PM EDT  
**To:** Larry Klein <[lklein@covingtonky.gov](mailto:lklein@covingtonky.gov)>  
**Subject:** Call from Mark Hansel

Mark Hansel called from the NKY tribune, to ask if you wanted to weigh in on a story they are preparing. He would not say what the story was. His phone number is 812-657-2890.

**Carolann Baughman**

**Executive Assistant**

City of Covington, Administration

20 West Pike Street, Covington, KY 41011

859-292-2133 direct | 859-292-2133 main

859-292-2137 fax

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Disclaimer: Please note all content in this email may be subject to open records request.

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 10:16 PM  
**To:** Scott White  
**Subject:** FW: Covington Firefighter's Press Release  
**Attachments:** Local 38 Press Release RE emails.docx; Screenshot\_20161103-214833.png; Scanned from a Xerox Multifunction Printer.pdf

## Scott White

City of Covington,

[direct](#) | [main](#)

---

**From:** Larry Klein  
**Sent:** Friday, November 04, 2016 4:35 PM  
**To:** [arrellm@nku.edu](mailto:arrellm@nku.edu)  
**Subject:** Covington Firefighter's Press Release

I sent this to Mayor and Commissioners last night.

Fyi the attached Local 38's most recent press release, and an attached email we also provided them in same batch, wherein I let you all know the info I gave you was available to all political candidates.

Their press release did not reference this other email of course.

Please feel free to share this with the world if you like.

I work for you all.

When you ask me for info I give it to you.

If I don't have it, I go get it.

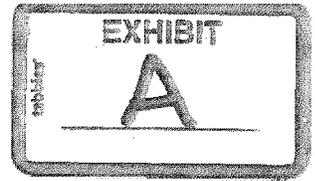
I think you all know that.

Please let me know if you have any questions.

Thanks!

Larry

4



RECEIVED

SEP 16 2016

September 16, 2016

City of Covington City Solicitor Office  
22 West Pike Street  
Covington, KY 41011

COVINGTON LEGAL DEPT

**RE: Open Records Request for emails of certain city administration officials**

Attention City Solicitor's Office:

This letter shall serve as notice and a formal request under Ky. Rev. Stat. § 61.872, et seq., commonly known as the Kentucky Open Records Act, for the specific documents described below. Should there be a charge for copying these documents under Ky. Rev. Stat. § 61.872(5) please let me know.

Please provide an electronic copy of records that meets the following criteria:

1. All email sent from City Manager Larry Klein which has Commissioner Bill Wells as a recipient but not Commissioner Steve Frank between the dates of August 1, 2016 and September 13, 2016.
2. All email sent from Commissioner Bill Wells which has City Manager Larry Klein as a recipient but not Commissioner Steve Frank between the dates of August 1, 2016 and September 13, 2016.
3. All email sent from City Manager Larry Klein which has Mayor Sherry Carran as a recipient but not Commissioner Steve Frank between the dates of August 1, 2016 and September 13, 2016.
4. All email sent from Mayor Sherry Carran which has City Manager Larry Klein as a recipient but not Commissioner Steve Frank between the dates of August 1, 2016 and September 13, 2016.
5. All email sent from City Manager Larry Klein which has Fire Chief Dan Mathew as a recipient but not Commissioner Steve Frank between the dates of August 1, 2016 and September 13, 2016.
6. All email sent from Fire Chief Dan Mathew which has City Manager Larry Klein as a recipient but not Commissioner Steve Frank between the dates of August 1, 2016 and September 13, 2016.
7. All email from anyone not above-named sent as a response to any emails meeting the above criteria (please include full email chains).

Please include the following information in the records:

- Email Headers, including the sender, recipient, any carbon copies, the subject line, and the date.
- Email body, including all text and images in the body of the emails.
- All attachments, including any documents or images attached to the emails.

Under Ky. Rev. Stat. § 61.872(b), the City of Covington has 72 hours in which to respond to provide the documents requested. Please contact me when said items are available to make arrangements for delivery. Should you need additional time for a specific item, please do not hesitate to contact me directly at 859 912-4847 or [bwheatley@econjustice.com](mailto:bwheatley@econjustice.com). I appreciate your attention to this matter.

Any additional correspondence please contact:

Tyler Cherry  
IAFF L-38 Secretary/Treasurer  
[tcherryL38@gmail.com](mailto:tcherryL38@gmail.com)  
[tcherry@covingtonky.gov](mailto:tcherry@covingtonky.gov)  
859.992.9229

Very sincerely yours,

Charles R. Wheatley II  
Cook & Logothetis, LLC  
Of Counsel  
22 West Ninth Street  
Cincinnati, OH 45202  
513 287-6980 (Office)  
[bwheatley@econjustice.com](mailto:bwheatley@econjustice.com)

**From:** [Buddy Wheatley](#)  
**To:** [Cassandra Zoda](#)  
**Subject:** Re: Open Records Request  
**Date:** Monday, September 19, 2016 12:06:44 PM

---

Ms. Zoda,

I should be able to give you a call about this open records request Monday afternoon. Thanks.

Buddy Wheatley

Sent from my iPhone

On Sep 19, 2016, at 9:10 AM, Cassandra Zoda <[czoda@covingtonky.gov](mailto:czoda@covingtonky.gov)> wrote:

Mr. Wheatley:

The City has received your open records request dated 9/16/16. I was hoping to talk to you about the scope of portions of your request.

Item number 7 asks for “[a]ll email from anyone not above-named sent as a response to any emails meeting the above criteria (please include full email chains).” I’m not sure of a way the City can search for records responsive to this request. Among other issues, any of the emails that are responsive to requests number 1-6 could be forwarded and replied to an endless number of times, including to accounts to which the City does not have access. If you are requesting replies sent to the original sender of an email responsive to items 1-6, I may be able to locate those records, but as written the request may be more expansive.

Given the above, I would appreciate any clarity you can provide on this matter. Feel free to give me a call should you have any questions.

Sincerely,

Cassandra

**Cassandra Zoda**  
**Assistant City Solicitor**  
City of Covington, Legal Department  
20 West Pike Street, 1st Floor, Covington, KY 41011  
859-292-2146 direct | 859-292-2311 main  
859-292-2130 fax

[Facebook](#) | [Twitter](#)  
[www.covingtonky.gov](http://www.covingtonky.gov)

Sign up to receive our [Eblasts](#)

Disclaimer: Please note all content in this email may be subject to open records request.

**From:** Cassandra Zoda  
**To:** "[tcherry138@gmail.com](mailto:tcherry138@gmail.com)"  
**Subject:** FW: Open Records Request  
**Date:** Wednesday, September 21, 2016 3:26:13 PM  
**Attachments:** [Local 38 - 9.21.16 letter.pdf](#)

---

Mr. Cherry:

Please see the City's official response to your recent open records request. I have been in contact with Mr. Wheatley concerning the request and the scope of item #7. Mr. Wheatley indicated that he would speak to you about that item and the possibility of reworking it so that I can better conduct a search for responsive records. Unfortunately, we did not reach an understanding on that item within the three day time frame for the City to respond. I would be happy to assist you in formulating a request that would retrieve the desired emails if you would like to contact me.

Also, I am sending this official response to you as Mr. Wheatley indicated that all future correspondence should be directed to you.

**Cassandra Zoda**  
**Assistant City Solicitor**  
City of Covington, Legal Department  
20 West Pike Street, 1st Floor Covington KY 41011  
859-292-2145 direct | 859-292-2311 main

---

**From:** Donald Warner  
**Sent:** Friday, September 16, 2016 2:46 PM  
**To:** Cassandra Zoda  
**Cc:** Frank E. Warnock  
**Subject:** FW: Open Records Request

Open records request.

**From:** Tyler Cherry [<mailto:tcherry138@gmail.com>]  
**Sent:** Friday, September 16, 2016 2:42 PM  
**To:** Frank E. Warnock  
**Cc:** Donald Warner  
**Subject:** Open Records Request

Please see attached.

Thank you.



9/21/2016

Tyler Cherry  
IAFF L-38 Secretary/Treasurer  
tcherry@covingtonky.gov

**RE: Open Records Requests – 9/16/16**

Dear Mr. Cherry:

I am writing on behalf of the official custodian of records for the City of Covington (“City”) in response to your open records request dated 9/16/16 and received via email on 9/16/16 in which you requested the following:

1. All email sent from City Manager Larry Klein which has Commissioner Bill Wells as a recipient but not Commissioner Steve Frank between the dates of August 1, 2016 and September 13, 2016.
2. All email sent from Commissioner Bill Wells which has City Manager Larry Klein as a recipient but not Commissioner Steve Frank between the dates of August 1, 2016 and September 13, 2016.
3. All email sent from City Manager Larry Klein which has Mayor Sherry Carran as a recipient but not Commissioner Steve Frank between the dates of August 1, 2016 and September 13, 2016.
4. All email sent from Mayor Sherry Carran which has City Manager Larry Klein as a recipient but not Commissioner Steve Frank between the dates of August 1, 2016 and September 13, 2016.
5. All email sent from City Manager Larry Klein which has Fire Chief Dan Mathew as a recipient but not Commissioner Steve Frank between the dates of August 1, 2016 and September 13, 2016.
6. All email sent from Fire Chief Dan Mathew which has City Manager Larry Klein as a recipient but not Commissioner Steve Frank between the dates of August 1, 2016 and September 13, 2016.
7. All email from anyone not above-named sent as a response to any emails meeting the above criteria (please include full email chains).

The City is unable to comply with portions of your request as written. Item number 7 requests “[a]ll email from anyone not above-named sent as a response to any emails meeting the above criteria (please include full email chains).” This request is not adequately defined for a reasonable person to obtain its nature and scope. The request thus does not meet the requirements of KRS 61.872(2). See Com. v. Chestnut, 250 S.W.3d 655, 661 (Ky. 2008). The nature of the emails sought by this request is unclear. Furthermore, an email fitting any of the other above criteria could be forwarded and/or replied to by an endless number of email accounts, including non-agency accounts. The City is thus unable to determine the scope of the request.



The Legal Department for the City of Covington will forward the remainder of your request to the appropriate department(s) to obtain any applicable documents. We anticipate that you will receive a response from this office on or before 10/7/16. This is due to the voluminous nature of the request, and the estimated time required to obtain, sort, and review any applicable documents for exempt material prior to releasing them. See *generally* 12-OR-151. We will notify you once the responsive documents have been obtained.

Please note there is a copying charge of ten cents (\$0.10) per page and twenty cents (\$0.20) for each CD containing responsive documents.

Should you have any questions or need anything further, please feel free to contact me.

Sincerely,

Cassandra J. Zoda

**From:** [Tyler Cherry](#)  
**To:** [Cassandra Zoda](#)  
**Subject:** Re: FW: Open Records Request  
**Date:** Friday, September 23, 2016 12:37:57 PM

---

Cassandra,

Thank you for your response to our public record request. As your previous email indicates, please fulfill requests 1 - 6. You may disregard request 7 for the time being. If we need further information or requests we will follow up with you at that time.

Also, we would like to have the fulfilled requests as digital (CD) document(s). Inform us on how to pay the fee for such.

Please contact me with any other questions.

Tyler

On Wed, Sep 21, 2016 at 3:26 PM, Cassandra Zoda <[czoda@covingtonky.gov](mailto:czoda@covingtonky.gov)> wrote:

Mr. Cherry:

Please see the City's official response to your recent open records request. I have been in contact with Mr. Wheatley concerning the request and the scope of item #7. Mr. Wheatley indicated that he would speak to you about that item and the possibility of reworking it so that I can better conduct a search for responsive records. Unfortunately, we did not reach an understanding on that item within the three day time frame for the City to respond. I would be happy to assist you in formulating a request that would retrieve the desired emails if you would like to contact me.

Also, I am sending this official response to you as Mr. Wheatley indicated that all future correspondence should be directed to you.

**Cassandra Zoda**  
**Assistant City Solicitor**  
City of Covington, Legal Department  
20 West Pike Street, 1st Floor Covington KY 41011  
[859-292-2146](tel:859-292-2146) direct | [859-292-2311](tel:859-292-2311) main

---

**From:** Donald Warner  
**Sent:** Friday, September 16, 2016 2:46 PM  
**To:** Cassandra Zoda

**Cc:** Frank E. Warnock  
**Subject:** FW: Open Records Request

Open records request.

**From:** Tyler Cherry [<mailto:tcherry138@gmail.com>]  
**Sent:** Friday, September 16, 2016 2:42 PM  
**To:** Frank E. Warnock  
**Cc:** Donald Warner  
**Subject:** Open Records Request

Please see attached.

Thank you.



10/6/2016

Tyler Cherry  
IAFF L-38 Secretary/Treasurer  
tcherry@covingtonky.gov

**RE: Open Records Requests – 9/16/16**

Dear Mr. Cherry:

I am writing on behalf of the official custodian of records for the City of Covington (“City”) in response to your open records request dated 9/16/16 and received via email on 9/16/16 in which you requested the following:

1. All email sent from City Manager Larry Klein which has Commissioner Bill Wells as a recipient but not Commissioner Steve Frank between the dates of August 1, 2016 and September 13, 2016.
2. All email sent from Commissioner Bill Wells which has City Manager Larry Klein as a recipient but not Commissioner Steve Frank between the dates of August 1, 2016 and September 13, 2016.
3. All email sent from City Manager Larry Klein which has Mayor Sherry Carran as a recipient but not Commissioner Steve Frank between the dates of August 1, 2016 and September 13, 2016.
4. All email sent from Mayor Sherry Carran which has City Manager Larry Klein as a recipient but not Commissioner Steve Frank between the dates of August 1, 2016 and September 13, 2016.
5. All email sent from City Manager Larry Klein which has Fire Chief Dan Mathew as a recipient but not Commissioner Steve Frank between the dates of August 1, 2016 and September 13, 2016.
6. All email sent from Fire Chief Dan Mathew which has City Manager Larry Klein as a recipient but not Commissioner Steve Frank between the dates of August 1, 2016 and September 13, 2016.
- ~~7. All email from anyone not above named sent as a response to any emails meeting the above criteria (please include full email chains). [Request retracted.]~~

As written, your request requires the City to create a record when none exists and places an unreasonable burden on the City.

The City is not obligated to compile a list or create a record to satisfy an opens records request See 07-ORD-199. Your request seeks e-mails from one City Employee to another City Employee, excluding a third City Employee. The City does not maintain e-mails in this format. Specifically, City e-mails are not indexed in a way that a search can be conducted excluding a search term or individual. In order to comply with your request, the City is conducting a



a search of the emails from requested employee to requested employee and then manually searching through each responsive e-mail's recipient list to create your requested record.

Additionally, KRS 61.872(6) provides: "if the application places an unreasonable burden in producing public records... the official custodian may refuse to permit inspection of the public records or mail copies thereof." The City retrieved your requested e-mails using employee to employee search terms. This search returned 1,679 responsive e-mails. Simply creating the record in the format you have requested would require a City employee to manually scan each e-mail to determine if it falls within one of the enumerated categories above. This initial step requires approximately 3 minutes per e-mail. With 1,679 responsive e-mails at 3 minutes per e-mail, the first step alone requires approximately 84 hours of time, over two weeks of full-time devotion to your request.

After creating the requested record, the City would need to spend additional time examining every e-mail and their attachments for exempt material. At this stage in our review, we estimate that there will be 1,000 e-mails to sort through, with each e-mail, including attachments, averaging at least 10 minutes to review. As such, reviewing the created record would require an additional 166 hours of time fully devoted to your request.

It is our opinion that this is clear and convincing evidence that your open records request as written places an unreasonable burden on the City. If a request creates an unreasonable burden on an agency, it may be denied. See 03-ORD-254.

However, in an effort to promote the intent of the Open Records Act, the City is willing to comply with your request. We estimate that given the large amount of staff time required to respond to this request, the request will be complete and available for inspection on or before February 10, 2016. The City may periodically make portions of your request available as they are completed.

Should you wish to narrow your request by search terms, a quicker response time may be possible. Please feel free to reach out to me should you wish to narrow your request.

Sincerely,

Cassandra J. Zoda

**From:** [Buddy Wheatley](#)  
**To:** [Cassandra Zoda](#)  
**Subject:** Local 38 Sept. 16 open records response  
**Date:** Friday, October 07, 2016 1:56:29 PM

---

Cassandra,

I'm responding on behalf of The Covington Professional Firefighters IAFF Local 38. Local 38 is in receipt of your October 6, 2016 response to its September 16 open records request. In short, Local 38 does not accept the city's response and is demanding the city meet its obligations under the law, and as expressed in the city's September 21, 2016 reply to Local 38. That reply established today, October 7, as the date to deliver those items identified in the open records request as deliverable on this date.

Local 38 does is in disagreement on the city's assessment regarding which actions constitute an unreasonable burden. The fire union's request covers a six week period. The emails requested are between specific parties, in exclusion of a third party. These are reasonable requests, and for records that exist. The city is not tasked with a request that the city has determined to "compile a list or create a record".

The emails exist, as evidenced by the 1679 emails cited in the city's October 6 response to Local 38. Some portion of Local 38's open records should be deliverable today given 16 days have passed since the city established October 7 as the date it would respond.

Please contact me today, as soon as possible, to discuss avenues to meet the city's legal obligations to fulfill this open records response.

*Buddy Wheatley*

Cook & Logothetis, LLC  
22 West 9th Street  
Cincinnati, Ohio 45202  
Cell (859) 912-4847  
Office (513) 721-0444  
Fax (513) 721-1178

Buddy Wheatley  
421 Madison Ave.  
Covington, KY 41011

*This message may contain confidential information and communications subject to the attorney-client privilege. If this message has been received by anyone other than the intended recipient by error, please deliver it to the intended recipient as soon as possible, and destroy this message. Should you have any questions, please contact me at the address and number listed above.*

**From:** Cassandra Zoda  
**To:** "Buddy Wheatley"  
**Cc:** Frank E. Warnock; Starr Ford; Michael Bartlett  
**Subject:** RE: Local 38 Sept. 16 open records response UPDATED!  
**Date:** Monday, October 10, 2016 8:43:52 AM  
**Attachments:** [ORR-10.10.16 response- Local 38.pdf](#)

---

Buddy,

We did discuss that you would consider submitting a proposal to simplify and prioritize the sections of the request. However, I specifically stated that this potential format (removing the requirement that Steve Frank not be a recipient) as opposed to other alternatives (limit by subject or search terms) would negate a great deal of the time and work I put into the original request. We basically have to start over.

I stated that it would not be possible to have records to you by Monday 10/10/16. 10/11/16 is just as unreasonable. Please keep in mind that the last time Local 38 submitted a request for emails, it took an intern 2 months of full time devotion to the request.

As such, please see the City's updated response which is attached.

I will work on getting you the first portion of this request as soon as we can.

**Cassandra Zoda**

**Assistant City Solicitor**

City of Covington, Legal Department  
20 West Pike Street, 1st Floor Covington KY 41011  
859-292-2146 direct | 859-292-2311 main

---

**From:** Buddy Wheatley [mailto:[bwheatley@econjustice.com](mailto:bwheatley@econjustice.com)]  
**Sent:** Monday, October 10, 2016 6:42 AM  
**To:** Cassandra Zoda  
**Cc:** Frank E. Warnock; Starr Ford; Michael Bartlett  
**Subject:** RE: Local 38 Sept. 16 open records response UPDATED!

Cassandra,

Per our conversation Friday afternoon, I am providing an update to Local 38's September 16 open records request. We concurred that Local 38 would simplify and prioritize its original open records request in order to execute a prompt reply from the city.

The six (6) numbered batch requests listed below have narrowed the time frame of the original request, and removed the exclusion of a third party. It is important to recognize the length of delay already encountered related to the September 16 original request. With these parameters, and given the time already expired and searches already conducted, it seems reasonable that batch #1 be delivered by **October 11, 2016**, and subsequent batches delivered every 2-3 days.

The numbered batch requests below simply require executing, from the sender's sent file, a search of the named recipient. No further search terms or criteria is necessary. All emails that populate

the search are requested. Local 38 recognizes the city will then need review those emails for exempt material.

**Batch #1 request:** All emails sent from City Manager Larry Klein that includes Mayor Sherry Carran as a recipient between the dates of August 15, 2016 and September 11, 2016.

**Batch #2 request:** All emails sent from City Manager Larry Klein that includes Fire Chief Dan Mathew as a recipient between the dates of August 15 and September 11, 2016.

