

**MINUTES**  
**BOARD OF COMMISSIONERS' MEETING**  
**Tuesday, September 10, 2013 6:00 P.M.**

A REGULAR MEETING of the Board of Commissioners of the City of Covington, Kentucky, was opened by Mayor Carran, on Tuesday, September 10, 2013, at 6:00 p.m., in Commission Chambers, 638 Madison Avenue, Covington, Kentucky.

Mayor Carran presiding with Commissioners Chuck Eilerman, Steve Frank, Mildred Rains, Michelle William, City Manager Larry Klein, and City Solicitor Frank Warnock, present.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Frank to dispense with the reading of and approve the minutes of the August 20 and August 27, 2013, meeting minutes.

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

**PRESENTATIONS**

- Rhonda Whitaker, Duke Energy Foundation representative presented checks to three redevelopment projects in Covington: Mutual Building LLC, 220 Pike Street, and the Hotel Covington.
- Katie Meyer, Renaissance Manager updated the Commission on upcoming Renaissance events including "pop-up" shops and a Covington Monopoly game.

**NEW BUSINESS – FIRST READING OF ORDINANCES**

**ARCHEOLOGICAL EXCAVATION** – Devou Park is home to several historically significant batteries and the park could hold historic Civil War, Native American, and other artifacts. The City has a fiduciary duty to preserve those items and not allow their removal without standards for documentation and preservation.

**COMMISSIONERS' ORDINANCE NO. O-33-13**

AN ORDINANCE AMENDING CHAPTER 94 OF THE COVINGTON CODE OF ORDINANCES TO ESTABLISH A PERMITTING PROCESS FOR ARCHEOLOGICAL EXCAVATION IN DEVOU PARK.

FIRST READING, NO VOTE

**NEW BUSINESS – ORDER/RESOLUTIONS**

**RESIGNATION DPI** – John Coulter is resigning from his current position in order to take apposition as a Police Officer with the City.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-239-13**

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION OF JOHN COULTER AS SOLID WASTE COORDINATOR, EFFECTIVE SEPTEMBER 15, 2013.

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

**EMPLOYMENT POLICE OFFICERS** – Daniel Merrell is a 2008 graduate of Dixie Heights High School and also attended ECU. John Coulter is currently employed as the City's Solid Waste Coordinator. Jesse Wenning is a veteran of the Kentucky Army National Guard and is currently attending NKU. Matthew Blackwell is a veteran of the US Air Force where he served as a Military Police Officer.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-240-13**

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AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF DANIEL MERRELL, JOHN COULTER, JESSE WENNING AND MATTHEW BLACKWELL AS POLICE OFFICERS, GRADE I, IN THE COVINGTON POLICE DEPARTMENT, WITH A 12-MONTH PROBATIONARY PERIOD, EFFECTIVE SEPTEMBER 15, 2013.

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

**EMPLOYMENT FINANCE DEPARTMENT** – Mr. Frye is the retired Kenton County Treasurer and Director of Information Systems, having served the County of Kenton for a total of 33 years. He was available to the City immediately and his assistance is needed. He has an MBA, is a Vietnam veteran, is retired from a career in the US Army, and has much experience in government finance.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-241-13**

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF IVAN FRYE AS INTERIM FINANCE DIRECTOR, AT AN ANNUAL SALARY OF \$81,731.00, EFFECTIVE SEPTEMBER 3, 2013, AND SUBJECT TO THE TERMS AND CONDITIONS OF AN EMPLOYMENT AGREEMENT.

**MOTION** of Commissioner Frank, seconded by Commissioner Eilerman.  
Passed. 4 Yeas. Commissioners Eilerman, Frank, Rains, and Mayor Carran.  
Commissioner Williams present, not voting.