**Batch #3 request:** All emails sent from City Manager Larry Klein that includes Commissioner Bill Wells as a recipient between the dates of August 15 and September 11, 2016.

**Batch #4 request:** All emails sent from Mayor Sherry Carran that includes City Manager Larry Klein as a recipient between the dates of August 15, 2016 and September 11, 2016.

**Batch #5 request:** All emails sent from Fire Chief Dan Mathew that includes City Manager Larry Klein as a recipient between the dates of August 15, 2016 and September 11, 2016.

**Batch #6 request:** All emails sent from Commission Bill Wells that includes City Manager Larry Klein as a recipient between the dates of August 15, 2016 and September 11, 2016.

(end of requests)

In order to meet the spirit of open government, and KRS 61.870-61.884, it would follow that limited redactions will occur, and that the requested batches be deliverable in the shortest time-frame possible. Local 38 looks forward to an expedited response.

Buddy Wheatley

**From:** Cassandra Zoda [<mailto:czoda@covingtonky.gov>]  
**Sent:** Friday, October 07, 2016 2:19 PM  
**To:** Buddy Wheatley  
**Cc:** Frank E. Warnock; Starr Ford; Michael Bartlett  
**Subject:** RE: Local 38 Sept. 16 open records response

Mr. Wheatley:

As I have previously explained, given the very large number of emails, it took over 3 days for the City to even be able to pull all of the responsive emails from the requested accounts. However, under the open records law, the City is required to respond within three days giving the earliest date the records will be available. Given the limited information I had in that 3 day time frame, I estimated that the *earliest* date the records would be available was October 7, 2016, or that an update would be provided by that time. I did not expect the emails to be anywhere near the number that was pulled in. The October 7, 2016 date was by no means a promise that the records would definitely be available by October 7, 2016. When I discovered the very large amount of emails I would have to sort through, this drastically increased the timeline to respond. I discussed this with Mr. Cherry via

phone and told him as much. Please note that numerous attorney general opinions deal with requests for emails, and state that the requester should expect reasonable delays for expansive requests such as the one submitted by Mr. Cherry.

Also, I think your characterization of the requests is not entirely correct. There is no way for the City to find emails that do not have Steve Frank as a recipient without first reading through all of the emails between the two individuals listed in the requests. The City does not keep emails organized in this manner. You are asking for a record that does not exist in the format requested. The record being "all emails between person x and y, but not including person z", not the individual emails themselves.

I am doing my best to sort through each email to see if it is even responsive, and then to make a determination whether it is releasable. Once the first batch is complete, I will turn it over and then move on to the next portion of the request. I would appreciate your patience and understanding in this. I sincerely hope that it will not take until the time I estimated in my most recent letter. However, to avoid the confusion we had here today I wanted to make sure we set out enough time. What do you feel a reasonable time frame would be for the entire request?

**Cassandra Zoda**  
**Assistant City Solicitor**

City of Covington, Legal Department  
20 West Pike Street, 1st Floor Covington KY 41011  
859-292-2146 direct | 859-292-2311 main

**From:** Buddy Wheatley [<mailto:bwheatley@econjustice.com>]

**Sent:** Friday, October 07, 2016 1:56 PM

**To:** Cassandra Zoda

**Subject:** Local 38 Sept. 16 open records response

Cassandra,

I'm responding on behalf of The Covington Professional Firefighters IAFF Local 38. Local 38 is in receipt of your October 6, 2016 response to its September 16 open records request. In short, Local 38 does not accept the city's response and is demanding the city meet its obligations under the law, and as expressed in the city's September 21, 2016 reply to Local 38. That reply established today, October 7, as the date to deliver those items identified in the open records request as deliverable on this date.

Local 38 does is in disagreement on the city's assessment regarding which actions constitute an unreasonable burden. The fire union's request covers a six week period. The emails requested are between specific parties, in exclusion of a third party. These are reasonable requests, and for records that exist. The city is not tasked with a request that the city has determined to "compile a list or create a record".

The emails exist, as evidenced by the 1679 emails cited in the city's October 6 response to Local 38. Some portion of Local 38's open records should be deliverable today given 16 days have passed

since the city established October 7 as the date it would respond.

Please contact me today, as soon as possible, to discuss avenues to meet the city's legal obligations to fulfill this open records response.

Buddy Wheatley

Cook & Logothetis, LLC  
22 West 9th Street  
Cincinnati, Ohio 45202  
Cell (859) 912-4847  
Office (513) 721-0444  
Fax (513) 721-1178

Buddy Wheatley  
421 Madison Ave.  
Covington, KY 41011

*This message may contain confidential information and communications subject to the attorney-client privilege. If this message has been received by anyone other than the intended recipient by error, please deliver it to the intended recipient as soon as possible, and destroy this message. Should you have any questions, please contact me at the address and number listed above.*



Buddy Wheatley  
421 Madison Ave.  
Covington, KY 41011

10/10/2016

**RE: Open Records Requests – 9/16/16 & 10/10/16**

Dear Mr. Wheatley:

I am writing on behalf of the official custodian of records for the City of Covington (“City”) in response to your open records request dated 10/10/16 and received via email on 10/10/16 in which you requested the following:

Batch #1 request: All emails sent from City Manager Larry Klein that includes Mayor Sherry Carran as a recipient between the dates of August 15, 2016 and September 11, 2016.

Batch #2 request: All emails sent from City Manager Larry Klein that includes Fire Chief Dan Mathew as a recipient between the dates of August 15 and September 11, 2016.

Batch #3 request: All emails sent from City Manager Larry Klein that includes Commissioner Bill Wells as a recipient between the dates of August 15 and September 11, 2016.

Batch #4 request: All emails sent from Mayor Sherry Carran that includes City Manager Larry Klein as a recipient between the dates of August 15, 2016 and September 11, 2016.

Batch #5 request: All emails sent from Fire Chief Dan Mathew that includes City Manager Larry Klein as a recipient between the dates of August 15, 2016 and September 11, 2016.

Batch #6 request: All emails sent from Commission Bill Wells that includes City Manager Larry Klein as a recipient between the dates of August 15, 2016 and September 11, 2016.  
(end of requests)

This request was intended to be an amendment to a request sent by you and Tyler Cherry on 9/16/16. Rather than limiting responsive emails in your previous request, this request is more expansive and negates much of the work previously performed by the City to locate responsive records.

We anticipate that you will receive a response from this office on or before 12/30/16. This is due to the estimated time required to obtain, sort, and review any applicable documents for exempt material prior to releasing them. See *generally* 12-OR-151. We will notify you periodically once the responsive documents have been obtained.



Please note there is a copying charge of ten cents (\$0.10) per page and twenty cents (\$0.20) for each CD containing responsive documents.

Should you have any questions or need anything further, please feel free to contact me.

Sincerely,

Cassandra J. Zoda

**From:** [Buddy Wheatley](#)  
**To:** [Cassandra Zoda](#)  
**Cc:** [Frank E. Warnock](#); [Starr Ford](#); [Michael Bartlett](#)  
**Subject:** RE: Local 38 Sept. 16 open records response UPDATED!  
**Date:** Tuesday, October 11, 2016 10:08:04 AM

---

Thank you for your ongoing effort on this request. To facilitate production of the open records request, Local 38 suggests focusing on batch #1 exclusively, and to advise the moment it is ready for pickup. Then, move on to batch #2, etc. If there is anything the union can do to speed the process along, please advise.

---

**From:** Cassandra Zoda [<mailto:czoda@covingtonky.gov>]  
**Sent:** Monday, October 10, 2016 8:44 AM  
**To:** Buddy Wheatley  
**Cc:** Frank E. Warnock; Starr Ford; Michael Bartlett  
**Subject:** RE: Local 38 Sept. 16 open records response UPDATED!

Buddy,

We did discuss that you would consider submitting a proposal to simplify and prioritize the sections of the request. However, I specifically stated that this potential format (removing the requirement that Steve Frank not be a recipient) as opposed to other alternatives (limit by subject or search terms) would negate a great deal of the time and work I put into the original request. We basically have to start over.

I stated that it would not be possible to have records to you by Monday 10/10/16. 10/11/16 is just as unreasonable. Please keep in mind that the last time Local 38 submitted a request for emails, it took an intern 2 months of full time devotion to the request.

As such, please see the City's updated response which is attached.

I will work on getting you the first portion of this request as soon as we can.

**Cassandra Zoda**  
**Assistant City Solicitor**  
City of Covington, Legal Department  
20 West Pike Street, 1st Floor Covington KY 41011  
859-292-2146 direct | 859-292-2311 main

---

**From:** Buddy Wheatley [<mailto:bwheatley@econjustice.com>]  
**Sent:** Monday, October 10, 2016 6:42 AM  
**To:** Cassandra Zoda  
**Cc:** Frank E. Warnock; Starr Ford; Michael Bartlett  
**Subject:** RE: Local 38 Sept. 16 open records response UPDATED!

Cassandra,

Per our conversation Friday afternoon, I am providing an update to Local 38's September 16 open records request. We concurred that Local 38 would simplify and prioritize its original open records

request in order to execute a prompt reply from the city.

The six (6) numbered batch requests listed below have narrowed the time frame of the original request, and removed the exclusion of a third party. It is important to recognize the length of delay already encountered related to the September 16 original request. With these parameters, and given the time already expired and searches already conducted, it seems reasonable that batch #1 be delivered by **October 11, 2016**, and subsequent batches delivered every 2-3 days.

The numbered batch requests below simply require executing, from the sender's sent file, a search of the named recipient. No further search terms or criteria is necessary. All emails that populate the search are requested. Local 38 recognizes the city will then need review those emails for exempt material.

**Batch #1 request:** All emails sent from City Manager Larry Klein that includes Mayor Sherry Carran as a recipient between the dates of August 15, 2016 and September 11, 2016.

**Batch #2 request:** All emails sent from City Manager Larry Klein that includes Fire Chief Dan Mathew as a recipient between the dates of August 15 and September 11, 2016.

**Batch #3 request:** All emails sent from City Manager Larry Klein that includes Commissioner Bill Wells as a recipient between the dates of August 15 and September 11, 2016.

**Batch #4 request:** All emails sent from Mayor Sherry Carran that includes City Manager Larry Klein as a recipient between the dates of August 15, 2016 and September 11, 2016.

**Batch #5 request:** All emails sent from Fire Chief Dan Mathew that includes City Manager Larry Klein as a recipient between the dates of August 15, 2016 and September 11, 2016.

**Batch #6 request:** All emails sent from Commission Bill Wells that includes City Manager Larry Klein as a recipient between the dates of August 15, 2016 and September 11, 2016.  
(end of requests)

In order to meet the spirit of open government, and KRS 61.870-61.884, it would follow that limited redactions will occur, and that the requested batches be deliverable in the shortest time-frame possible. Local 38 looks forward to an expedited response.

Buddy Wheatley

---

**From:** Cassandra Zoda [<mailto:czoda@covingtonky.gov>]  
**Sent:** Friday, October 07, 2016 2:19 PM  
**To:** Buddy Wheatley  
**Cc:** Frank E. Warnock; Starr Ford; Michael Bartlett  
**Subject:** RE: Local 38 Sept. 16 open records response

Mr. Wheatley:

As I have previously explained, given the very large number of emails, it took over 3 days for the City to even be able to pull all of the responsive emails from the requested accounts. However, under the open records law, the City is required to respond within three days giving the earliest date the records will be available. Given the limited information I had in that 3 day time frame, I estimated that the *earliest* date the records would be available was October 7, 2016, or that an update would be provided by that time. I did not expect the emails to be anywhere near the number that was pulled in. The October 7, 2016 date was by no means a promise that the records would definitely be available by October 7, 2016. When I discovered the very large amount of emails I would have to sort through, this drastically increased the timeline to respond. I discussed this with Mr. Cherry via phone and told him as much. Please note that numerous attorney general opinions deal with requests for emails, and state that the requester should expect reasonable delays for expansive requests such as the one submitted by Mr. Cherry.

Also, I think your characterization of the requests is not entirely correct. There is no way for the City to find emails that do not have Steve Frank as a recipient without first reading through all of the emails between the two individuals listed in the requests. The City does not keep emails organized in this manner. You are asking for a record that does not exist in the format requested. The record being "all emails between person x and y, but not including person z", not the individual emails themselves.

I am doing my best to sort through each email to see if it is even responsive, and then to make a determination whether it is releasable. Once the first batch is complete, I will turn it over and then move on to the next portion of the request. I would appreciate your patience and understanding in this. I sincerely hope that it will not take until the time I estimated in my most recent letter. However, to avoid the confusion we had here today I wanted to make sure we set out enough time. What do you feel a reasonable time frame would be for the entire request?

**Cassandra Zoda**  
**Assistant City Solicitor**

City of Covington, Legal Department  
20 West Pike Street, 1st Floor Covington KY 41011  
859-292-2146 direct | 859-292-2311 main

**From:** Buddy Wheatley [<mailto:bwheatley@econjustice.com>]

**Sent:** Friday, October 07, 2016 1:56 PM

**To:** Cassandra Zoda

**Subject:** Local 38 Sept. 16 open records response

Cassandra,

I'm responding on behalf of The Covington Professional Firefighters IAFF Local 38. Local 38 is in receipt of your October 6, 2016 response to its September 16 open records request. In short, Local 38 does not accept the city's response and is demanding the city meet its obligations under the law, and as expressed in the city's September 21, 2016 reply to Local 38. That reply established today, October 7, as the date to deliver those items identified in the open records request as deliverable

on this date.

Local 38 does is in disagreement on the city's assessment regarding which actions constitute an unreasonable burden. The fire union's request covers a six week period. The emails requested are between specific parties, in exclusion of a third party. These are reasonable requests, and for records that exist. The city is not tasked with a request that the city has determined to "compile a list or create a record".

The emails exist, as evidenced by the 1679 emails cited in the city's October 6 response to Local 38. Some portion of Local 38's open records should be deliverable today given 16 days have passed since the city established October 7 as the date it would respond.

Please contact me today, as soon as possible, to discuss avenues to meet the city's legal obligations to fulfill this open records response.

Buddy Wheatley

Cook & Logothetis, LLC  
22 West 9th Street  
Cincinnati, Ohio 45202  
Cell (859) 912-4847  
Office (513) 721-0444  
Fax (513) 721-1178

Buddy Wheatley  
421 Madison Ave.  
Covington, KY 41011

*This message may contain confidential information and communications subject to the attorney-client privilege. If this message has been received by anyone other than the intended recipient by error, please deliver it to the intended recipient as soon as possible, and destroy this message. Should you have any questions, please contact me at the address and number listed above.*

**From:** [Buddy Wheatley](#)  
**To:** [Cassandra Zoda](#)  
**Subject:** Re: Local 38 - Open Records Request  
**Date:** Monday, October 17, 2016 12:37:55 PM

---

Thanks Cassandra. I think Mike Davis, vice President of Local 38, will be picking it up this afternoon. Can you tell me if it includes all emails between the city manager and mayor for the time listed?

Sent from my iPhone

On Oct 17, 2016, at 9:35 AM, Cassandra Zoda <[czoda@covingtonky.gov](mailto:czoda@covingtonky.gov)> wrote:

Buddy:

The disc is available for pick up at your convenience.

Thanks and have a great day.

Sincerely,

**Cassandra Zoda**  
**Assistant City Solicitor**  
City of Covington, Legal Department  
20 West Pike Street, 1st Floor Covington KY 41011  
859-292-2146 direct | 859-292-2311 main

**From:** Cassandra Zoda  
**Sent:** Monday, October 17, 2016 7:41 AM  
**To:** Buddy Wheatley  
**Subject:** RE: Local 38 - Open Records Request

Thanks Buddy, I will email you today when the CD is ready.

----- Original message -----

**From:** Buddy Wheatley <[bwheatley@econjustice.com](mailto:bwheatley@econjustice.com)>  
**Date:** 10/15/16 5:47 PM (GMT-05:00)  
**To:** Cassandra Zoda <[czoda@covingtonky.gov](mailto:czoda@covingtonky.gov)>  
**Subject:** RE: Local 38 - Open Records Request

Thank you for attempting to facilitate the request. Local 38 wishes city staff to direct all efforts to completing the batch 1 request. You indicated about 230 emails were sent from the city manager to the mayor during the identified period, 8-15-16 through 9-11-16. In the interest of saving paper, and perhaps costs, Local 38 does like the idea of burning a disc to deliver the response. Thanks Cassandra.

The batch 2 request are for emails between the city manager and fire chief during the same time period as batch 1. It is anticipated that far fewer emails are involved, thus a

much shorter turnaround.

**From:** Cassandra Zoda [<mailto:czoda@covingtonky.gov>]  
**Sent:** Friday, October 14, 2016 5:13 PM  
**To:** Buddy Wheatley  
**Subject:** Local 38 - Open Records Request

Buddy:

As we discussed via phone earlier today, we have identified some documents that are ready to be produced responsive to request number 1. However, in accordance with the Open Records Act, when responding to a request the City is required to describe anything that is not produced.

In the interest of facilitating an on-going effort to respond to a large request, we can provide what we've identified as of late this afternoon if you are okay with the City reserving the right to explain what was withheld at the conclusion of our response to request number 1.

If this is suitable to you, I will burn what is available to a disc and have it available for pick up at City Hall Monday morning.

Let me know if you have any questions or issues. Thanks and have a nice weekend!

Sincerely,

Cassandra

**Cassandra Zoda**  
**Assistant City Solicitor**  
City of Covington, Legal Department  
20 West Pike Street, 1st Floor, Covington, KY 41011  
859-292-2146 direct | 859-292-2311 main  
859-292-2130 fax

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Disclaimer: Please note all content in this email may be subject to open records request.

**From:** Cassandra Zoda  
**To:** "[Buddy Wheatley](#)"  
**Cc:** [Michael Bartlett](#)  
**Subject:** RE: Local 38 - Open Records Request  
**Date:** Monday, October 17, 2016 12:44:38 PM

---

Buddy:

As I stated in my original email and in our telephone conversation Friday, the review of all emails between the City Manager and the Mayor is not yet complete.

In our previous conversations you have asked if I can provide what we've already reviewed that is ready to turn over despite the on-going review. I am simply complying with that request.

The rest of the non-exempt emails will be turned over as soon as my review is complete.

Thanks,

**Cassandra Zoda**  
**Assistant City Solicitor**

City of Covington, Legal Department  
20 West Pike Street, 1st Floor Covington KY 41011  
859-292-2146 direct | 859-292-2311 main

---

**From:** Buddy Wheatley [mailto:[bwheatley@econjustice.com](mailto:bwheatley@econjustice.com)]  
**Sent:** Monday, October 17, 2016 12:37 PM  
**To:** Cassandra Zoda  
**Subject:** Re: Local 38 - Open Records Request

Thanks Cassandra. I think Mike Davis, vice President of Local 38, will be picking it up this afternoon. Can you tell me if it includes all emails between the city manager and mayor for the time listed?

Sent from my iPhone

On Oct 17, 2016, at 9:35 AM, Cassandra Zoda <[czoda@covingtonky.gov](mailto:czoda@covingtonky.gov)> wrote:

Buddy:

The disc is available for pick up at your convenience.

Thanks and have a great day.

Sincerely,

**Cassandra Zoda**  
**Assistant City Solicitor**

City of Covington, Legal Department  
20 West Pike Street, 1st Floor Covington KY 41011  
859-292-2146 direct | 859-292-2311 main

---

**From:** [Buddy Wheatley](#)  
**To:** [Cassandra Zoda](#)  
**Subject:** Re: ORR - Local 38  
**Date:** Thursday, October 27, 2016 11:52:11 AM

---

Thank you Cassandra. There should be someone to pick up the CD later today.

Sent from my iPhone

On Oct 27, 2016, at 11:28 AM, Cassandra Zoda <[czoda@covingtonky.gov](mailto:czoda@covingtonky.gov)> wrote:

Buddy:

I just wanted to follow up on our telephone conversation via email today. As we discussed, the records for portion 1 of the request are ready for pick up.

Please let me know if you have any questions.

Sincerely,

Cassandra

**Cassandra Zoda**

**Assistant City Solicitor**

City of Covington, Legal Department

20 West Pike Street, 1st Floor, Covington, KY 41011

859-292-2146 direct | 859-292-2311 main

859-292-2130 fax

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Disclaimer: Please note all content in this email may be subject to open records request.

**From:** [Buddy Wheatley](#)  
**To:** [Cassandra Zoda](#)  
**Subject:** RE: ORR - Local 38  
**Date:** Monday, October 31, 2016 12:21:25 PM

---

Thank you Cassandra. I will get back with you if Local 38 has further preference for burning a CD, but for now your attached pdf is fine.

Buddy

---

**From:** Cassandra Zoda [<mailto:czoda@covingtonky.gov>]  
**Sent:** Monday, October 31, 2016 10:39 AM  
**To:** Buddy Wheatley  
**Subject:** RE: ORR - Local 38

Buddy:

I have completed review of batch 2. Again, in the interest of getting emails to you and Local 38 as quickly as possible, I am turning over these emails prior to final completion of reviewing your open records request.

There were fewer emails in this batch so I can provide the emails in PDF format. These can also be burned to a disc and picked up again if that works better for you.

Consistent with the Open Records Act, once the entire review is complete the City will submit a final letter explaining any redactions and withholdings.

If you have any questions or concerns please feel free to contact me.

Sincerely,

**Cassandra Zoda**  
**Assistant City Solicitor**  
City of Covington, Legal Department  
20 West Pike Street, 1st Floor Covington KY 41011  
859-292-2146 direct | 859-292-2311 main

---

**From:** Buddy Wheatley [<mailto:bwheatley@econjustice.com>]  
**Sent:** Thursday, October 27, 2016 11:52 AM  
**To:** Cassandra Zoda  
**Subject:** Re: ORR - Local 38

Thank you Cassandra. There should be someone to pick up the CD later today.

Sent from my iPhone

On Oct 27, 2016, at 11:28 AM, Cassandra Zoda <[czoda@covingtonky.gov](mailto:czoda@covingtonky.gov)> wrote:

Buddy:

I just wanted to follow up on our telephone conversation via email today. As we discussed, the records for portion 1 of the request are ready for pick up.

Please let me know if you have any questions.

Sincerely,

Cassandra

**Cassandra Zoda**

**Assistant City Solicitor**

City of Covington, Legal Department

20 West Pike Street, 1st Floor, Covington, KY 41011

859-292-2146 direct | 859-292-2311 main

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Buddy Wheatley  
Cook & Logothetis, LLC  
22 West 9th Street  
Cincinnati, Ohio 45202

11/3/2016

**RE: Open Records Requests – 9/16/16 & 10/10/16**

Dear Mr. Wheatley:

I am writing on behalf of the official custodian of records for the City of Covington (“City”) in response to your open records request dated 10/10/16 and received via email on 10/10/16 in which you requested the following:

Batch #1 request: All emails sent from City Manager Larry Klein that includes Mayor Sherry Carran as a recipient between the dates of August 15, 2016 and September 11, 2016.

Batch #2 request: All emails sent from City Manager Larry Klein that includes Fire Chief Dan Mathew as a recipient between the dates of August 15 and September 11, 2016.

Batch #3 request: All emails sent from City Manager Larry Klein that includes Commissioner Bill Wells as a recipient between the dates of August 15 and September 11, 2016.

Batch #4 request: All emails sent from Mayor Sherry Carran that includes City Manager Larry Klein as a recipient between the dates of August 15, 2016 and September 11, 2016.

Batch #5 request: All emails sent from Fire Chief Dan Mathew that includes City Manager Larry Klein as a recipient between the dates of August 15, 2016 and September 11, 2016.

Batch #6 request: All emails sent from Commission Bill Wells that includes City Manager Larry Klein as a recipient between the dates of August 15, 2016 and September 11, 2016.

(end of requests)

This request was intended to be an amendment to a request sent by you and Tyler Cherry on 9/16/16.

The City is providing you with 450 emails responsive to your request. For the reasons set forth below, City is withholding 445 emails responsive to your request.

Based on the nature of your request for “all emails,” many of the documents responsive to your request were preliminary drafts, notes, or recommendations. 428 emails responsive to your request have been withheld in their entirety because they consist of preliminary correspondence with private individuals, preliminary drafts, preliminary recommendations, and preliminary



memoranda in which opinions are expressed or policies formulated or recommended. These records are exempt from inspection pursuant to KRS 61.878(1)(i) and KRS 61.878(1)(j).

The excluded documents include emails in which City staff and/or officials discuss strategies and approaches, solicit or consider opinions, or recommend a course of action. See *OAG 07-ORD-161; Baker v. Jones, 199 S.W.3d 749 (Ky. App. 2006)*. These documents also include preliminary drafts, notes and correspondence with private individuals, which are exempt from disclosure pursuant to KRS 61.878(1)(i). See also *OAG 03-ORD-165*. These emails have not been adopted as the basis of final agency action. Disclosure of these documents would harm the City's ability to freely discuss options and to formulate policies.

A very large portion of the withheld emails consist of preliminary correspondence with private individuals about parking and flooding issues within the City, and internal discussion about how to address the complaints. In these emails, City staff members express opinions on possible causes for the issues and formulate potential remedies. Other common subjects of the emails include discussion of very personal neighborly disputes, drafts of City press releases, draft contracts, recommended procedures for special events, waste management in public parks, potential development within the City, and sidewalk replacement proposals.

10 emails responsive to your request have been withheld in their entirety because they consist of legal advice. The documents consist of staff opinions and confidential communications made for the purpose of facilitating the rendition of professional legal services. These emails are thus exempt from inspection pursuant to KRS 61.878(1)(i), KRS 61.878(1)(j), KRS 61.878(1)(l), and KRE 503. See *14-ORD-167*.

5 emails responsive to your request have been withheld in their entirety because they consist of information of a personal nature, where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy. The email contains a list of Fire Department and EMS runs. The document makes references to personal injuries and needs for assistance at certain residences. The need for medical treatment is information of a highly personal nature. This interest in privacy outweighs the public's interest in disclosure. This information is exempt from inspection pursuant to KRS 61.878(1)(a).

Enclosed you will find a list of the subject lines of all emails withheld for reference.

Portions of the emails that have been provided to you have been partially redacted. The redactions consist of names, addresses, telephone numbers, and email addresses of private individuals, as well as some communications between private individuals. The redacted information constitutes information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy. There is a recognized privacy interest in this personal information that outweighs the public's interest in disclosure. See *generally 10-ORD-011; 14-ORD-197*. A small portion of the redactions consist of preliminary opinions and recommendations by City officials about. These communications are exempt from inspection pursuant to KRS 61.878(1)(i) and KRS 61.878(1)(j).

Please note there is a copying charge of ten cents (\$0.10) per page and twenty cents (\$0.20) for each CD containing responsive documents. Enclosed please find an invoice for \$0.60, as 3 CDs have been produced responsive to this request. You may pick up the non-exempt records at City Hall at your convenience.



Should you have any questions or need anything further, please feel free to contact me.

Sincerely,

Cassandra J. Zoda

**From:** Cassandra Zoda  
**To:** "Buddy Wheatley"  
**Subject:** RE: ORR - Local 38  
**Date:** Thursday, November 10, 2016 10:16:00 AM

---

Buddy:

I sent a final letter regarding the open records request with the City's AG appeal response. To my knowledge no one has picked up the final CD. Just wanted to follow up and make sure the letters were received or if I should send them again.

Thanks,

**Cassandra Zoda**  
**Assistant City Solicitor**  
City of Covington, Legal Department  
20 West Pike Street, 1st Floor Covington KY 41011  
859-292-2146 direct | 859-292-2311 main

---

**From:** Buddy Wheatley [mailto:bwheatley@econjustice.com]  
**Sent:** Monday, October 31, 2016 12:19 PM  
**To:** Cassandra Zoda  
**Subject:** RE: ORR - Local 38

Thank you Cassandra. I will get back with you if Local 38 has further preference for burning a CD, but for now your attached pdf is fine.

Buddy

---

**From:** Cassandra Zoda [mailto:czoda@covingtonky.gov]  
**Sent:** Monday, October 31, 2016 10:39 AM  
**To:** Buddy Wheatley  
**Subject:** RE: ORR - Local 38

Buddy:

I have completed review of batch 2. Again, in the interest of getting emails to you and Local 38 as quickly as possible, I am turning over these emails prior to final completion of reviewing your open records request.

There were fewer emails in this batch so I can provide the emails in PDF format. These can also be burned to a disc and picked up again if that works better for you.

Consistent with the Open Records Act, once the entire review is complete the City will submit a final letter explaining any redactions and withholdings.

If you have any questions or concerns please feel free to contact me.

Sincerely,

**Cassandra Zoda**

**Assistant City Solicitor**

City of Covington, Legal Department

20 West Pike Street, 1st Floor Covington KY 41011

859-292-2146 direct | 859-292-2311 main

**From:** Buddy Wheatley [<mailto:bwheatley@econjustice.com>]

**Sent:** Thursday, October 27, 2016 11:52 AM

**To:** Cassandra Zoda

**Subject:** Re: ORR - Local 38

Thank you Cassandra. There should be someone to pick up the CD later today.

Sent from my iPhone

On Oct 27, 2016, at 11:28 AM, Cassandra Zoda <[czoda@covingtonky.gov](mailto:czoda@covingtonky.gov)> wrote:

Buddy:

I just wanted to follow up on our telephone conversation via email today. As we discussed, the records for portion 1 of the request are ready for pick up.

Please let me know if you have any questions.

Sincerely,

Cassandra

**Cassandra Zoda**

**Assistant City Solicitor**

City of Covington, Legal Department

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Disclaimer: Please note all content in this email may be subject to open records request.

**17-ORD-004**

January 13, 2017

In re: Charles Wheatley/City of Covington

*Summary:* City of Covington did not excessively delay the inspection of 895 e-mails where terms of request were changed midway through the process, redaction was necessary for several reasons, and final disposition was made within 24 days of amended request. City met its burden of justifying various withheld and redacted e-mails on basis of KRS 61.878(1)(a), (i), (j), and (l), and attorney-client privilege. Ambulance run reports are confidential under KRS 311A.190(5). Any withheld information on fire department runs which do not qualify as “medical first response runs,” except for information pertaining to private individuals, should be disclosed.

*Open Records Decision*

The question presented in this appeal is whether the City of Covington violated the Open Records Act in the disposition of Charles Wheatley’s request for various e-mails of city officials. For the reasons stated below, we find no substantive violation of the Act.

Mr. Wheatley’s initial request, dated September 16, 2016, contained six categories, each seeking “all email sent” from one named official with another named official as a recipient, “but not Commissioner Steve Frank” as a recipient, between August 1 and September 13, 2016. Due to the number of e-mails

implicated by the request, city personnel were unable to assemble all of them within the three business days provided by KRS 61.880(1).

According to a response to this appeal by Assistant City Solicitor Cassandra J. Zoda, the city responded to the request within the three business days and advised that the earliest date the records would be available was October 7, 2016. The record does not contain a written response to the request sent within the three-day period. In general, “[v]erbal responses are not sufficient” under the Open Records Act. 16-ORD-081. KRS 61.872(5) provides:

If the public record is in active use, in storage or not otherwise available, the official custodian shall immediately notify the applicant and shall designate a place, time, and date for inspection of the public records, not to exceed three (3) days from receipt of the application, unless a detailed explanation of the cause is given for further delay and the place, time, and earliest date on which the public record will be available for inspection.

The record does not reflect whether this provision was complied with by the third business day, particularly in regard to “a detailed explanation of the cause ... for further delay.” If it was not, the city committed a procedural violation of the Act.

On September 22, 2016, the fourth business day, the city legal department contacted Mr. Wheatley’s organization (Covington Professional Firefighters, I.A.F.F. Local 38) by telephone and advised that the city’s search had found more e-mails than anticipated and production was likely to take longer than October 7, 2016. The city sent a letter on October 6, 2016, stating that the terms of the request were burdensome because each e-mail located had to be individually reviewed to determine whether Commissioner Steve Frank was an additional recipient, which would require approximately 84 hours to scan 1,679 potentially responsive e-mails. Further, an estimated 1,000 responsive e-mails would have to be reviewed for exempt material, requiring another 166 hours. Nevertheless, in a spirit of cooperation, the city did not deny the request, but estimated that the entire response would be completed by February 10, 2017. The union was encouraged to narrow the request if possible.

On October 10, 2016, Mr. Wheatley amended his request so as to remove the “but not Commissioner Steve Frank” term. Additionally, the amended request altered the date range to August 15-September 11, 2016. These altered terms, which partially narrowed but partially broadened the request, required the city to recompile the responsive e-mails in response to the changes. Nevertheless, the city committed to producing the records by December 30, 2016, and in fact completed its fulfillment of the request by November 3, 2016, a mere 24 days after the amended request. Ultimately, 450 e-mails were produced and 445 were withheld as exempt, along with some redacted portions of the produced e-mails.

Mr. Wheatley initiated his appeal on October 24, 2016, contending that the delay in producing the records was excessive. Ten days later, the final records were provided along with the letter of November 3, 2016, which set forth the following details regarding the e-mails that were withheld:

Based on the nature of your request for “all emails,” many of the documents responsive to your request were preliminary drafts, notes, or recommendations. 428 emails responsive to your request have been withheld in their entirety because they consist of preliminary correspondence with private individuals, preliminary drafts, preliminary recommendations, and preliminary memoranda in which opinions are expressed or policies formulated or recommended. These records are exempt from inspection pursuant to KRS 61.878(1)(i) and KRS 61.878(1)(j).

The excluded documents include emails in which City staff and/or officials discuss strategies and approaches, solicit or consider opinions, or recommend a course of action. [Citations omitted.] These documents also include preliminary drafts, notes and correspondence with private individuals, which are exempt from disclosure pursuant to KRS 61.878(1)(i). ... These emails have not been adopted as the basis of final agency action. Disclosure of these documents would harm the City’s ability to freely discuss options and to formulate policies.

A very large portion of the withheld emails consist of preliminary correspondence with private individuals about parking and flooding issues within the City, and internal discussion about how to address the complaints. In these emails, City staff members express opinions of possible causes for the issues and formulate potential remedies. Other common subjects of the emails include discussion of very personal neighborly disputes, drafts of City press releases, draft contracts, recommended procedures for special events, waste management in public parks, potential development within the City, and sidewalk replacement proposals.

10 emails responsive to your request have been withheld in their entirety because they consist of legal advice. The documents consist of staff opinions and confidential communications made for the purpose of facilitating the rendition of professional legal services. These emails are thus exempt from inspection pursuant to KRS 61.878(1)(i), KRS 61.878(1)(j), KRS 61.878(1)(l), and KRE 503. ...

5 emails responsive to your request have been withheld in their entirety because they consist of information of a personal nature, where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy. The email contains a list of Fire Department and EMS runs. The document makes references to personal injuries and needs for assistance at certain residences. The need for medical treatment is information of a highly personal nature. This interest in privacy outweighs the public's interest in disclosure. This information is exempt from inspection pursuant to KRS 61.878(1)(a).

Enclosed you will find a list of the subject lines of all emails withheld for reference.

Additionally, the city redacted some portions of e-mails which were "preliminary opinions and recommendations," as well as certain information redacted on the basis of personal privacy: "names, addresses, telephone numbers, and email addresses of private individuals, as well as some communications between private individuals."

### **Timeliness of fulfilling request**

We find that the time taken to complete this request was reasonable and therefore did not subvert the intent of the Open Records Act within the meaning of KRS 61.880(4).<sup>1</sup> “A determination of what is a ‘reasonable time’ for inspection turns on the particular facts presented, *i.e.*, the breadth of the request and the number of documents it encompasses, as well as the difficulty of accessing and retrieving those records.” 03-ORD-050. As we stated in 2012:

[B]roadly worded requests for “all email” sent or received by a particular person or persons, or related to a particular subject, or within a stated timeframe, have become increasingly common. Although such requests are not “improper,” they could not have been envisioned by the General Assembly in adopting a three working day statutory deadline for records production when the Open Records Law was enacted in 1976, and applicants submitting requests cannot reasonably expect agencies to which these requests are directed to produce all responsive records within the three day deadline. Applicants are therefore urged to frame their requests as narrowly as possible and, if unable or unwilling to do so, to expect reasonable delays in records production.

12-ORD-097, n.4.

The search in this case yielded a final total of 895 e-mails responsive to the amended request. The time between Mr. Wheatley’s initial request and his amended request was 24 days. From the amended request to the production of the final group of records was, again, 24 days. Based on an adequate showing by the agency, we have in the past found justification for delays as long as 81 days, 14-ORD-024, and in one extreme case six months. 12-ORD-097. Given the

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<sup>1</sup> KRS 61.880(4) provides:

If a person feels the intent of KRS 61.870 to 61.884 is being subverted by an agency short of denial of inspection, including but not limited to the imposition of excessive fees or the misdirection of the applicant, the person may complain in writing to the Attorney General, and the complaint shall be subject to the same adjudicatory process as if the record had been denied.

volume of e-mail involved in this case, the changing terms of the request, the need to recapitulate the search for records, and the need to review and redact a large number of e-mails, we find that a period of 24 days was justified.

### **Withheld and redacted records**

Regarding the redactions and withheld e-mails, we note that KRS 61.878(1)(i) and (j) permit the withholding from inspection of, respectively:

Preliminary drafts, notes, correspondence with private individuals, other than correspondence which is intended to give notice of final action of a public agency; [and]

Preliminary recommendations, and preliminary memoranda in which opinions are expressed or policies formulated or recommended.

In *University of Kentucky v. Courier-Journal & Louisville Times Co.*, 830 S.W.2d 373, 378 (Ky. 1992), the Kentucky Supreme Court made clear that “materials that were once preliminary in nature lose their exempt status once they are *adopted* by the agency as part of its action.” (Emphasis added.)

“Until final administrative action is taken, or a decision is made to take no action, the requested records are protected by KRS 61.878(1)(i) and (j). If the records are adopted as part of that final action, they will forfeit their preliminary characterization. If not adopted, they will retain their preliminary character.” 01-ORD-47. A record “is adopted as the basis of final action insofar as the final action ‘necessarily stem[s] from’ that document.” 10-ORD-034 (quoting *City of Louisville v. Courier-Journal and Louisville Times Company*, 637 S.W.2d 658, 659, 660 (Ky. App. 1982).

E-mails containing strategies, opinions, or recommendations that have not been adopted as the basis of final agency action fall within the coverage of KRS 61.878(1)(j). Similarly, those e-mails consisting of preliminary drafts, notes, or correspondence with private individuals, which have likewise not been adopted as the basis of final action, are properly within the scope of KRS 61.878(1)(i). See 07-ORD-108 and decisions cited therein. We find that the city’s November 3,

2016, response adequately explained the withholding and redaction of these categories of e-mails.

Regarding the attorney-client privilege, the city correctly notes that the privilege under KRE 503 is incorporated into the Open Records Act through KRS 61.878(1)(l). Confidential communications made for the purpose of rendering professional legal services are inherently within the scope of the attorney-client privilege. Additionally, legal opinions can be protected by the privilege, provided they are prepared for clients in the course of legal representation for the purpose of rendering legal advice and not shared with third parties. 14-ORD-167. Legal opinions given to city staff by the city's legal counsel, which otherwise meet these criteria, would therefore be privileged.

Lastly, there remains the privacy exception. KRS 61.878(1)(a) excludes from the application of the Open Records Act "[p]ublic records containing information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy." This language "reflects a public interest in privacy, acknowledging that personal privacy is of legitimate concern and worthy of protection from invasion by unwarranted public scrutiny," while the Open Records Act as a whole "exhibits a general bias favoring disclosure" and places the burden of establishing an exemption on the public agency. *Kentucky Board of Examiners of Psychologists v. Courier-Journal and Louisville Times Co.*, 826 S.W.2d 324, 327 (Ky. 1992). This necessitates a "comparative weighing of the antagonistic interests. Necessarily, the circumstances of a particular case will affect the balance. [T]he question of whether an invasion of privacy is 'clearly unwarranted' is intrinsically situational, and can only be determined within a specific context." *Id.* at 327-28.

The public interest in open records has been analyzed as follows by the Kentucky Court of Appeals:

At its most basic level, the purpose of disclosure focuses on the citizens' right to be informed as to what their government is doing. That purpose is not fostered however by disclosure of information about private citizens that is accumulated in various government files that reveals little or nothing about an agency's own conduct.