**EMPLOYMENT FINANCE DEPARTMENT** – Mr. Heist will return to his previous position of Accounting and Operations Manager and remain an integral part of the management of the Department.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-242-13**

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF JEROME HEIST AS ACCOUNTING AND OPERATIONS MANAGER AT THE SALARY ESTABLISHED FOR HIM IN THAT POSITION PRIOR TO HIS BEING NAMED THE INTERIM FINANCE DIRECTOR, EFFECTIVE SEPTEMBER 3, 2013.

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

**EMPLOYMENT LEGAL DEPARTMENT** – Christian previously worked as a law clerk for the City in 2010 and 2011. He is a graduate of the UC College of Law. He just took the New York Bar Exam and is waiting for his results. He served as interim Director of Operations for the Relish Restaurant Group, was a business consultant in the restaurant and hotel business, and has experience in negotiating leases and operating/shareholder agreements. He served as a legal extern for Judge Jeffery Hopkins of the US Bankruptcy Court, Southern District of Ohio, and Judge Timothy Black, US District Court, Southern District of Ohio.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-243-13**

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF CHRISTIAN DENNERY AS A PART-TIME LAW CLERK IN THE COVINGTON LEGAL DEPARTMENT, AT AN HOURLY SALARY OF \$15.00 PER HOUR, EFFECTIVE SEPTEMBER 3, 2013.

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

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**RESIGNATION DPI** – Mr. Logan has been an integral part of the City since 2004 and his technical expertise and ability to manage City functions will be greatly missed.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-244-13**

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION OF THOMAS LOGAN AS DIRECTOR OF PUBLIC IMPROVEMENTS/ ASSISTANT CITY ENGINEER, EFFECTIVE OCTOBER 1, 2013.

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

**EMPLOYMENT DPI** – The City received 44 applications for this position. Mr. Davis is currently a Transportation Engineering Branch Manager at KYTC where he oversees over 50 employees. He is a graduate of the University of Kentucky with a Bachelor in Civil Engineering and is also a Kentucky Registered Professional Engineer.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-245-13**

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF RICK DAVIS AS THE DIRECTOR OF PUBLIC IMPROVEMENTS/ASSISTANT CITY ENGINEER, AT A STARTING ANNUAL SALARY OF \$89,900.00, EFFECTIVE OCTOBER 1, 2013.

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

**EMPLOYMENT DPI** – Mr. Lohstroh has been working as a seasonal in the property maintenance crew since March and has been a very dedicated, hardworking employee. He will be filling a position that was included in the budget and will be managing three seasonal employees and in charge of maintaining the vacant and City owned properties.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-246-13**

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF COREY LOHSTROH AS MUNICIPAL GROUNDWORKER IN THE DEPARTMENT OF PUBLIC IMPROVEMENTS, EFFECTIVE SEPTEMBER 11, 2013, AT AN ANNUAL SALARY OF \$40,500.00.

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

**RETIREMENT TELECOMMUNICATOR**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-247-13**

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION FOR RETIREMENT OF JANET NEW, A TELECOMMUNICATOR V FOR THE CITY OF COVINGTON, EFFECTIVE JANUARY 31, 2014.

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

**RESIGNATION POLICE DEPARTMENT**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-248-13**

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AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION OF CRIME LAB TECHNICIAN KIMBERLY NEWMAN FROM THE COVINGTON POLICE DEPARTMENT, EFFECTIVE AUGUST 16, 2013.

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

**REVISED PROPOSAL NKU CEAD** – In an ongoing effort to provide services and activities on a nondiscriminatory manner and to affirmatively further fair housing, the City is charged by law to implement and enforce a wide array of civil rights laws for members of the public in search of fair housing and for HUD funded grant recipients.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-249-13**

AN ORDER/RESOLUTION ACCEPTING THE REVISED PROPOSAL OF THE NORTHERN KENTUCKY UNIVERSITY CENTER FOR ECONOMIC ANALYSIS AND DEVELOPMENT ("CEAD") FOR COMPLETION OF A SURVEY TO ASSIST IN THE CREATION OF A FAIR HOUSING PLAN AND LIMITED ENGLISH PROFICIENCY PLAN IN AN AMOUNT NOT TO EXCEED \$25,00.00, PAYABLE FROM CDBG ADMINISTRATION FUNDS, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CEAD.