*Zink v. Com., Dept. of Workers' Claims, Labor Cabinet*, 902 S.W.2d 825, 829 (Ky. App. 1994). In *Zink*, the privacy interest of injured workers in their home addresses, telephone numbers, and Social Security numbers was found to outweigh the interest of an attorney seeking the information for marketing purposes where disclosure "would do little to further the citizens' right to know what their government is doing and would not in any real way subject agency action to public scrutiny." 902 S.W.2d at 829.

In *Kentucky New Era, Inc. v. City of Hopkinsville*, 415 S.W.3d 76, 83 (Ky. 2013), the Supreme Court found that certain information, such as home addresses and telephone numbers and Social Security numbers, is not routinely pertinent to the public interest served by the Open Records Act. With regard to "discrete types of information routinely included in an agency's records and routinely implicating similar grounds for exemption," the Court held, "the agency need not undertake an ad hoc analysis of the exemption's application to such information in each instance, but may apply a categorical rule." *Id.* at 89. With regard to the types of information at issue in *Kentucky New Era*, the Court found that the privacy interest "will almost always be substantial, and the public's interest in disclosure rarely so." *Id.* Therefore, the categorical redaction of this identifying information was upheld.

We have subsequently upheld the categorical redaction of private e-mail addresses. See 16-ORD-205 and decisions cited therein. As for names of private individuals, we have stated that these may be redacted along with other identifying information if there is no indication that their disclosure would serve the public purpose of the Open Records Act. 16-ORD-188. Here, the request is of the most general nature, for all e-mails exchanged by certain city officials. Accordingly, we affirm the redactions of personal data on private individuals.

Lastly, we address the list of Fire Department and EMS runs, which refers to personal injuries and needs for medical treatment at certain residences. In OAG 92-75, we opined that KRS 61.878(1)(a) did not protect "information of a general nature" contained in ambulance run reports, "such as the number of runs made, the destination of the runs, whether an individual or individuals were transported to a hospital or treatment facility, and if so, where they were taken." We find, however, that an alternative basis exists for affirming the city's decision

to withhold this record insofar as it relates to medical first response runs. KRS 311A.190(5) provides:

Ambulance provider and medical first response provider run report forms and the information transmitted electronically to the [Kentucky Board of Emergency Medical Services] shall be confidential. No person shall make an unauthorized release of information on an ambulance run report form or medical first response run report form. Only the patient or the patient's parent or legal guardian if the patient is a minor, or the patient's legal guardian or person with proper power of attorney if the patient is under legal disability as being incompetent or mentally ill, or a court of competent jurisdiction may authorize the release of information on a patient's run report form or the inspection or copying of the run report form. Any authorization for the release of information or for inspection or copying of a run report form shall be in writing.

In the absence of proper authorization, ambulance and medical first response run reports are therefore exempted from disclosure under this statute, which is deemed incorporated into the Open Records Act by KRS 61.878(1)(l).

To the extent that any fire department runs on the list may *not* constitute "medical first response runs" within the meaning of KRS 311A.190(5), however, they must be treated differently from ambulance runs. In 94-ORD-133, we held that for fire run logs "[t]o be exempt from inspection, particulars regarding given notations on the log must be articulated in terms of the requirement of" KRS 61.878(1)(a). Nevertheless, in light of *Kentucky New Era, Inc., supra*, specific information identifying private individuals is subject to categorical redaction unless it has a particular relevance to the public interest served by the Open Records Act. No such relevance has been shown here.<sup>2</sup> Therefore, this

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<sup>2</sup> Though two months have passed since the November 3 letter, we note that Mr. Wheatley has not contested on the record any of the redactions or withheld e-mails. While this does not deprive us of jurisdiction to review a public agency's decision to withhold public records, neither does it raise any further questions regarding what appears to have been a rationally justified decision supported by the applicable law.

identifying information is presumptively excludable from inspection. Any information on fire runs that does not pertain to private individuals or to medical first response should be disclosed.

### **Conclusion**

In light of the totality of the circumstances, we find that the City of Covington did not excessively delay the inspection of the e-mails requested by Mr. Wheatley. Furthermore, we find that the city has, for the most part, met its burden of justifying the withheld e-mails and redactions under the cited exceptions, along with KRS 311A.190(5). Any withheld information on fire department runs which do not qualify as "medical first response runs," except for information pertaining to private individuals, should be disclosed.

A party aggrieved by this decision may appeal it by initiating action in the appropriate circuit court pursuant to KRS 61.880(5) and KRS 61.882. Pursuant to KRS 61.880(3), the Attorney General must be notified of any action in circuit court, but should not be named as a party in that action or in any subsequent proceeding.

Andy Beshear  
Attorney General

James M. Herrick  
Assistant Attorney General

#432

Distributed to:

Charles R. Wheatley, Esq.  
Cassandra J. Zoda, Esq.  
Frank Warnock, Esq.

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 9:55 PM  
**To:** Scott White  
**Subject:** FW: Covington Firefighter' Press Release  
**Attachments:** Press Release 10-25-2016.docx

Scott White

City of Covington,

[direct](#) | [main](#)

---

**From:** Larry Klein  
**Sent:** Tuesday, October 25, 2016 12:57 PM  
**To:** [desmarais@covingtonky.gov](mailto:desmarais@covingtonky.gov)  
**Subject:** FW: Covington Firefighter' Press Release

I have Frank and Cassandra working on a press release about this.

**Larry Klein**  
**City Manager**  
City of Covington, Administration  
20 West Pike Street, 2nd Floor Covington KY 41011  
859-292-2133 direct | 859-292-2133 main  
**From:** Michael Monks [<mailto:mmonks@rcnky.com>]  
**Sent:** Tuesday, October 25, 2016 12:21 PM  
**To:** Larry Klein; Monica Beavers  
**Subject:** Fwd: Covington Firefighter' Press Release

You guys gonna respond to this?

----- Forwarded message -----

**From:** Tyler Cherry <[tcherry138@gmail.com](mailto:tcherry138@gmail.com)>  
**Date:** Tue, Oct 25, 2016 at 11:42 AM  
**Subject:** Covington Firefighter' Press Release  
**To:** [news@rcnky.com](mailto:news@rcnky.com), [swartman@nky.com](mailto:swartman@nky.com), [news@nkytrib.com](mailto:news@nkytrib.com), [newsdesk@wlwt.com](mailto:newsdesk@wlwt.com),  
[newsdesk@wcpo.com](mailto:newsdesk@wcpo.com), [local12@wkrc.com](mailto:local12@wkrc.com), [assignmentdesk@fox19.com](mailto:assignmentdesk@fox19.com), [news@wlw.com](mailto:news@wlw.com), "Joe Webb  
(Channel 12)" <[jwebb@local12.com](mailto:jwebb@local12.com)>

Attached is a press release in reference to an open records request filed by Covington Professional Firefighter IAFF Local #38. The City of Covington has refused to honor the request. Local #38 has filed a complaint with the Kentucky Attorney General's office.

Any other information requests, questions, comments can be directed to:

President Mike Lee: [859.620.9963](tel:859.620.9963) [iafflocal38@gmail.com](mailto:iafflocal38@gmail.com)

Vice President Mike Davis: [859.628.4151](tel:859.628.4151) [miked330@hotmail.com](mailto:miked330@hotmail.com)

Secretary/Treasurer Tyler Cherry: [859.992.9229](tel:859.992.9229) [tcherryL38@gmail.com](mailto:tcherryL38@gmail.com)

We are also willing to discuss the current city administration's misrepresentation of past negotiations, their violation of minimum staffing agreements, and their incorrect information given to the citizens that current staffing/deployment models are as safe or safer since September of 2011.

--

Michael A. Monks

Editor & Publisher

The River City News

621 Madison Avenue

Covington, KY 41011

859.261.1202 (office)

859.801.9133 (mobile)

Facebook, Twitter

***Northern Kentucky's News Leader***

FOR IMMEDIATE RELEASE  
October 25, 2016

## Firefighters File Complaint with Attorney General

### *City of Covington Fails to Comply with KY Open Records Law*

**Covington, KY**— Yesterday, October 24, 2016, the Covington Professional Firefighters, I.A.F.F. Local 38 filed an appeal with the Attorney General of the Commonwealth of Kentucky against the City of Covington for failing to comply with Kentucky's Open Records Law.

I.A.F.F. Local 38 filed an Open Records Request on September 16, 2016, requesting email records between public officials of the City of Covington during August and September of 2016. After initially responding within the legal 3-day time period, and requesting more time to produce the records, the City responded it would be February 10, 2017 before the emails could be produced. Even after Local 38 updated its Open Records Request to significantly reduce the number of requested emails, the city has failed to comply after more than 5 weeks.

The City of Covington provided a litany of excuses that do not explain their failure to comply. I.A.F.F. Local 38 worked diligently, and patiently, to help facilitate the production of at least a portion of the requested records by updating the request multiple times via email and phone communication with the City. The City has failed to produce the records requested.

The Letter of Appeal to the Attorney General states: "The non-production of Local 38's open records violates KRS 61.870-KRS 61.884. The process used by the city unduly delays production of said records, thus frustrating public policy, and the public trust in open and transparent government."

"The City's failure to comply with this request is unacceptable. This administration claims to value open, transparent government but yet fails to follow one of the most important parts of Kentucky's transparency laws," said Mike Lee, President of I.A.F.F. Local 38. "Local 38 should not have to file an appeal to the Attorney General to compel the City to live up to its obligations. The excuses are pitiful and barely pass the smell test. This is simply a delay tactic by the City, and it raises the obvious question: what is the City hiding?" asked Lee.

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 9:54 PM  
**To:** Scott White  
**Subject:** FW: Covington Firefighter' Press Release  
**Attachments:** talking points 10-25-16.docx

Scott White

City of Covington,

[direct](#) | [main](#)

---

**From:** Larry Klein  
**Sent:** Tuesday, October 25, 2016 4:49 PM  
**To:** Michael Monks; Monica Beavers  
**Cc:** Frank E. Warnock; Cassandra Zoda  
**Subject:** RE: Covington Firefighter' Press Release

Michael,

FYI the attached.

**Larry Klein**  
**City Manager**  
City of Covington, Administration  
20 West Pike Street, 2nd Floor Covington KY 41011  
859-292-2133 direct | 859-292-2133 main  
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You guys gonna respond to this?

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[newsdesk@wcpo.com](mailto:newsdesk@wcpo.com), [local12@wkrc.com](mailto:local12@wkrc.com), [assignmentdesk@fox19.com](mailto:assignmentdesk@fox19.com), [news@wlw.com](mailto:news@wlw.com), "Joe Webb  
(Channel 12)" <[jwebb@local12.com](mailto:jwebb@local12.com)>

Attached is a press release in reference to an open records request filed by Covington Professional Firefighter IAFF Local #38. The City of Covington has refused to honor the request. Local #38 has filed a complaint with the Kentucky Attorney General's office.

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Vice President Mike Davis: [859.628.4151](tel:859.628.4151) [miked330@hotmail.com](mailto:miked330@hotmail.com)

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Michael A. Monks

Editor & Publisher

The River City News

621 Madison Avenue

Covington, KY 41011

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Facebook, Twitter

***Northern Kentucky's News Leader***

October 25, 2016

An initial open records request was delivered to the City by Tyler Cherry of Local 38 September 16, 2016.

The request asked for emails by and between various City officials.

The Legal Department has received approximately 21 other open records requests from various sources since Local 38's September 16, 2016 request, and is working to process all requests in a timely fashion by providing documents.

In regard to Local 38's initial request, a response was tendered to Local 38 on September 19, 2016. The response essentially indicated that it would take time to gather, review and deliver the emails requested.

A request for the emails was sent to the City's technical support provider.

About 1,679 emails were delivered to the City Legal Department by the City's technical service provider in response to the open records request. Subsequently, about 400 additional emails were delivered to the Legal Department.

Each email must be reviewed by Legal Department staff to determine if it is responsive to the open records request, and to see if an exemption may apply for its release. No email may be released unless it is reviewed. Private information is redacted. Open record exemptions under KRS 61.878 are applied.

The initial request by Local 38 asked for all emails between various City officials as recipients, but not to another Commissioner, complicating the task of reading and determining which emails should be produced.

To respond to the original request, the Legal Department staff had to individually open each email and determine if the email was to one person, but did not include as a recipient the one Commissioner who was asked to be excluded.

In the initial request, about six email exchanges by and between City officials were requested by Local 38.

Legal staff estimated it would take about 250 hours of full time devotion to respond to Local 38's original request. This is based on an estimated time to gather, review and copy each email.

Meanwhile, the Legal Department exchanged telephone calls and email exchanges with Local 38 discussing the difficulty of responding to the open records request.

Subsequently, the City received an "updated" open records request that was delivered to the City per an email October 10, 2016.

The updated request modified the original request changing the dates of email exchanges and the search criteria. The updated request complicated the search, review and production of the emails

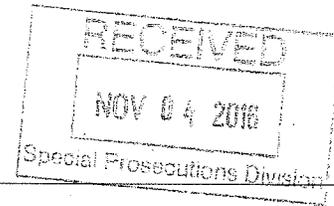
because the Commissioner's emails who had been excluded were now included in the open records request. That request resulted in more emails that have to be reviewed.

The City tendered a response within three days to the updated request estimating that it would take until December, 2016, to gather, review and deliver emails in response to the updated request.

About 40 or so emails have been delivered to Local 38.

The search terms implemented to find responsive emails generated approximately 2,000 or so emails to be reviewed by the Legal Department.

5



1<sup>ST</sup> ASST. COMMONWEALTH'S ATTORNEY  
Casey P. Burns

ASST. COMMONWEALTH'S ATTORNEYS  
Noah P. Wentz  
Cecily P. Plybon  
Lawrence D. Hilton  
Emily J. Arnzen  
Marie C. Schlotzker  
Rachel A. Hensley  
Heather R. Fumble  
Burr J. Travis  
Michael W. Westling

**ROB SANDERS**  
**COMMONWEALTH'S ATTORNEY**  
16<sup>th</sup> Judicial Circuit – Kenton County  
303 Court Street, Suite 605  
Covington, Kentucky 41011  
Tel: (859) 292-6580  
Fax: (859) 292-6587  
[www.kentonprosecutor.org](http://www.kentonprosecutor.org)

VICTIMS ADVOCATE  
Morgan R. Winter

November 4, 2016

Hon. Shawna Kincer  
Office of the Attorney General  
700 Capitol Avenue, Suite 118  
Frankfort, Kentucky 40601-3449

**RE: Investigation of Alleged Illegal Campaign Contributions and/or Official  
Misconduct by Government Officials in the City of Covington and/or  
Violations of the Kentucky Open Records Act**

Dear Shawna,

I am writing to request an investigation by the Kentucky Attorney General's Office, pursuant to KRS 15.190, into allegations of illegal campaign contributions and/or official misconduct by elected and/or appointed officials within the City of Covington, and/or possible violations of the Kentucky Open Records Act.

The Mayor of Covington and all four seats on the Board of Commissioners are up for reelection on November 8, 2016. Covington Professional Firefighters Local #38 has provided emails obtained via Open Records Request that appear, on their face, to indicate the Covington City Manager used city employees and resources to prepare the incumbent Mayor and City Commissioners for a candidates night sponsored by Local #38. Specifically, the City Manager appears to have emailed information and suggested answers on specific topics to be addressed at the political forum. The City Manager's email also thanks other city employees for their assistance in collecting the data and preparing the answers for the incumbent candidates. It is not clear from the emails whether the City Manager was acting on his own, or if he was acting at the direction of the Mayor and/or Commissioners.

If, in fact, city resources and/or employees were being used to conduct campaign activity, it may be in violation of KRS 121.045, KRS 522.020, KRS 522.030, or other sections of the Kentucky Revised Statutes. Additionally, as documented in the attached email from Local #38's attorney, several Open Records Requests submitted to the City of Covington have yet to be answered, months after originally being submitted. Given the political activity apparently

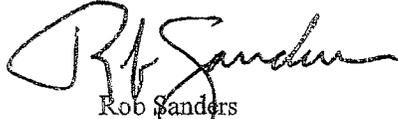


documented in the first batch of emails received from the City, Local #38 is also questioning whether the delay in answering their Open Records Requests is actually an effort to thwart the disclosure of additional incriminating emails before Election Day.

I am requesting the assistance of the Office of the Attorney General because I have known the challenger in the mayoral election my entire life and have publicly made statements in support of his campaign. Though I know I am completely capable of conducting a fair and impartial investigation into these allegations, I am requesting the assistance of the Office of the Attorney General in order to avoid any allegation or perception of bias.

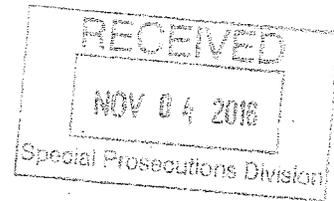
The relevant emails provided to me are enclosed with this request. They contain the contact information for the representatives of and attorney for Local #38. Please let me know if you need anything else from me in order to further this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob Sanders". The signature is written in a cursive, flowing style with a large initial "R".

Rob Sanders  
Commonwealth's Attorney

---



1<sup>st</sup> ASST. COMMONWEALTH'S ATTORNEY  
Casey P. Burns

ASST. COMMONWEALTH'S ATTORNEYS  
Noah P. Wentz  
Corey P. Plybon  
Lawrence D. Hilton  
Emily J. Amzen  
Marie C. Schletker  
Rachel A. Hensley  
Heather R. Fambie  
Burr J. Travis  
Michael W. Westling

**ROB SANDERS**  
COMMONWEALTH'S ATTORNEY  
15<sup>th</sup> Judicial Circuit - Kenton County  
303 Court Street, Suite 605  
Covington, Kentucky 41011  
Tel: (859) 292-6580  
Fax: (859) 292-6587  
[www.kentonprosecutor.org](http://www.kentonprosecutor.org)

VICTIMS ADVOCATE  
Morgan R. Winter

November 4, 2016

Hon. Shawna Kincaid  
Office of the Attorney General  
700 Capitol Avenue, Suite 118  
Frankfort, Kentucky 40601-3449

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COMMONWEALTH OF KENTUCKY  
OFFICE OF THE ATTORNEY GENERAL

ANDY BESHEAR  
ATTORNEY GENERAL

1024 CAPITAL CENTER DRIVE  
SUITE 200  
FRANKFORT, KENTUCKY 40601

December 29, 2016

Hon. Rob Sanders  
Commonwealth's Attorney  
303 Court Street, Suite 605  
Covington, Kentucky 41011

RE: Election / Official Misconduct Complaint of November 4, 2016

Dear Mr. Sanders:

My name is Michael Wright, and I am the Assistant Deputy Attorney General over the criminal divisions. We met briefly after the last PAC meeting here in Frankfort. At that time, I indicated to you that I did not believe this Office was going to be able to pursue any action regarding the complaint. That is our decision.

After reviewing the complaint, we did send the matter to the Kentucky Registry of Election Finance, as you had questioned whether there may be violations of election finance laws. On November 8, 2016, KREF notified us that they saw no violation of KRS 121.045. I understand that they have communicated this finding to you also.

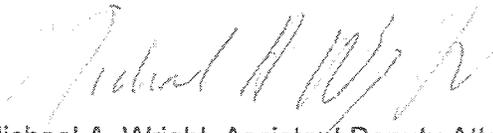
Separate from the KRS Chapter 121 issue, was the question of whether local city employees were used to conduct illegal campaign activities. You believed that asking city employees to prepare documents for a candidates' forum was improper. Again, our Department of Criminal Investigations concluded that as the request was written there was no criminal activity. Of significance in reaching this finding is an email from Covington City Manager Larry Kein, in which he informs several employees that they are free to share the information gathered for the forum with "any candidate who may also want to review it". (emphasis added) (email of Wednesday, September 7, 2016, provided with your original complaint.)

We make no finding or judgment regarding whether local Covington ethics rules may have been violated. I suggest that you may wish to discuss that with the County Attorney.

Again, I am glad to have briefly spoken with you at the PAC meeting. I look forward to seeing you at future meetings. Please know that if I or anyone on my staff can be of assistance to you in the future, we will be happy to do so.

Yours very truly,

ANDY BESHEAR  
KENTUCKY ATTORNEY GENERAL

A handwritten signature in cursive script, appearing to read "Michael A. Wright".

Michael A. Wright, Assistant Deputy Attorney General  
Office of the Attorney General  
1024 Capital Center Drive  
Frankfort, Kentucky 40601  
(502)696-5412  
[michaela.wright@ky.gov](mailto:michaela.wright@ky.gov)

OAG ELECTION INQUIRY FORM

16-G-032

Date:

11/4/2016

CALLER Rob Sanders

ADDRESS: 303 Court Street, Suite 605; Covington, KY 41011

PHONE(S): (859) 292-6580

COUNTY Kenton

CONG. DIST: \_\_\_\_\_

PRECINCT: \_\_\_\_\_

TIME: START 4:04 PM END 4:15 PM TOTAL: 11

PERSON TAKING COMPLAINT: Susan Mills

SPECIAL CIRCUMSTANCES: Rob Sanders is the Commonwealth Attorney for the  
16th Judicial Circuit

Applicable Election Inquiry Code

Campaign Violation

COMPLAINT/QUESTION AND BRIEF DESCRIPTION OF FACTS

CWA Rob Sanders sent a letter to the OAG requesting an investigation of alleged illegal campaign contributions and/or official misconduct by government officials in the City of Covington and/or violations of the Kentucky Open Records Act.

Mr. Sanders states that the Mayor of Covington and all 4 seats on the Board of Commissioners are up for re-election on November 8 and that Covington Profession Firefighters Local #38 has provided emails obtained via Open Records request that appear to indicate the Covington City Manager used city employees and resources to prepare the incumbent Mayor and City Commissioners for a candidate's night sponsored by Local #38. Specifically, he says, the City Manager appears to have emailed information and suggested answers on specific topics to be addressed at the political forum. The City Manager's email also thanked other city employees for their assistance in collecting the data and preparing the answers for the incumbent candidates.

CWA Sanders states that if, in fact, city resources and/or employees were being used to conduct campaign activity, it may be in violation of KRS 121.045, KRS 522.020, KRS 522.030, or other sections of the KRS. Also, several Open Records requests submitted to the City of Covington have yet to be answered, months after originally being submitted.

CWA Sanders is requesting assistance from the OAG because he has known the challenger in the mayoral election his entire life and has publicly made statements in support of his campaign, and requests assistance in order to avoid any allegation or

EF- DB3721

Form Revised: 04/17/14 - jrp

Printed: 11/7/2016 2:07:00 PM

Page 1 of 2

perception of bias.

**Names of other persons with relevant information:**

**Planned Resolution:**

Referred to SPU Attorney.

**Final Resolution:**

Refer DCI - Open

**Additional Findings:**

Also refer to Kentucky Registry of Election Finance for whatever action they deem appropriate.

**Rob Sanders (16th JC)**

---

**From:** Buddy Wheatley <buddywheatley@gmail.com>  
**Sent:** Monday, October 31, 2016 9:03 AM  
**To:** Rob Sanders (16th JC)  
**Subject:** city manager to mayor emails  
**Attachments:** Covington Local 38 Press Release SAFER.docx; RE\_ Local #38 Candidate Night 1.pdf; RE\_ Updated 1.pdf; Todd and FD response times.pdf; RE\_ .pdf; Local 38 Questions 2016.docx; cincinnati.com.pdf

Rob,

Per our conversation, you should find attached four emails and two word docs.

The following facts may assist in getting a clearer picture.

1. October 10, 2016-- Local 38 submits an open records request (ORR) to the city of Covington custodian of records in the legal department via email after a series of emails and conversations with the custodian regarding a Local 38 Sept. 16 ORR that the city replied could not be completed until February 10, 2017. Six batches of emails were requested in the Oct. 10 ORR, to be delivered upon completion of each batch individually. The attached emails have been ~~downloaded from the city's Oct. 27 delivery of a compact disc based on batch #1 of emails from Larry Klein to Sherry Carran.~~ That ORR included the following:

Batch #1 request: All emails sent from City Manager Larry Klein that includes Mayor Sherry Carran as a recipient between the dates of August 15, 2016 and September 11, 2016.

Batch #2 request: All emails sent from City Manager Larry Klein that includes Fire Chief Dan Mathew as a recipient between the dates of August 15 and September 11, 2016.

Batch #3 request: All emails sent from City Manager Larry Klein that includes Commissioner Bill Wells as a recipient between the dates of August 15 and September 11, 2016.

Batch #4 request: All emails sent from Mayor Sherry Carran that includes City Manager Larry Klein as a recipient between the dates of August 15, 2016 and September 11, 2016.

Batch #5 request: All emails sent from Fire Chief Dan Mathew that includes City Manager Larry Klein as a recipient between the dates of August 15, 2016 and September 11, 2016.

Batch #6 request: All emails sent from Commission Bill Wells that includes City Manager Larry Klein as a recipient between the dates of August 15, 2016 and September 11, 2016.  
(end of requests)

2. August 26, 2016-- Local 38 announces in an email to the two mayoral and seven city commission candidates a "candidate night" on Sept. 8, 2016. Also, this date, Local 38 issues a press release (attached) regarding the SAFER grant.

3. August 30, 2016-- Local sends further announcement regarding the candidate's night. It includes 13 possible topics of discussion.

4. No further emails have been released to Local 38 as of this date, though five additions batches are part of the Oct. 10 ORR.

5. The custodian of records advised me verbally that there were about 230 emails that came back within the search dates of email batch #1 request between the city manager and mayor. The city turned over 179 of those emails. Local 38 has yet not received the required explanatory letter as to why certain emails were not turned, though the custodian said that letter is forthcoming.

A very brief look into KRS possibly affected includes: KRS 121.045 KRS 121.055, KRS 121.140, KRS 121.150 (1), KRS 121.175, KRS 121.990, KRS 522, KRS 119.277, KRS 119.355,

Thanks Rob, and if i can be of further resistance, let me know. Cell is best way to reach me.

859 912-4847

Buddy Wheatley

Cook & Logothesis, LLC  
22 West 9th Street  
Cincinnati, Ohio 45202  
Cell (859) 912-4847  
Office (513) 721-0444  
Fax (513) 721-1178

Buddy Wheatley  
421 Madison Ave.  
Covington, KY 41011

---

*This message may contain confidential information and communications subject to the attorney-client privilege. If this message has been received by anyone other than the intended recipient by error, please deliver it to the intended recipient as soon as possible, and destroy this message. Should you have any questions, please contact me at the address and number listed above.*



This email has been checked for viruses by Avast antivirus software.  
[www.avast.com](http://www.avast.com)

OAG ELECTION INQUIRY FORM

16-G-032

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EP- DB3721

Form Revised: 04/17/14 - jrp

Printed: 11/7/2016 2:07:00 PM

Page 1 of 2

perception of bias.

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**Names of other persons with relevant information:**

**Planned Resolution:**

Referred to SPU Attorney.

**Final Resolution:**

Refer DCI - Open

**Additional Findings:**

Also refer to Kentucky Registry of Election Finance for whatever action they deem appropriate.

From: Larry Klein  
To: Bill Weis  
Cc: Sherry Curran  
Subject: ISO Rating  
Date: Wednesday, September 07, 2016 9:24:16 AM

Can you have the ISO fee rating for cities in KY?

-----Original Message-----

From: Bill Weis  
Sent: Wednesday, September 07, 2016 7:43 AM  
To: Larry Klein  
Subject: RE:

I can't find my list of all cities in northern Ky. Fee ratings, do you have that?

From: Larry Klein  
Sent: Wednesday, September 07, 2016 7:27 AM  
To: Sherry Curran  
Cc: Bill Weis; Jordan Hutenga  
Subject: Re:

None to come today

Sent from my iPhone

On Sep 7, 2016, at 7:23 AM, Sherry Curran <scaran@covingtonky.gov> wrote:

Thank you Larry for putting this information together. It is a big help.

Sherry

From: Larry Klein <lklein@covingtonky.gov>  
Date: Tuesday, September 6, 2016 at 10:11 PM  
To: Sherry Curran <scaran@covingtonky.gov>, Bill Weis <bweis2@covingtonky.gov>, Jordan Hutenga <jhutenga@covingtonky.gov>  
Subject: -no subject-

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Larry Klein  
City Manager  
City of Covington, Administration  
20 West Pike Street, 2nd Floor, Covington, KY 41011  
859-292-2133 direct | 859-292-2133 main  
859-292-2137 fax

Facebook <<https://www.facebook.com/CovingtonKentuckyGovernment/>> | Twitter <<https://twitter.com/covingtonkygov/>>

www.covingtonky.gov <<http://www.covingtonky.gov/>>

Sign up to receive our ENews <<http://bit.ly/20contactcontact.com/manage/confirm>>

vaRQKovZ3z40Z7N4fw5SG\_6tPw/mkmspwH0Z4InDh1bFn1pG8wXz7Zur0k0U1y1Chv1Sx1colCW2X31VqkH0v6Q8d8y72eSTv7Z4FVcn0Nq3tPv1mjo\_B0v6\_1nZMwV7oX6641A1pMocUsh2\_E4096D

Disclaimer: Please note all content in this email may be subject to open records request.

From: [Larry Klein](#)  
To: [Frank E. Warnock](#); [Lisa Desmarais](#); [Dan Mathew](#)  
Cc: [Larry Klein](#)  
Subject: Local 38 Candidate Forum Questions  
Date: Thursday, September 01, 2016 10:43:40 PM  
Attachments: [Covington Local #38 Press Release.docx](#)  
[Covington Local 38 Press Release SAFER.docx](#)  
[Covington Fire Fleet - #2.xlsx](#)  
[Covington Report 2014 - #3.pdf](#)

---

Frank, Lisa and Dan,

I would like for us to help develop a quick briefing on the subject areas below for Mayor and Commission and any candidate for office who asks, so each are as well informed as they want to be for the Local 38 candidate forum on September 8th, next Thursday.

Are you all available to meet on Tuesday at 3?

---

Fire Department staffing

SAFER grant

Fire apparatus condition and replacement

Wages and benefits

Difficulty communicating with current City administration

Current CBA negotiations

Fire stations condition and possible relocation/replacement

Economic development within the City

Riverfront development

Long term plan for retention of firefighters

Increasing paramedic staffing

CISD/PTSD program availability

Availability of police department assistance/protection

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**Subject:** Local 38 Candidate Forum Questions  
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**Attachments:** [Covington Local #38 Press Release.docx](#)  
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CISD/PTSD program availability

Availability of police department assistance/protection

**From:** Larry Klein  
**To:** Sherry Carran; Dan Mathew; Frank E. Warnock; Lisa Desmarais  
**Subject:** RE: Local #38 Candidate Night  
**Date:** Saturday, August 27, 2016 10:37:33 AM.

---

I wonder who wrote this press release for them.

Yes it is quite different than the other one.

---

**From:** Sherry Carran  
**Sent:** Saturday, August 27, 2016 10:34 AM  
**To:** Larry Klein; Dan Mathew; Frank E. Warnock; Lisa Desmarais  
**Subject:** FW: Local #38 Candidate Night

FYI - This press release is different from the one about the Safer Grant.

Sherry

---

**From:** Tyler Cherry <tcherry38@gmail.com>  
**Date:** Friday, August 26, 2016 at 12:37 PM  
**To:** Joe Meyer <joeumeyer@gmail.com>, Stuart Warren <stuardwarren@gmail.com>, "michelles.manicure@gmail.com" <michelles.manicure@gmail.com>, "BlairChristi@yahoo.com" <BlairChristi@yahoo.com>, "twdowning@gmail.com" <twdowning@gmail.com>, Bill Wells <bwells2@covingtonky.gov>, Sherry Carran <scarran@covingtonky.gov>, Jordan Huizenga <jhuizenga@covingtonky.gov>, "jiffesch@aol.com" <jiffesch@aol.com>  
**Subject:** Local #38 Candidate Night

All candidates running for the 2016 mayoral or commission elections are invited to attend the Covington Professional Firefighters candidate night on September 8, 2016 at the L-38 Union Hall (2232 Howell St. Covington, KY 41014). 6:30pm. Each candidate will have 5 minutes to speak on their positions and then field questions from the L-38 body.

Please respond to all so we can formulate an agenda for the night. Endorsements for the general election will be voted on after every attending candidate has had their time to speak.

Attachments to this email are for your information as to what concerns us as a Union. You should be prepared to speak on these issues.

Look forward to seeing each and everyone of you.

Call or text with any questions or concerns.

Sincerely,

L-38 Executive Board

Mike Lee (President) 859.620.9936

Mike Davis (Vice President) 859.628.4151

**From:** Larry Klein  
**To:** Sherry Carran; Bill Wells; Jordan Huizenga  
**Cc:** Dan Mathew; Frank E. Warnock; Lisa Desmarais (l.Desmarais@covingtonky.gov)  
**Subject:** RE:  
**Date:** Wednesday, September 07, 2016 5:04:34 PM  
**Attachments:** Local 38 Questions 2016.docx

---

Sherry, Bill and Jordan,

Attached is final draft of the background/update information you asked me for about potential Local 38 topics you will be discussing.

Let me know if there is anything else you need at this time or if you want further clarification, information or a sit down meeting.

Please feel free to share this information with any candidate who may also want to review it.

There is nothing confidential in this.

---

I want to thank Dan, Frank and Lisa for their quick and complete response in helping to provide this information to you all.

Thanks!

Larry Klein  
City Manager  
City of Covington, Administration  
20 West Pike Street, 2nd Floor Covington KY 41011  
859-292-2133 direct | 859-292-2133 main

---

**From:** Larry Klein  
**Sent:** Tuesday, September 06, 2016 10:12 PM  
**To:** Sherry Carran; Bill Wells; Jordan Huizenga  
**Subject:**

FYI the attached draft of some background information for the candidate night questions you asked me for for Local 38's event this Thursday.

Per the attached I am waiting on additional information from Lisa and Dan but thought this would give you a start.

**From:** Larry Klein  
**To:** Sherry Carran; Bill Wells; Jordan Hulzenga  
**Cc:** Den Mathew; Frank E. Warnock; Lisa Desmarais (LDesmarais@covingtonky.gov)  
**Subject:** RE:  
**Date:** Wednesday, September 07, 2016 5:04:34 PM  
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Tyler Cherry (Secretary/Treasurer) 859.992.9229

**From:** Larry Klein  
**To:** Sherry Carran; Bill Wells; Jordan Hulzenga  
**Cc:** Dan Mathew; Frank E. Warnock; Lisa Desmarais (LDesmarais@covingtonky.gov)  
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**From:** [Larry Klein](#)  
**To:** [Sherry Carran](#)  
**Subject:** RE: Updated  
**Date:** Tuesday, August 30, 2016 5:29:19 PM

---

Thanks!

**Larry Klein**  
City Manager  
City of Covington, Administration  
20 West Pike Street, 2nd Floor Covington KY 41011  
859-292-2135 direct | 859-292-2133 main

---

**From:** Sherry Carran  
**Sent:** Tuesday, August 30, 2016 2:32 PM  
**To:** Larry Klein  
**Subject:** FW: Updated

FYI

---

**From:** Tyler Cherry [<mailto:tcherry138@gmail.com>]  
**Sent:** Tuesday, August 30, 2016 1:11 PM  
**To:** Joe Meyer; Stuart Warren; [michelies.manicure@gmail.com](mailto:michelies.manicure@gmail.com); [BlairChristi@yahoo.com](mailto:BlairChristi@yahoo.com);  
[twdowning@gmail.com](mailto:twdowning@gmail.com); Bill Welis; Sherry Carran; Jordan Huizenga; [jfiesch@aol.com](mailto:jfiesch@aol.com);  
[lucasdeaton@yahoo.com](mailto:lucasdeaton@yahoo.com)  
**Cc:** Mike Lee; Mike Davis  
**Subject:** Updated

Currently Covington Professional Firefighters L-38 candidate night (9/8 @ 6:30pm 2232 Howell St. Covington, Ky 41014) has the following confirmed attendess:

Mayoral Candidates: Joe Meyer, Sherry Carran

Commission Candidates: Jordan Huizenga, Timothy Downing, Michelle Williams, Stuart Warren, John Fiesch, Bill Welis

Kentucky State Representative Candidates: Lucas Deaton

So as not to ask the candidates to arrive promptly at 6:30pm and have to wait for an extended period of time to address our membership the following schedule has been applied:

Lucas Deaton: 6:30-6:45

Jordan Huizenga: 6:45-7:00

Timothy Downing: 7:00-7:15

Michelle Williams: 7:15-7:30

Stuart Warren: 7:30-7:45

John Fiesch: 7:45-8:00

Bill Welis: 8:00-8:15

Christi Blair 8:15-8:30

Sherry Carran: 8:30-8:45

Joe Meyer: 8:45-9:00

We are requesting that each candidate take 5 minutes to speak to our membership and then field questions or comments for up to 10 minutes.

Some issues that are important to our membership:

Fire Department staffing

SAFER grant

Fire apparatus condition and replacement

Wages and benefits

Difficulty communicating with current City administration

---

Current CBA negotiations

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Update on Local 38 Topics

1) Fire Department staffing

Local 38 may ask if Fire Department "going to get staffing back" in reference to SAFER grant or Pumper 1 etc. to be closer to NFPA standards, which are just recommendations. I know of no fire department in NKV that is compliant with NFPA standards.

2) SAFER grant

The SAFER grant is intended to improve our NFPA 1710: Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments. We received confirmation 9-7-16 from FEMA in the email exchange below on the "staffing maintenance" number for our SAFER grant which we calculate to be 114 (current staffing of 106 plus 8 SAFER hires).

~~We will be placing the SAFER grant award on September 13<sup>th</sup> Commission meeting agenda with recommendation to accept.~~

Local 38 may refer to language in the grant about keeping 28 on duty each day. We believe the terms and conditions for the SAFER grant require us to maintain at least 114 in total. The email exchange below confirms our interpretation of the staffing maintenance number for this grant.

Chief Mathew has a different staffing scenario for equipment based on the staffing level each day, for 26, 207, 28, 29 etc. Those staffing scenarios are outlined below, after the SAFER grant email exchange.

From: "Diaz, Yesenia" <[yesenia\\_diaz@fema.dhs.gov](mailto:yesenia_diaz@fema.dhs.gov)>  
Date: September 7, 2016 at 1:22:09 PM EDT  
To: Fire Chief <[firechief@covingtonky.gov](mailto:firechief@covingtonky.gov)>  
Subject: RE: Covington Fire Department, Kentucky: EMW-2015-FH-00650

Yes, you are responsible for maintaining the total staffing maintenance level of 114. That is the operational positions that must be maintained throughout the grant period of performance in order to be in compliance with this grant.

Respectfully,  
Yesenia

From: Fire Chief [mailto:firechief@covingtonky.gov]  
Sent: Tuesday, September 06, 2016 12:43 PM  
To: Diaz, Yesenia <yesenia.diaz@fema.dhs.gov>  
Subject: RE: Covington Fire Department, Kentucky: EMW-2015-FH-00650

Ms. Diaz,

I am trying to provide clarity to the public officials regarding the "maintenance number". I understand that our maintenance number is 114.

- Is the maintenance number the only number that we will be accountable for? If the maintenance number of 114 will impact our ability to maintain the described daily staffing of 28 as noted in section 1a, without the utilization of overtime, are we accountable for the "daily staffing" number or just the maintenance number of 114?
- The number of 114 will positively impact our staffing and ability to meet 1710.

Thank you,

From: Diaz, Yesenia [mailto:yesenia.diaz@fema.dhs.gov]  
Sent: Wednesday, August 31, 2016 8:48 AM  
To: Dan Mathew; Andrew Schultz; jbowman@covingtonky.gov; Fire Chief  
Subject: RE: Covington Fire Department, Kentucky: EMW-2015-FH-00650

Thank you for providing the completed pre-SAFER roster.

#### Maintenance Number

Based on the roster you submitted & the information you provided, your department's maintenance staffing number for this grant is 114 (106 pre-SAFER and 8 FY 2015 SAFER positions). Please respond to this e-mail letting me know that you understand the operational maintenance number. The maintenance number has been added to your grant file.

#### Vacancies

At minimum, your department must maintain these operational positions throughout the grant period of performance in order to be in compliance with this grant. We understand that vacancies occur but we expect your department to take active and timely steps to fill any operational vacancies (pre-SAFER and SAFER). SAFER positions should be filled consistently. If a SAFER position becomes vacant, it will need to be filled by someone hired after the grant award date.

#### Quarterly Performance Reports

You will need to remember your maintenance number when you complete performance reports. Please refer to the SAFER Hiring User Guide for instructions about how to complete the reports. If you have any operational vacancies, please use the comments section of the report to explain why the position is vacant, the date that the position became open, and your plan to fill the vacancy.