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

**EASEMENT AGREEMENT** – Guardian Savings Bank obtained the properties located at 725-731 Crescent Avenue through foreclosure. In preparing for the sale, it was discovered that the driveway of 731 Crescent Avenue is in the public right-of-way. The City's Legal department and the bank have agreed that the best solution would be to grant a revocable easement to the properties. The City reserves the right to revoke the easement in the future if it wishes to improve the right-of-way for a public use.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-250-13**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A REVOCABLE EASEMENT AGREEMENT WITH GUARDIAN SAVINGS BANK FOR A PORTION OF THE RIGHT-OF-WAY LOCATED ADJACENT TO 725-731 CRESCENT AVENUE.

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

**DESIGN SERVICES AGREEMENT** – The two retaining walls along Devou Drive near Western Avenue are failing. Funds have been allocated for construction in the capital budget and detailed design documents are needed before the project can be advertised for construction. Thelen has been working on these walls and investigating the issue since the early 1990s. The scope of this work would include design work for the soil stabilization for the entire road as well as construction estimates so that the City can plan for future projects. This work would allow the construction of the top three priority areas in the Spring of 2014.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-251-13**

AN ORDER/RESOLUTION ACCEPTING THE PROPOSAL OF, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO AN AGREEMENT WITH, THELEN ASSOCIATES, INC. FOR DESIGN SERVICES IN THE AMOUNT OF \$138,035.00, PAYABLE FROM THE CAPITAL IMPROVEMENT FUND.

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

**ROOF REPAIRS** – The roof damage at 501 Main Street is causing water seepage into the building which is causing interior damage. Two bids were received for this work with Better Homes & Restoration LLC submitting the lowest responsible bid.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-252-13**

AN ORDER/RESOLUTION ACCEPTING THE BID OF BETTER HOMES & RESTORATION, LLC FOR ROOF REPAIRS AT 501 MAIN STREET, AS THE BEST RESPONSIBLE BID AND REJECTING ALL OTHER BIDS, IN AN AMOUNT OF \$31,314.00, PAYABLE FROM THE GENERAL FUND.

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

**ROOF REPLACEMENT** – Because of roof damage, water is getting inside the building causing more interior damage. This project will replace the entire roof.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-253-13**

AN ORDER/RESOLUTION ACCEPTING THE BID OF INTERSTATE CONTRACTORS, LLC FOR THE ROOF REPLACEMENT AT 824 GREENUP STREET (LINCOLN GRANT SCHOOL) AS THE BEST RESPONSIBLE BID AND REJECTING ALL OTHER BIDS, IN AN AMOUNT OF \$31,200.00, PAYABLE FROM THE GENERAL FUND.

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

**SERVER UPGRADES** – VoIP is a methodology and group of technologies for the delivery of voice communications and multimedia sessions over Internet Protocol (IP) networks, such as the Internet. In 2007, the City implemented a call manager, which is a software based call processing system. This software and licensing needs to be upgraded and renewed in all City departments. This work also includes a replacement server at DPI and backup server that will take over and provide consistent service in the event that any part of the system goes down. A redundant system is an integral part of keeping the city-wide communications systems operating in the event of a system failure.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-254-13**

AN ORDER/RESOLUTION ACCEPTING THE PROPOSAL OF CINCINNATI BELL TECHNOLOGY SERVICES FOR A THREE-YEAR AGREEMENT FOR LICENSING, SOFTWARE, SUPPORT AND UPGRADES TO THE CITY'S VOICE OVER INTERNET PROTOCOL (VoIP) SERVERS IN AN AMOUNT NOT TO EXCEED \$127,411.92, PAYABLE FROM THE GENERAL FUND.