#### Early POP Start

If you have already filled the newly awarded SAFER positions, or you fill them before the start of your period of performance, please let me know and I can give you instructions for how to submit an

From: Fire Chief [mailto:firechief@covingtonky.gov]

Sent: Tuesday, September 06, 2016 12:43 PM

To: Diaz, Yesenia <yesenia.diaz@fema.dhs.gov>

Subject: RE: Covington Fire Department, Kentucky: EMW-2015-FH-00650

Ms. Diaz,

I am trying to provide clarity to the public officials regarding the "maintenance number". I understand that our maintenance number is 114.

- Is the maintenance number the only number that we will be accountable for? If the maintenance number of 114 will impact our ability to maintain the described daily staffing of 28 as noted in section 1a, without the utilization of overtime, are we accountable for the "daily staffing" number or just the maintenance number of 114?
- The number of 114 will positively impact our staffing and ability to meet 1710.

Thank you,

From: Diaz, Yesenia [mailto:yesenia.diaz@fema.dhs.gov]

Sent: Wednesday, August 23, 2016 8:48 AM

To: Dan Mathew; Andrew Schultz; jbowman@covingtonky.gov; Fire Chief

Subject: RE: Covington Fire Department, Kentucky: EMW-2015-FH-00650

Thank you for providing the completed pre-SAFER roster.

#### Maintenance Number

Based on the roster you submitted & the information you provided, your department's maintenance staffing number for this grant is 114 (106 pre-SAFER and 8 FY 2015 SAFER positions). Please respond to this e-mail letting me know that you understand the operational maintenance number. The maintenance number has been added to your grant file.

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#### Early POP Start

If you have already filled the newly awarded SAFER positions, or you fill them before the start of your period of performance, please let me know and I can give you instructions for how to submit an

amendment to start the grant early. Starting the period of performance early would move up the entire two year grant period of performance and allow you to request payment immediately.

If you have not already done so, please review the User Guide and let me know if I can be of further assistance.

Respectfully,

*Yesenia Diaz*

Program Analyst, SAFER  
Assistance to Firefighters Grant (AFG) Program  
DHS/FEMA/Grant Programs Directorate  
400 C Street S.W., 3N  
Washington, D.C. 20472-8625  
Desk: (202) 212-7314  
AFG Help Desk: (866) 274-0960  
Email: [yesenia.diaz@fema.dhs.gov](mailto:yesenia.diaz@fema.dhs.gov)

**\*\*Please include your grant number in the subject line of your email\*\***

---

From: Diaz, Yesenia  
Sent: Monday, August 29, 2016 3:58 PM  
To: 'dmathew@covingtonky.gov' <dmathew@covingtonky.gov>; 'aschultz@covingtonky.gov' <aschultz@covingtonky.gov>; 'jbowman@covingtonky.gov' <jbowman@covingtonky.gov>  
Subject: Covington Fire Department, Kentucky: EMW-2015-FH-00650

Congratulations on being selected to receive a FY 2015 SAFER Grant award!

I am your SAFER Program Office point of contact. The SAFER Program Office is responsible for the programmatic monitoring of this grant. As such, I will be reviewing your payment requests, performance reports, and amendment requests.

Below is Chief Mathew's staffing plan based on number of staff who show up each day to work:

Ambulance 3

Housed at Company 8 (Latonia)  
Dispatched as Ambulance 3  
Primary response territory is CF5  
Secondary response territory is CF8  
Tertiary response territory is CF1, CF2, and CF6

Ambulance 8

Housed at Company 8 (Latonia)  
Cross-manned with Truck 7  
Dispatched as Ambulance 8 and will not leave the city  
Primary response territory is CF5  
Secondary response territory is CF8

Tertiary response territory is CF1, CF2, and CF6

Ambulance 6 (also Latonia)

Will only be utilized as the 4<sup>th</sup> ambulance in CF1, CF2, and CF6

Will not respond into CF3 or CF5

Will not leave the city

Pumper 5 (Honey Pike)

Assigned to every run in CF5

Truck 7

Cross-manned with Ambulance 3 (dependent upon staffing)

Pumper 3

Will have a 4<sup>th</sup> person when Truck 7 is out of service on an ambulance run

Changes are highlighted in yellow

<u>26</u>	<u>27</u>	<u>28</u>	<u>29</u>	<u>30</u>	<u>31</u>
<u>Co. 1</u>					
BC- 1					
ISO- 1					
Truck- 3					
Rescue- 2	Rescue- 2	Rescue- 2	Rescue- 2	Rescue- 3	Rescue- 4
Ambulance- 2					
<u>Co. 2</u>					
Pumper- 3					
<u>Co. 3</u>					
Pumper- 3	Pumper- 4	Pumper- 3	Pumper- 4	Pumper- 4	Pumper- 4
Ambulance- 0					
<u>Co. 4</u>					
Pumper- 3					
Ambulance- X					
<u>Co. 5</u>					
Pumper- 3					
Truck- 3					
Ambulance- 2					
Ambulance- X	Ambulance- X	Ambulance- 2	Ambulance- 2	Ambulance- 2	Ambulance- 2

Tertiary response territory is CF1, CF2, and CF6

Ambulance 6 (also Latonia)

Will only be utilized as the 4<sup>th</sup> ambulance in CF1, CF2, and CF6

Will not respond into CF3 or CF5

Will not leave the city

Pumper 5 (Handy Pike)

Assigned to every run in CF5

Truck 7

Cross-manned with Ambulance 8 (dependent upon staffing)

Pumper 8

Will have a 4<sup>th</sup> person when Truck 7 is out of service on an ambulance run

Changes are highlighted in yellow

26	27	28	29	30	31
<u>Co. 1</u>					
BC- 1					
ISO- 1					
Truck- 3					
Rescue- 2	Rescue- 2	Rescue- 2	Rescue- 2	Rescue- 3	Rescue- 4
Ambulance- 2					
<u>Co. 2</u>					
Pumper- 3					
<u>Co. 5</u>					
Pumper- 3	Pumper- 4	Pumper- 3	Pumper- 4	Pumper- 4	Pumper- 4
Ambulance- 0					
<u>Co. 6</u>					
Pumper- 3	Pumper- 5				
Ambulance- X					
<u>Co. 8</u>					
Pumper- 3					
Truck- 3					
Ambulance- 2					
Ambulance- X	Ambulance- X	Ambulance- 2	Ambulance- 2	Ambulance- 2	Ambulance- 2

With staffing of 114 that is 38 per platoon, or 24 hour shift. With Kelly days, sick days, vacation days, union days, bereavement days, military leave days, light duty injuries etc we see a number less than 38 show up for work each day.

### 3) Fire apparatus condition and replacement

The City now has a funding source for fleet and other equipment. The City has issued bids for fire equipment. I will be placing an item on September 13<sup>th</sup> agenda to authorize staff to reissue our RFP for financing for the fire equipment. The previous financing RFP we used for Police and DPI has expired. We also believe a separate, fire only RFP, will garner better responses and rates. We will ask for financing for one ladder truck, up to two pumpers and up to two ambulances. There is not yet a consensus on Commission on the need for a \$1.1 million rescue truck. We will continue to work on filling our need for a replacement rescue truck.

### 4) Wages and benefits

We understand that Local 38 and IAFF have conducted a salary survey. City staff have also compiled a salary survey based on NKY Fire Departments and KLC survey data we will be sharing with Local 38.

Our proposal to date to Local 38 has included the Reference Based Pricing health insurance option, which they agreed to and over 70% of their members have opted to enroll in, with no premiums the first six months. As agreed upon with Local 38, this health care option ends on December 31, 2016 unless a new contract has been signed by then.

### 5) Difficulty communicating with current City administration

Not sure what this means. I believe communication is good. I call or text Mike Lee as needed. He does the same with me. I believe Local 38 also communicates well with Frank Warnock and Lisa Desmarais.

### 6) Current CSA negotiations

Since we are currently engaged in contract negotiations with Local 38, I am hesitant to provide details of our most recent proposals, but the following are the major subject areas we are exchanging proposals with Local 38 on.

Article XI Wage Rate Article XVII Grievance Procedure

Article XIX Sick Leave

Article (New) Workers Compensation (and Limited Duty)

Article XXI Hospitalization, Life Ins., Dental Plan

Article (new) Random Drug and Alcohol Testing

7) Fire stations condition and possible relocation/replacement

The City has made building maintenance and quality of life improvements to the fire stations in past year.

The following is a list of those improvements.

- **Fire – Company # 1 (Main Station-Robbins)**
  - Completed 6 Of 12 Projects on Annual Safety Audit Listing; including New Carpet In Sleeping Quarters
  - Placed Generator On Maintenance And Twice Annual Load Testing Contracts
  - Placed HVAC On Maintenance Contract (Made Needed Repairs)
  - Placed Garage Doors On Maintenance Contract
- **Fire – Company # 5 (Hands Pike)**
  - Completed 5 Of 15 Projects on Annual Safety Audit Listing – Most Significant Projects Were Completed
    - Replaced Roof With New Metal Roof & Gutters – 99% complete
    - Replaced All Windows
    - Replaced Carpeting In Sleeping Quarters
    - Fire Department Replaced Flooring In Kitchen Area With New Tile
  - Placed HVAC On Maintenance Contract
  - Placed Garage Doors On Maintenance Contract (Made Needed Repairs)
- **Fire – Company # 2 (Botany Hills)**
  - Placed HVAC On Maintenance Contract (Made Needed Repairs)
  - Placed Garage Doors On Maintenance Contract (Made Needed Repairs)
  - Have received proposals to replace garage floor in bay where pumper parks. A building assessment has determined that an exterior basement wall is failing, causing bay floor where pumper parks to be in danger, and we are seeking an engineered solution/repair.
- **Fire – Company # 6 (Holman Street)**
  - Completed 3 Of 6 Projects on Annual Safety Audit Listing; including New Carpet In Sleeping Quarters
  - Replaced Emergency Lights And Exit Signage
  - Placed HVAC On Maintenance Contract (Made Needed Repairs)
  - Placed Garage Doors On Maintenance Contract (Made Needed Repairs)
- **Fire – Company # 8 (Latonia)**
  - Completed 2 Of 5 Projects on Annual Safety Audit Listing
  - Placed HVAC On Maintenance Contract
  - Placed Garage Doors On Maintenance Contract (Made Needed Repairs)

As for possible relocation/replacement of firehouses, the City is always looking for a more central location north Covington in center of run volume area to provide better and quicker response. One impediment is high real estate prices in north Covington.

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As for possible relocation/replacement of firehouses, the City is always looking for a more central location north Covington in center of run volume area to provide better and quicker response. One impediment is high real estate prices in north Covington.

City even originally proposed a new firehouse be integrated into development of 501 Main but that was not feasible after further evaluation by City and developer.

8) Economic development within the City

Self-Explanatory.

See Opengov. Com link for updated building permit activity that is evidence of new development and increased property value appreciation.

Here is the link to the building permits – value. The OpenGov page also has the building permits count.

<https://covingtonky.opengov.com/data#/9340/queriv=F47C681CB7BC9886D5B5959D2DB4C478>

500 new jobs at average \$80k per year life science industry to Rivercenter  
Clubessential relocating to Rivercenter, about 80 high paying jobs  
Another to announce shortly

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9) Riverfront development

Self-Explanatory

10) Long term plan for retention of firefighters

We are not aware of any problem with retention of firefighters. Chief Mathews and I cannot think of an instance where a Covington firefighter left for a job in another department.

11) Increasing paramedic staffing

Increased paramedic staffing is a priority of this Mayor and Commission and City Administration. In 2015 Local 38 members voted down a proposal by the City to increase paramedic staffing and with certification pay for each paramedic.

The City has been trying to increase paramedic staffing and negotiating with Local 38 to change the contract to allow us to increase the number beyond 30 paramedics. The City offered, and Local 38 now agreed, to increase the number up to 60 over time, with a \$3500 certification stipend paid to each paramedic. Instead of the current 14% salary increase, beginning with our next class of fire recruits who would be hired in as paramedics and remain in the paramedic pool. Local 38 has agreed to put this contract change to a vote of its membership within 10 days after Chief Mathew announces he will be hiring a new recruit class, which will be shortly, pending Commission approval and acceptance of the SAFER grant.

As of right now, increased paramedic staffing ball is in court of Local 38.

12) CISD (Critical Incident Stress Debriefing) / PTSD program availability

Currently the City offers Employee Assistance Program free to all City employees. EAP can provide referrals for more intense counseling. Police Department also has a chaplain program to assist.

13) Availability of police department assistance/protection

The contract with Local 38 requires police assistance/protection when needed on fire and ambulance runs.

Chief Carter believes the Police are called on many runs that are not necessary such as emotional crisis.

On one recent incident, 3 paramedics/EMT's were dispatched to the Covington Ladies Home for someone having an emotional crisis. The Covington ambulance would not respond until Police assistance was available.

Chief Mathews cannot recall an incident when police assistance was needed and not provided.

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## KENTUCKY REGISTRY OF ELECTION FINANCE

Craig C. Dilger, Chairman  
Terry Naydan, Vice-Chair  
Reid Haire, Member  
Robert D. Mattingly, Member  
Chastity Ross, Member  
Elizabeth G. Weber, Member  
Thomas P. O'Brien, III, Member

140 Walnut Street  
Frankfort, Kentucky 40601-3240  
Phone: (502) 573-2228  
Fax: (502) 573-5822  
[www.kref.ky.gov](http://www.kref.ky.gov)

John R. Steffen  
Executive Director  
Emily Dennis  
General Counsel

November 28, 2016

Hon. Rob Sanders  
Commonwealth's Attorney  
16<sup>th</sup> Judicial Circuit - Kenton County  
303 Court St., Suite 605  
Covington, KY 41011

In re: Elections Complaint # 16-G-032  
November 4, 2016 correspondence to Shawna Kincer

Dear Mr. Sanders:

This letter is sent in response to Election Complaint # 16-G-032, copy of which is attached for your convenience of reference. As you are aware, the Registry's jurisdiction is limited to KRS Chapter 121, Kentucky's campaign finance law.

In your letter, you claim that actions of the Covington City Manager, Mayor and Board of Commissioners, involving alleged use of city time and resources to prepare elected officials for a discussion of issues to be presented at a candidate debate, may violate KRS 121.045. KRS 121.045 states in relevant part as follows:

No person and no agent of any person on his behalf, shall contribute, either directly or indirectly, any money, service or other thing of value towards the nomination or election of any state, county, city, or district officer who, in his official capacity, is required by law to perform any duties peculiar to the person not common to the general public, or to supervise, regulate, or control in any manner the affairs of the person, or to perform any duty in assessing the property of the person for taxation.

Upon careful review of your letter and the documentation submitted therewith, please be advised that no violation of KRS 121.045 appears to have occurred. To the extent that the allegations may form the basis of violations of the Kentucky Open Records Act, other state law or the local code of ethics, the Registry has no jurisdiction to determine.

Page 2

Hon. Rob Sanders  
November 28, 2016

In re: Elections Complaint # 16-G-032  
November 4, 2016 correspondence to Shawna Kincer

This letter closes the Registry's interest in the matter. You may contact me at (502) 573-2226 if you have questions regarding this response.

Very truly yours,

  
Emily Dennis  
General Counsel

Enclosure

Cc: John R. Steffen  
Hon. Shawna Kincer

Page 2  
Hon. Rob Sanders  
November 28, 2016

In re: Elections Complaint # 16-G-032  
November 4, 2016 correspondence to Shawna Kincer

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Very truly yours,



Emily Dennis  
General Counsel

Enclosure

Cc: John R. Steffen  
Hon. Shawna Kincer



300 E. Main Street #350  
Lexington, KY 40507

T: 859.281.0077  
F: (1) 859.957.1889  
MERLEGAL.COM

December 12, 17

October 24, 2017

Hon. Michael A. Wright  
Assistant Deputy Attorney General - Criminal Branch  
Office of the Attorney General  
700 Capitol Avenue, Suite 118  
Frankfort, KY 40601-3449

Re: Open Records request for OAG records regarding City of  
Covington Investigation in November-December, 2016

Dear ADAG Wright:

In late June, 2017, I was engaged by the City of Covington to investigate certain matters involving the administration of City government. One of those issues relates directly to allegations involving activity of city employees during the 2016 primary and general election at which the office of Mayor and all four City Commissioner seats were on the ballot.

A few weeks prior to the November General, some of these allegations came to light as a result of the release of City documents to the Covington Professional Firefighters Association, Local 38 under a request that union had made pursuant to the Kentucky Open Records Act. These, and other materials, were turned over to the Kenton County Commonwealth's Attorney Rob Sanders.

On November 4, 2017, Mr. Sanders referred the allegations to the Office of Attorney General pursuant to KRS 15.190. Since this was prior to the election and the challenger to the incumbent Mayor was a personal friend of his, Mr. Sanders believed his Office was in a conflict and so made the referral to your Agency. The referral to the Registry of Election Finance was made by the Kentucky OAG. Neither the Kentucky OAG nor the Registry made a referral to the Kentucky Board of Elections.

It appears that the Division of Criminal Investigations of the OAG undertook an investigation of the complaints referred by Mr. Sanders.

Scott White  
Attorney  
swhite@merlegal.com

On December 29, 2016, you sent a letter to Mr. Sanders. This letter expressed the opinion of the OAG that no criminal activity had occurred with respect to the allegations of misconduct by Covington employees, and so the OAG declined to undertake further investigation or a prosecution. This decision was based on the investigative findings of the Division of Criminal Investigations.

It is my impression from your letter that the OAG then closed its file or case.

Pursuant to KRS 61.872, I am requesting a copy of all materials that the OAG reviewed, all documents it created such as investigator notes, intra-agency emails, emails with persons/entities outside of the OAG, meeting agendas, calendar entries indicating dates of meetings at which the investigation was discussed by any employee or official of the OAG (including members of the "front office" I.e. the Attorney General, the Deputy AG, Assistant Deputy AGs, OAG Communications office, or any other senior or supervisory person involved in any way with the investigation or the decisions resulting from that investigation as reflected in the December 29, 2017, letter), correspondence, witness recordings, memoranda of witness interviews, legal analysis, and any other document related to this investigation or the decision to not pursue a further investigation/prosecution as articulated in the December 29, 2016, letter.

In short, I am seeking the investigative file of the OAG on this matter and any related document or record that is not in the "official file".

Also, pursuant to that statute, please produce a copy of all email, correspondence, phone call summaries, or any other document or record of communication(s) between the OAG and any then employee of the City of Covington (including, but not limited to, then Mayor Sherry Carran, then Commissioners Wells or Huizenga, Larry Klein, Frank Warnock, and Lisa Desmarais) that in any way relates to the request of Mr. Sanders for the OAG to conduct the investigation, any investigation the OAG in fact carried out, the decision to not continue the investigation or prosecute, or anything else whatsoever relating to the issues in the Sanders Letter of November 4, 2016, pertaining to the City of Covington and Local 38 or any other alleged misconduct of City employees engaging in electoral activities on behalf of any candidate using city resources or on city time.

Inasmuch as the December 29, 2017, letter provides notice that the OAG will not undertake an investigation, then I assume you agree that the exemption to disclosure n KRS 61.878(1)(h) will not apply.

Time is truly of the essence. This is one of the final items of information I am collecting prior to completing my own investigation. To that end, I am hopeful you can provide all relevant documents and "records" no later than November 1,



2017. Obviously, we will cover any attendant costs as allowed by the Act, and are happy to send a runner over to pick up copies to save mail time.

I will be out of the country from October 24 through October 31, 2017. However, if you have any questions related to this request, please feel free to email me as I will have access and should be able to promptly respond.

Very truly yours,

Miller Edwards Rambicure PLLC

Scott White

C via email,

Joseph U. Meyer, Mayor  
David Johnston, City Manager





COMMONWEALTH OF KENTUCKY  
OFFICE OF THE ATTORNEY GENERAL

ANDY BESHEAR  
ATTORNEY GENERAL

CAPITOL BUILDING, SUITE 118  
700 CAPITOL AVENUE  
FRANKFORT, KENTUCKY 40601  
(502) 696-5300  
FAX: (502) 564-2894

October 31, 2017

Scott White  
Miller Edwards Rambicure PLLC  
300 W. Main St. #360  
Lexington, KY 40507

Re: Open Records Request

Dear Mr. White:

This letter is in response to your October 24, 2017, "open records request" that was received by the Office of the Attorney General on October 26, 2017. In your open records request, you ask for a copy of the "investigative file" regarding the City of Covington Investigation in November and December of 2016.

The documents you have requested are exempt from production pursuant to KRS 61.878(1)(h). KRS 61.878(1)(h) states, in pertinent part:

**[R]ecords or information compiled and maintained by county attorneys or Commonwealth's attorneys pertaining to criminal investigations or criminal litigation shall be exempted from the [Open Records Act] *and shall remain exempted after enforcement action, including litigation, is completed or a decision is made to take no action.***

(emphasis added). Records compiled and maintained by the Attorney General that pertain to a criminal investigation and potential prosecution undertaken by request of a Commonwealth Attorney are exempt from inspection because they are records of a special prosecutor acting with the same authority as the Commonwealth's Attorney. 17-ORD-012. In this matter, this office acted within the jurisdiction of the Commonwealth's Attorney, and pursuant to KRS 15.210, our office is enabled to "exercise all powers and perform all duties in respect to such criminal actions or proceedings which the prosecuting attorney would otherwise perform or exercise . . . ." Therefore, the records contained in the criminal investigation file regarding the City of Covington Investigation in November and December of 2016 are exempt from inspection under the Open Records Act.

If you wish to appeal this decision, you may do so by filing a complaint with the Office of the Attorney General, Civil Division, The Capitol, 700 Capital Avenue, Suite 118, Frankfort,



RECEIVED  
11/1/17

KY 40601, pursuant to KRS 61.880(2) or by filing an original action in Franklin Circuit Court under KRS 61.882. If you first appeal to the Attorney General but are dissatisfied with the Attorney General's decision, you may further appeal to Circuit Court pursuant to KRS 61.880(5).

Sincerely,

ANDY BESHEAR  
ATTORNEY GENERAL

A handwritten signature in black ink, appearing to read "Taylor Payne". The signature is written in a cursive, flowing style with a prominent initial "T".

Taylor Payne  
Assistant Attorney General



300 E. Main Street #300  
Lexington, KY 40502

T: 606.281.0077  
F: (606) 559.0577  
MERLEGAL.COM

November 17, 2017

**VIA US MAIL AND TELEFACSIMILE**

Michael A. Wright,  
Assistant Deputy Attorney General - Criminal  
The Capitol Building,  
Suite 118 (Front Office)  
700 Capitol Avenue  
Frankfort, KY. 40601

Re: 2016 General Election for Covington Mayor and City Commissioners

Dear Mr. Wright:

I am following up on my letter of October 24, 2017, in which I made a request under the Kentucky Open Records Act for documents relating to a closed investigation by the OAG into allegations stemming from the 2016 General Election for City of Covington mayor and all four city commissioner seats.

The OAG assumed control of this investigation based on a referral from Kenton County Commonwealth's Attorney Rob Sanders. On December 29, 2016, you wrote Mr. Sanders that the OAG had investigated the matter, and based on that investigation closed the matter and found no evidence that any Kentucky statutes had been violated.

My Request to the OAG sought inspection of specific documents regarding this investigation by the OAG. I stated in the letter that this Request was, essentially, for the complete investigation file of the OAG. As I advised you in my letter of October 24, 2017, part of my portfolio from the City of Covington is to look at those allegations (and others) and render an opinion whether Kentucky law was violated. Thus, I sought to review investigation of the OAG of some of the same allegations

On October 31, 2017, I received the OAG's response to my Request written by Assistant Attorney General Taylor Payne. AAG Payne, writing for the OAG, denied my Request arguing that KRS 61.878(1)(h), exempts those documents and materials from inspection. Though I appreciate the position of the OAG, I believe that either the Franklin or Kenton County circuit court would overrule the decision to not produce on an appeal. But, given the reason I wish to

Scott White  
Attorney  
swhite@merlegal.com

Michael A. Wright  
November 17, 2017  
Page 2

review those documents, which I had already expressed to you in the October 24, 2017, letter, I see no reason to further pursue this with the OAG.

As I explained in my letter to you, time is of the essence. As of today, my investigation is complete and the written Report nearly done. I anticipate submitting it to the City in the next several days.

The purpose, then, of writing now is to let you know that the Report I submit to the City of Covington will comment on the OAG investigation. Since my Report will address the work of the OAG on this matter, I believe it is appropriate to loop back to you and provide another opportunity for the OAG to provide me with the documents requested in my October 24, 2017, letter.

In order to submit my Report to the Board of Commissioners on the date planned, I will need all of these documents and materials at my office no later than close of business Monday, November 20, 2017. To be clear, this is not an appeal from the OAG's denial under the Act but an invitation to let me see the contents of your agency's investigation.

Sincerely,

Miller Edwards Rambicure PLLC

Scott White



6

## Scott White

---

**From:** Lisa Desmarais  
**Sent:** Sunday, May 08, 2016 10:36 PM  
**To:** Larry Klein  
**Subject:** Re: 2010 cafr

3 is best, also we have a 3:30 with Dan for budget reappropriations. I need time in the morning to do the data analysis

Lisa Desmarais  
Director of Finance and Operations  
859.292.2174

> On May 8, 2016, at 10:29 PM, Larry Klein <[lklein@covingtonky.gov](mailto:lklein@covingtonky.gov)> wrote:

>

> Actually I have my last Junior Achievement tomorrow at 130.

>

> I am free before that from about 11 to 1230, or am free from 3 on after I get back till end of day.

>

> Let me know a time that works for you so I can also invite Mayor.

>

> -----Original Message-----

> From: Lisa Desmarais

> Sent: Sunday, May 08, 2016 8:29 PM

> To: Larry Klein

> Subject: Re: 2010 cafr

>

> Okay I will need time to gather the data. I can do that on the morning. You and I have time scheduled at 1:30 tomorrow. Will that work?

>

> Lisa Desmarais

> Director of Finance and Operations

> 859.292.2174

>

>> On May 8, 2016, at 7:23 PM, Larry Klein <[lklein@covingtonky.gov](mailto:lklein@covingtonky.gov)> wrote:

>>

>> Lisa

>>

>> Tomorrow the mayor wants us to brief Hebron city's debt service payment history especially the cAfr numbers she heard last Monday night from 2010

>>

>> I think it would help if we highlighted those areas of cafr that shows the actual payments

>>

>> She believes this question will come up tomorrow night at Madison Cheiatian church forum.

>>

>> Sent from my iPhone

>>

>> Larry Klein

>> City Manager

>> City of Covington, Administration

>> 20 West Pike Street, 2nd Floor, Covington, KY 41011

>> 859-292-2154 direct | 859-292-2133 main

>> 859-292-2137 fax

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>> Disclaimer: Please note all content in this email may be subject to open records request.



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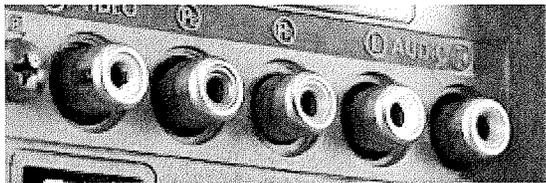
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(Weather)

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## Four candidates duke it out in Covington mayoral debate

by Jeff Hirsh  
Monday, May 9th 2016

(/)



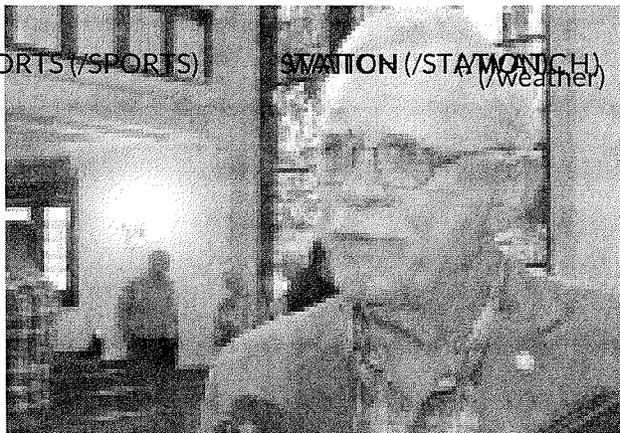
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WEATHER (/WEATHER)

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STATION (/STATION) (Weather)

(/news/local/gallery/four-candidates-duke-it-out-in-ky-mayoral-debate#photo-1)



(/news/local/gallery/four-candidates-duke-it-out-in-ky-mayoral-debate#photo-2)

### VIEW PHOTO GALLERY



4 photos (/news/local/gallery/four-candidates-duke-it-out-in-ky-mayoral-debate)



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(mailto:?subject=A%20in



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[NEWS \(/\)](#)[WEATHER \(/WEATHER\)](#)[SPORTS \(/SPORTS\)](#)[STATION \(/STATION CH\)](#)  
(/Weather)

COVINGTON, Ky. (WKRC) - Primary Election Day in Kentucky Tuesday, May 17.

Hillary Clinton opened a campaign office in Covington Monday evening, May 9. Covington also has a mayoral primary. The four candidates debated Monday night. The rather friendly event ended on an unexpectedly pointed note.

For most of the hour-long debate, things were pretty cordial. But at the very end, current Mayor Sherry Carran took a shot at her likely opponent in the fall, former state legislator and former state education secretary Joe Meyer.

Carran said Covington has made great progress in her term as mayor, but things would go backwards into what she termed the old politics if someone else was elected.

"Old politics was that way, if you knew somebody you got favors and I don't know how else to say it. Is Joe Meyer old politics? He's been in politics a long time. He has old politics working for him, yes," said Carran.

Carron said Covington has made great progress in her term as mayor, but things would go backwards into what she termed the old politics if someone else was

electe. Old politics was that way, if you knew somebody, you got favored. I don't know

how else to say it. Is Joe Meyer old politics? He's been in politics a long time. He

Meyer said. "That's in general, yes, I feel that way. I've had a lot of experience in state government. I've

been involved in government for the highest levels for 35 years. My reputation is

Exceptional. Meyer had done a lot of work at City Hall, finding ways to get people together."

No, Meyer said, he would just do things more efficiently, "If we give those people resources, more duties, I think the city would operate much better."

The two other candidates are first-timers, Alphonse Mele and Matthew Winkler.

Winkler is a pizza delivery driver, but he also spent five years in the Marines, including two tours in Afghanistan.

Meyer said, "That's so contrary to my lifetime experience in state government, I've been involved in government for the highest levels for 35 years. My reputation is exceptional. I've had an honorable career and tremendous work during people together."

Carran said Meyer would clean house at City Hall, forcing out good people.

No, Meyer said, he would just do things more efficiently, "If we give those people resources, more duties, I think the city would operate much better."

The two other candidates are first-timers, Alphonse Mele and Matthew Winkler. Winkler is a pizza delivery driver, but he also spent five years in the Marines, including two tours in Afghanistan.

Leadership, he said, under fire, "I'm 27-years-old and my generation has always been looked at as taking a back seat and always complaining, and I felt it was time for that to change."

More than 100 people attended the debate at the Madison Avenue Christian Church. It was a pretty good crowd on a rainy Monday night. The primary is non-partisan. There is also a primary for city commission with 10 people running. Two get eliminated and the other eight run for four slots in the fall.

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 7:26 PM  
**To:** Scott White  
**Subject:** FW:

Scott White

City of Covington.

[direct](#) | [main](#)

---

**From:** Larry Klein  
**Sent:** Wednesday, August 31, 2016 9:21 PM  
**To:** Larry Klein  
**Subject:** RE:

---

**From:** Larry Klein  
**Sent:** Tuesday, August 30, 2016 10:12 PM  
**To:** Larry Klein  
**Subject:**

Archives section of Louisville Courier Journal

February 6, 1993

Follow up story on February 25, 1993

# The Courier-Journal

## Greene, ex-aide not charged in pay issue

**"The jurors of this community will not be swayed by The Courier."**

**BY STEPHEN M. BROWN**  
 The federal grand jury that indicted Robert Greene, former aide to Gov. Paul Patton, on charges of receiving a \$100,000 payoff from a contractor, did not charge Greene with any other crimes. The grand jury also did not charge Greene with any other crimes.

Greene's attorney, James H. ...  
 The grand jury ...  
 The grand jury ...

### House will draft own ethics bill

**BY MARK HERR**  
 The House of Representatives will draft its own ethics bill, a move that could lead to a more comprehensive set of rules for members of Congress.

### Alien issue strikes again

**Cabinet hopeful torpedoed**  
 The Senate has rejected a nomination for a cabinet position, a move that has caused a stir in the White House.

**SPECIAL SESSION**  
**The Kentucky Legislature**

### Some lottery employees have blue-chip connections

**BY THE EDITOR**  
 A recent investigation has revealed that some employees of the state lottery have connections to high-profile individuals.

### Bill's first bill

### 'Obscene' fee is latest woe for lawyer

**BY THE EDITOR**  
 A new fee structure has caused a significant amount of controversy among legal professionals.

### SCENE

**STATS AND STATS ON THE AM DIAL**

### INSIDE

**ST. JOHNS' IMPACT**

### OUR RUN

**CHERRY BLOSSOM**

### ENTERTAINMENT

**CLAYTON**

Community will not be swayed by The Courier-Journal.

Jefferson County Sheriff Jen Greene



thrift and other felonies for allowing an aide to take a 40-day paid leave to run the 1989 campaign of Jefferson County Judge-Executive Dave Armstrong. The aide, Operations Chief Larry Bond, also was not indicted. Bond left the sheriff's payroll in 1990 to become Armstrong's chief of staff. When Jefferson Circuit Judge Martin Johnson announced the grand jury's decision in court, Greene's daughter Allison shouted, "Congratulations, Daddy." Greene, who is 69 and has been in office since 1982,

Journal." Greene faces 12 opponents in the May Democratic primary for sheriff and has blamed much of his recent political trouble on the newspaper, which has published numerous stories in the past three years about questionable financial and political practices in his office. He said that he is confident he will win this year's election and that politicians who are suggesting his opponents will "change their tune by November, I guarantee you."

only investigation and of the Hobbeses from accepting criminal fines. Greene also faces civil lawsuit Bond was mat

House will draft own ethics bill

By FRAN ELLERS Staff Writer

FRANKFORT, Ky. — House Democratic leaders will replace the Senate ethics bill passed Thursday night with their own proposal that includes a ban on legislators' taking anything of value, including meals and drinks, from a lobbyist.

In many ways, the House leaders' version is similar to the bill passed unanimously by the Senate. But there are significant differences — the outright ban on freebies the Senate bill would discourage rather than eliminate them, stiffer penalties for violations and the way the law is set up.

House leaders also do not intend to go along with two provisions in the Senate bill that were passed to pacify Senate Republicans — the minimum amount at which the names of campaign contributors are reported and a change in the state public campaign-financing law.

The House State Government Committee will review the Senate bill on Monday, but it is the replacement bill that it will debate and vote on.

"I don't think there's any question that we're not going to accept the Senate (bill)



Rep. Leslie Traop, second from right, drove home a point to fellow lawmakers yesterday during a brief recess on the House floor. The others are, from left, Denver Butler, Rick Fox, Ken Harper and Jack Coleman Jr.

SPECIAL SESSION The Kentucky Legislature

Meyer arrested on DUI charge Just hours after he shepherded ethics legislation through the Senate, state Sen. Joe Meyer was arrested early yesterday morning in north Lexington and charged with drunken driving. Page A 9.

Tighter limits on political gifts The Senate passed ethics bill would require candidates to report the names of contributors giving more than \$200 down from the current figure of \$300, but some lawmakers say it should be even lower. Page A 9.

Limits loosened for consultant A House committee moved to set a higher spending cap on a consultant involved in developing a school computer system, and called for more oversight of the \$400 million project. Page A 9.

Some lottery employees have blue-chip connections

By TOM LOFTUS Staff Writer

FRANKFORT, Ky. — Although by law it is independent and non-political, the Kentucky Lottery Corp. employs its share of people with blue-chip political connections.

Eric Brown, the son of Kentucky Lottery Corp. Chairman Al Brown, was hired as a vending clerk last December.

Susan Simmons, a top state Finance Cabinet official, under former Secretary

Lottery chief Brian Potter is a finalist to head new Georgia lottery. Page A 7.

Rogers Wells, was hired for a top lottery job soon after Wells left state government at the end of Gov. Wallace Wilkinson's term.

Sandra Coe, wife of the manager of Wells' wood-products company, also works for the lottery.

Relatives of state legislators also have lottery jobs — the wives of Sen. Kim Nelson

and Rep. Pete Worthington; the son of former Rep. Jerry Bronger; the daughter of former Senate Majority Leader Joe Wright — as do friends of lottery president Brian Potter's family, including the girlfriend of Potter's brother and a friend of Potter's wife.

The wife of James Arnett, an official in Gov. Brereton Jones' office, also got a lottery job in August.

The political connections came to light in the wake of reports that two companies

controlled by Wells, one of the most powerful figures in the Wilkinson administration, held lottery contracts. The lottery board voted last month to suspend the contract with American Wood Products, but has insisted that the lottery did nothing wrong.

Potter, the lottery president, defended the findings. He said recommendations — some of which come from influential people —

See LOTTERY Page 4, col. 1, this section

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**Suit against C-J alleging harassment is reinstated**

By ANDREW WATSON  
Staff Writer

A suit filed by an investor against The Courier-Journal for alleged harassment was reinstated by a federal judge on Friday.

The suit, filed in 1991, was dismissed by a federal judge in 1992 after the newspaper argued that the investor had not provided sufficient evidence to support his claims.

The investor, who is now anonymous, had alleged that newspaper employees had harassed him and that the newspaper had published defamatory articles about him.

The judge's decision to reinstate the suit comes after the investor filed a motion to do so. The newspaper has not yet responded to the motion.

**NATURAL HIGH** many faces victims of a 10-hour, 100-mile storm surge that hit the Ohio River valley on Friday.

The surge, which was caused by a combination of factors, including a low tide and a strong wind, resulted in the flooding of many homes and businesses.

The surge was particularly severe in the area around Louisville, where it reached a height of 10 feet in some places.

The damage was extensive, with many homes and businesses destroyed or severely damaged.

The cause of the surge is still under investigation, but it is believed to have been caused by a combination of factors, including a low tide and a strong wind.

**Some lawmakers push to require reports on campaign gifts over \$100**

By GUY WATSON  
Staff Writer

House and Senate lawmakers are pushing to require candidates for federal office to report gifts worth more than \$100.

The House bill, H.R. 1000, and the Senate bill, S. 1000, both require candidates to report gifts worth more than \$100.

The bills also require candidates to report gifts worth more than \$100.

The bills are part of a larger effort to reform campaign finance laws.

The House bill also requires candidates to report gifts worth more than \$100.

The Senate bill also requires candidates to report gifts worth more than \$100.

**Panel loosens spending cap for consultant**

By GUY WATSON  
Staff Writer

A panel of lawmakers has approved a bill that would allow a consultant to spend more money on a campaign.

The bill, H.R. 1000, would allow a consultant to spend more money on a campaign.

The bill is part of a larger effort to reform campaign finance laws.

The bill also allows a consultant to spend more money on a campaign.

The bill is part of a larger effort to reform campaign finance laws.

**State senator charged with drunken driving**

By GUY WATSON  
Staff Writer

A state senator has been charged with drunken driving after a crash on a highway.

The senator, who is now anonymous, was driving a car that was involved in a crash on a highway.

The crash resulted in the death of a person and the injury of several others.

The senator is now facing charges of drunken driving.

The senator is now facing charges of drunken driving.

**Police chief says he's fine after surgery on artery**

By GUY WATSON  
Staff Writer

The police chief of a city has said he is fine after surgery on an artery.

The chief, who is now anonymous, had surgery on an artery.

The surgery was successful, and the chief is now recovering.

The chief is now recovering.

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**The Courier-Journal**

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also gives \$150,000 to the Office of Education Accountability, an investigative arm of the General Assembly, to oversee Digital's work on the project.

"We're going to keep a close eye on the consultant's contract, and if we don't get dollar for dollar, I'm going to be the first one to jump up and say let's cut it off," said Rep. Marshall Long, D-Shepherdsville, chairman of the committee.

bill, with two abstentions. The full House will vote on the bill Tuesday. It has not yet been taken up in the Senate.

The bill was a compromise between legislators and officials in the Finance Cabinet and Education Department, Long said. The issue was added to the special session last week because Education Department officials complained that a \$1 million annual cap on payments

Education Department in Frankfort, Rep. Pete Worthington, a retired IBM engineer who has repeatedly claimed that the Education Department is spending too much money on consultants and not enough on the computers themselves, said he would offer several amendments when the full House considers the bill. Worthington, D-Ewing, was the only member to vote against the bill yesterday.

### State senator charged with drunken driving

By GIL LAWSON  
Staff Writer

LEXINGTON, Ky. — Just hours after he shepherded ethics legislation through the Senate, state Sen. Joe Meyer was arrested early yesterday and charged with drunken driving.

Meyer, 44, a Covington attorney, was arrested at 12:53 a.m. after police stopped him in Lexington. Arrest records show Meyer's car was drifting out of his lane, he had "slow, slurred speech" and was unable to touch his nose with his finger during a field sobriety test.

He refused to take a breath test, police said.

Meyer's attorney, fellow Sen.

Mike Moloney of Lexington, entered a not guilty plea for Meyer in Fayette District Court yesterday. Judge Gary Payne set a Feb. 24 hearing date.

Meyer, a Democrat, pleaded guilty to driving under the influence of alcohol in Frankfort during the 1982 session of the General Assembly. He was a state representative at the time.

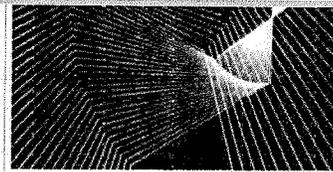
In yesterday's incident, Meyer, chairman of the Senate State Government Committee, said he was returning to Frankfort from Lexington when police stopped him at 12:36 a.m. Meyer said he offered to take a breath test after speaking to his attorney, but police refused to let him do that.

Lexington Police Chief Larry Walsh declined to comment on Meyer's claim.

Refusing to take a test to determine the percentage of alcohol in the bloodstream can lead to a six-month license suspension. Meyer, who did not appear in court yesterday, temporarily gave up his driver's license because of the refusal.

He remained in the Fayette County Detention Center until 2:21 a.m., when he was released on his own recognizance.

If convicted, he faces a fine of \$200 to \$500 and/or two to 30 days in jail. A conviction would also result in a 90-day suspension of his driver's license if the breath test refusal is not upheld.



The Courier-Journal is offering the comprehensive Standard & Poor's 1992 YEAR-END STOCK GUIDE as a service to our readers.

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Includes high, low and closing prices for the year. Please mail me a Free Year-End Stock Guide.

## Scott White

---

**From:** Larry Klein </O=COVINGTON, KY/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=LKLEIN>  
**Sent:** Tuesday, September 06, 2016 9:55 PM  
**To:** Lisa Desmarais  
**Subject:** Data Driven City Roadshow

Lisa what do you think about a data driven city roadshow over next couple of months?

Neighborhood meetings, CNC, Rotary Club, MSVA, LBA, CBC, maybe a special meeting at City hall or off site location with special invite to public?

As you said I don't know if a roadshow is Todd's forte but you could certainly show the data and application to budget.

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 2:36 PM  
**To:** Scott White  
**Subject:** FW: I win

Scott White

City of Covington.

[direct](#) | [main](#)

---

**From:** Larry Klein  
**Sent:** Friday, September 09, 2016 11:03 AM  
**To:** Roger Auge II  
**Subject:** RE: I win

Thank you Roger!

I have no plans to retire, and absolutely would never do that in middle of an election season.

I thoroughly enjoy my job and believe in Covington and am its strongest cheerleader.

I hope that I have done more "thriving" than "surviving".

Joe wants to fire me, and has made that clear to everyone, so the election is something of an referendum on me too, I suppose.

Yes let's get together when things settle down.

**Larry Klein**  
**City Manager**  
City of Covington, Administration  
20 West Pike Street, 2nd Floor Covington KY 41011  
[859-292-2133 direct](#) | [859-292-2133 main](#)

---

**From:** Roger Auge II [<mailto:augeir@gmail.com>]  
**Sent:** Friday, September 09, 2016 10:57 AM  
**To:** Larry Klein  
**Subject:** I win

Well, I was unable to message Frank because I guess I wrote email down wrong, but I did message Hyzenga, but have had no response. So, I guess, I win the bet, whatever it was, in good spirits. In another area, in the heat of the mayor's race, in my house my excellent spouse is in Sherry's camp while I am in Joe's. Each of us has come across chatter that no matter the outcome, you intend to retire somewhere around year's end. If true, that is a sad moment for Covington and Northern Kentucky. On the other hand, like me, you have been around a long time and have survived longer than usual as Covington City Manager, and deserve a chance to read some good books. In the

book area, I'll happily make suggestions. Anyway, I think after the election, we should lunch someplace decent. Roger Auge II.

Sent from [Mail](#) for Windows 10

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 2:29 PM  
**To:** Scott White  
**Subject:** FW: Monte Casino

Scott White

City of Covington.

[direct](#) | [main](#)

**From:** Larry Klein  
**Sent:** Saturday, September 10, 2016 12:28 AM  
**To:** Sherry Carran  
**Subject:** Monte Casino

Hope you make it to Monte Casino this weekend.

Bill said they really like the direction the City is going in.

Hearing some positive feedback might be good right now to let you know that a lot of people see the good that is happening and the great job you are doing.

## Scott White

---

**From:** Larry Klein </O=COVINGTON, KY/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=LKLEIN>  
**Sent:** Saturday, October 22, 2016 9:28 AM  
**To:** 'Sherry Carran'  
**Subject:** RE: Sherry

I tried to play this and got "Error".

It might just be my home computer.

Will try again later.

---

**From:** Sherry Carran [<mailto:carranbs@fuse.net>]  
**Sent:** Saturday, October 22, 2016 6:34 AM  
**To:** Larry Klein  
**Subject:** Sherry

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Published on Oct 21, 2016

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## Scott White

---

**From:** Larry Klein </O=COVINGTON, KY/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=LKLEIN>  
**Sent:** Saturday, October 22, 2016 11:16 AM  
**To:** billgfm1@aol.com; geneweaver@fuse.net  
**Subject:** FW: Sherry

I can't get this to play can you?

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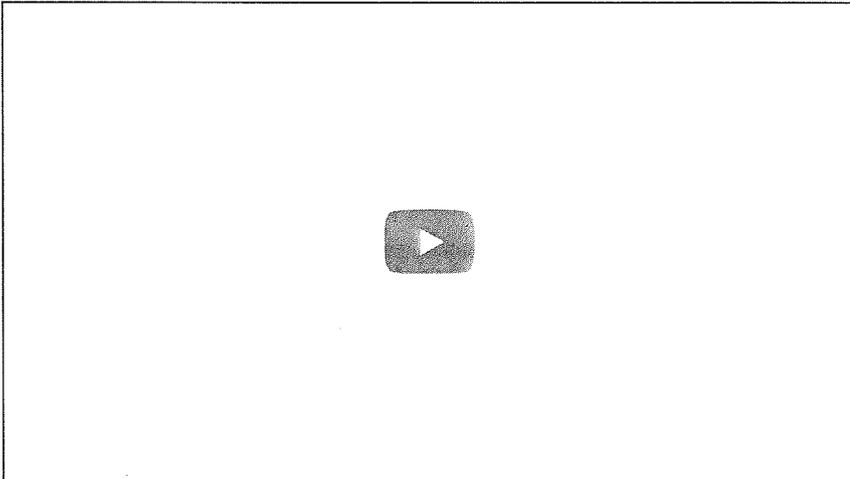
**From:** Sherry Carran [<mailto:carranbs@fuse.net>]  
**Sent:** Saturday, October 22, 2016 6:34 AM  
**To:** Larry Klein  
**Subject:** Sherry

See the other short Cam posted today? <https://www.youtube.com/watch?v=052Xd1QAwkQ>

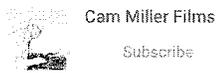
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### RE-ELECT SHERRY CARRAN MAYOR COVINGTON KY



Cam Miller Films

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Published on Oct 21, 2016

Covington is back. Sherry Carran is a big reason why. Her 10-point strategy is designed to build upon the positive energy in the city and keep Covington moving forward.

SHOW MORE

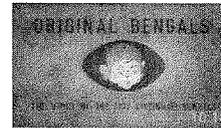
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**Auditor: Bob Due stole \$793,127 from Covington**  
LOCAL 12  
396 views



**The Original Bengals - The Story of the 1937 Cincinnati Bengals**  
Cam Miller Films  
667 views



**The Flood - A Short Film**  
Cam Miller Films  
1,107 views



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**THE LEGEND OF STAN BOWMAN - TEASER 2017**  
Cam Miller Films  
353 views

**Sherry Carran loses Covington mayoral race to challenger Joe**  
LOCAL 12  
7 views

1:36

**STAR WARS - Theme For Harloff Minor - Music Inspired By**  
Cam Miller Films  
103 views

0:24

**ONCE A SLAVE - TEASER**  
Cam Miller Films  
36 views

0:52

**Meet The Candidates Forum 2016 - Dayton, KY City Council**  
Cam Miller Films  
200 views

1:03:23

**Brent Spence accident raises questions**  
LOCAL 12  
41 views

0:32

**DUBLINERS by James Joyce - FULL Audio Book | Greatest Audio**  
Greatest AudioBooks  
37,576 views

6:40:14

## Scott White

---

**From:** Larry Klein </O=COVINGTON, KY/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=LKLEIN>  
**Sent:** Saturday, October 22, 2016 1:17 PM  
**To:** billgfm1  
**Subject:** Re: Sherry

Don't know if I hVenirbor not

Sent from my iPhone

On Oct 22, 2016, at 12:58 PM, billgfm1 <[billgfm1@aol.com](mailto:billgfm1@aol.com)> wrote:

Need to get a You-Tube App on your phone if you don't have one.

Sent from my Verizon 4G LTE smartphone

----- Original message -----

**From:** Larry Klein <[lklein@covingtonky.gov](mailto:lklein@covingtonky.gov)>  
**Date:** 10/22/16 11:15 AM (GMT-05:00)  
**To:** [BILLGFM1@aol.com](mailto:BILLGFM1@aol.com), "Gene Weaver ([geneweaver@fuse.net](mailto:geneweaver@fuse.net))" <[geneweaver@fuse.net](mailto:geneweaver@fuse.net)>  
**Subject:** FW: Sherry

I can't get this to play can you?

---

**From:** Sherry Carran [<mailto:carranbs@fuse.net>]  
**Sent:** Saturday, October 22, 2016 6:34 AM  
**To:** Larry Klein  
**Subject:** Sherry

See the other short Cam posted today? <https://www.youtube.com/watch?v=052Xd1QAwkQ>

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 9:48 PM  
**To:** Scott White  
**Subject:** FW: Joe Meyer

-----Original Message-----

From: Larry Klein  
Sent: Friday, October 28, 2016 7:50 AM  
To: [eneweaver@fuse.net](mailto:eneweaver@fuse.net)  
Cc: [illgfm1@aol.com](mailto:illgfm1@aol.com)  
Subject: Re: Joe Meyer

Trying to.

Sent from my iPhone

> On Oct 28, 2016, at 7:31 AM, Gene Weaver <[geneweaver@fuse.net](mailto:geneweaver@fuse.net)> wrote:

>

> Hang in there.

>

>

> Gene Weaver

> Gene Weaver & Associates

> 11 East Tenth Street

> Covington, Kentucky 41011

> 859-431-3444

>

>

> -----Original Message-----

> From: Larry Klein [<mailto:llklein@covingtonky.gov>]

> Sent: Thursday, October 27, 2016 11:31 PM

> To: [BILLGFM1@aol.com](mailto:BILLGFM1@aol.com); Gene Weaver ([geneweaver@fuse.net](mailto:geneweaver@fuse.net))

> Subject: FW: Joe Meyer

>

>

>

> -----Original Message-----

> From: Wartman, Scott [<mailto:swartman@cincinnati.gannett.com>]

> Sent: Thursday, October 27, 2016 7:00 AM

> To: Larry Klein

> Subject: RE: Joe Meyer

>

> Well he can't actually fire you since it takes the whole commission,

> but I asked him if he would support keeping you in or would try to force you out.

> He said "We'll cross that bridge when we come to it."

>

> -----Original Message-----

> From: Larry Klein [<mailto:llklein@covingtonky.gov>]

> Sent: Wednesday, October 26, 2016 6:45 PM

> To: Wartman, Scott <[swartman@cincinnati.gannett.com](mailto:swartman@cincinnati.gannett.com)>

> Subject: Re: Joe Meyer

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 9:49 PM  
**To:** Scott White  
**Subject:** FW: Joe Meyer

-----Original Message-----

From: Larry Klein  
Sent: Thursday, October 27, 2016 8:47 AM  
To: Wartman, Scott  
Subject: Re: Joe Meyer

Actually it only takes a majority of commission

Sent from my iPhone

> On Oct 27, 2016, at 7:00 AM, Wartman, Scott <[swartman@cincinnati.gannett.com](mailto:swartman@cincinnati.gannett.com)> wrote:  
>  
> Well he can't actually fire you since it takes the whole commission, but I asked him if he would support keeping you in or would try to force you out. He said "We'll cross that bridge when we come to it."

>  
> -----Original Message-----  
> From: Larry Klein [<mailto:lklein@covingtonky.gov>]  
> Sent: Wednesday, October 26, 2016 6:45 PM  
> To: Wartman, Scott <[swartman@cincinnati.gannett.com](mailto:swartman@cincinnati.gannett.com)>  
> Subject: Re: Joe Meyer

>  
> Did you ask him directly if he was going to fire me ?

>  
> Sent from my iPhone

>  
>> On Oct 26, 2016, at 4:45 PM, Wartman, Scott <[swartman@cincinnati.gannett.com](mailto:swartman@cincinnati.gannett.com)> wrote:  
>>  
>> Glad to hear it. Thanks!

>>  
>> -----Original Message-----  
>> From: Larry Klein [<mailto:lklein@covingtonky.gov>]  
>> Sent: Wednesday, October 26, 2016 4:26 PM  
>> To: Wartman, Scott <[swartman@cincinnati.gannett.com](mailto:swartman@cincinnati.gannett.com)>  
>> Subject: Re: Joe Meyer

>>  
>> I love my job  
>>  
>> Sent from my iPhone

>>  
>>> On Oct 26, 2016, at 4:18 PM, Wartman, Scott <[swartman@cincinnati.gannett.com](mailto:swartman@cincinnati.gannett.com)> wrote:

>>>  
>>> Larry,

>>>  
>>> In an interview with me, Joe Meyer wouldn't say what he'd do with your position if he got elected. He said he believes you will quit if he gets elected. I wanted to see if that's what you planned on doing. Would you quit if Meyer got elected?

>>>  
>>> Thanks,  
>>>  
>>> Scott  
>>>  
>>> -----Original Message-----  
>>> From: Larry Klein [<mailto:llklein@covingtonky.gov>]  
>>> Sent: Wednesday, October 26, 2016 7:22 AM  
>>> To: Wartman, Scott <[swartman@cincinnati.gannett.com](mailto:swartman@cincinnati.gannett.com)>; Wartman, Scott  
<[swartman@cincinnati.gannett.com](mailto:swartman@cincinnati.gannett.com)>  
>>> Subject:  
>>>  
>>> Did you get what I sent you yesterday about local 38 response?  
>>>  
>>> Sent from my iPhone  
>>>  
>>> Larry Klein  
>>> City Manager  
>>> City of Covington, Administration  
>>> 20 West Pike Street, 2nd Floor, Covington, KY 41011  
>>> 859-292-2133 direct | 859-292-2133 main  
>>> 859-292-2137 fax  
>>> Facebook<<https://www.facebook.com/CovingtonKentuckygovernment/>> |  
Twitter<<https://twitter.com/covingtonkygov/>>  
>>> [www.covingtonky.gov](http://www.covingtonky.gov)<<http://www.covingtonky.gov/>>  
>>> Sign up to receive our  
Eblasts<[http://visitor.r20.constantcontact.com/manage/optin?v=001KoyZ43z4toj7ofvIwS5G\\_6hPWwk4msp\\_wgHKV34DlpDN3tbErl1jaG8vwXJr27ue4qJXoTigTChy15x1qgLOWzXCA3VqjsHDpv8Q8yU8yj32v9Ty734FIVcnoIVq03rtPYjujimp\\_80y5\\_ivuZMwV7gXA6zUekjpMoyQi8h3\\_EaQ%3D](http://visitor.r20.constantcontact.com/manage/optin?v=001KoyZ43z4toj7ofvIwS5G_6hPWwk4msp_wgHKV34DlpDN3tbErl1jaG8vwXJr27ue4qJXoTigTChy15x1qgLOWzXCA3VqjsHDpv8Q8yU8yj32v9Ty734FIVcnoIVq03rtPYjujimp_80y5_ivuZMwV7gXA6zUekjpMoyQi8h3_EaQ%3D)>  
>>> Disclaimer: Please note all content in this email may be subject to open records request.

## Scott White

---

**From:** Larry Klein </O=COVINGTON, KY/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=LKLEIN>  
**Sent:** Tuesday, October 25, 2016 9:10 AM  
**To:** Sherry Carran  
**Cc:** Lisa Desmarais; Dan Mathew  
**Subject:** Re: interview with Channel 19

You bet !

Sent from my iPhone

On Oct 25, 2016, at 8:33 AM, Sherry Carran <[scarran@covingtonky.gov](mailto:scarran@covingtonky.gov)> wrote:

Just finished my interview with Channel 19.  
They interviewed Mike Davis earlier.

Believe it went well.

Part of it was live and part was taped.  
Not sure how it will be aired.

Thank you all for your help.  
Sherry

**Sherry Carran**  
**Mayor**

City of Covington, Office of the Mayor  
20 West Pike Street, 2nd Floor, Covington, KY 41011  
859-292-2127 direct | 859-292-2127 main  
859-292-2137 fax

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## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 10:23 PM  
**To:** Scott White  
**Subject:** FW: Mayoral endorsement?

Scott White

City of Covington.

[direct](#) | [main](#)

---

**From:** Larry Klein  
**Sent:** Friday, November 04, 2016 8:12 AM  
**To:** Sherry Carran  
**Subject:** Fwd: Mayoral endorsement?

Sent from my iPhone

Begin forwarded message:

**From:** Marilyn Baker <[marilyn@yankeedoodledeli.com](mailto:marilyn@yankeedoodledeli.com)>  
**Date:** November 4, 2016 at 8:04:13 AM EDT  
**To:** <[jhuizenga@childreninc.org](mailto:jhuizenga@childreninc.org)>  
**Subject: Mayoral endorsement?**

Hi Jordon!

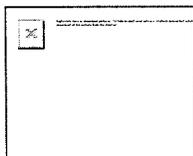
I was disappointed to read in the Enquirer story that you haven't publicly endorsed Sherry. I feel strongly that she is the best person to continue to lead in this fantastic growth we are experiencing.

The current commission, along with Larry, has done a terrific job and I wish you had publicly supported Sherry's role in these efforts.

That's my two cents!

--

**Marilyn Baker, Owner**  
Yankee Doodle Deli



[www.yankeedoodledeli.com](http://www.yankeedoodledeli.com)

Cell: 859-620-7406

Like Us on Facebook! <https://www.facebook.com/YankeeDoodleDeli>

## Scott White

---

**From:** Scott White <ScottW@covingtonky.gov>  
**Sent:** Wednesday, October 11, 2017 10:05 PM  
**To:** Scott White  
**Subject:** FW:

Scott White

City of Covington,

[direct](#) | [main](#)

---

**From:** Larry Klein  
**Sent:** Tuesday, November 08, 2016 1:42 PM  
**To:** Lee Russo  
**Subject:** RE:

Thanks Lee.

Mayor and Commission election here today.

Other person running for Mayor (endorsed by FOP and Local 38) wants to fire me, so what's new about that huh?

**Larry Klein**  
**City Manager**  
City of Covington, Administration  
20 West Pike Street, 2nd Floor Covington KY 41011  
859-292-2133 direct | 859-292-2133 main  
**From:** Lee Russo [<mailto:lee.russo@wvc-ut.gov>]  
**Sent:** Tuesday, November 08, 2016 1:40 PM  
**To:** Larry Klein  
**Subject:** Re:

Thank you. I appreciate your well wishes.

Hope all is going well on your end.

Lee

On Nov 8, 2016 11:29 AM, "Larry Klein" <[lklein@covingtonky.gov](mailto:lklein@covingtonky.gov)> wrote:  
Very sorry to hear you lost a police officer

Sent from my iPhone

Larry Klein