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

**VOICE AND DATA INFRASTRUCTURE INSTALLATION NEW CITY HALL**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-254-13**

AN ORDER/RESOLUTION ACCEPTING THE PROPOSAL OF SECO ELECTRIC CO., INC. FOR VOICE AND DATE INFRASTRUCTURE AND AV FOR THE NEW CITY HALL, 20 WEST PIKE STREET, AS THE BEST

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RESPONSIBLE BID AND REJECTING ALL OTHER BIDS, IN AN AMOUNT OF \$39,322.00., PAYABLE FROM CAPITAL IMPROVEMENTS FUND.

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

**SECURITY SYSTEM NEW CITY HALL**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-256-13**

AN ORDER/RESOLUTION ACCEPTING THE PROPOSAL OF C-FORWARD, INC. FOR ACCESS CONTROL AND VIDEO SURVEILLANCE FOR THE NEW CITY HALL, 20 WET PIKE STREET, AS THE BEST RESPONSIBLE BID AND REJECTING ALL OTHER BIDS, IN AN AMOUNT OF \$34,197.00, PAYABLE FROM THE CAPITAL IMPROVEMENT FUND.

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

**REAPPOINTMENT UDRB** – This will be Ms. Bresser's second term on the UDRB. She is an architect and provides needed technical and design knowledge to the Board.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-257-13**

AN ORDER/RESOLUTION APPROVING THE REAPPOINTMENT OF BRANDI BRESSER TO THE URBAN DESIGN REVIEW BOARD FOR A FOUR-YEAR TERM, EFFECTIVE SEPTEMBER 28, 2013, AND EXPIRING SEPTEMBER 27, 2017.

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

**APPOINTMENT AUDIT COMMITTEE** – Mr. Kidd has been nominated by the Mayor to fill a vacancy on the Audit Committee. He has also been recommended by the Audit Committee for appointment.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-258-13**

AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF JOHN KIDD TO THE AUDIT COMMITTEE FOR A THREE-YEAR TERM, EFFECTIVE SEPTEMBER 10, 2013, AND EXPIRING SEPTEMBER 9, 2016.

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

**STEP-IN-GRADES** – The appointment of these Firefighters as paramedics increases the staffing available for assignment to the city's advanced life support (ALS) ambulances. Recent retirements and resignations had reduced the staffing available for assignment to same.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-259-13**

AN ORDER/RESOLUTION APPROVING STEP-IN-GRADE INCREASES FOR NEIL MCKINLEY, MATTHEW ARCHER, KURT THOMAS, AND KYLE MASSON, FROM FIREFIGHTER GRADE I TO

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FIREFIGHTER/PARAMEDIC GRADE I, AT A PAY INCREASE OF 14%,  
EFFECTIVE SEPTEMBER 10, 2013.

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

**DEVELOPMENT AGREEMENT** – The City purchased the property in 2010 to  
remove a nuisance business. Red Mare plans to rehabilitate the building in order to  
create space for commercial business as well as upper floor residential rental units.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-260-13**

AN ORDER/RESOLUTION DECLARING CERTAIN REAL PROPERTY  
LOCATED AT 11 EAST 5<sup>TH</sup> STREET AS SURPLUS PROPERTY,  
AUTHORIZING ITS SALE TO RED MARE HOLDINGS, LLC ("RED  
MARE") FOR THE PURPOSE OF ECONOMIC DEVELOPMENT, AND  
AUTHORIZING THE MAYOR AND CMITY MANAGER TO ENTER INTO  
A DEVELOPMENT AGREEMENT WITH RED MARE FOR 11 EAST 5<sup>TH</sup>  
STREET.

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

**PROPERTY PURCHASE** – The City is purchasing this property in order to create a  
more desirable development opportunity. The City also owns the adjacent building at 20  
East 5<sup>th</sup> Street and has determined that the property will be more marketable if the two  
properties are combined.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-261-13**

AN ORDER/RESOLUTION AUTHORIZING THE PURCHASE OF REAL  
PROPERTY AND RELATED BUSINESS LICENSES LOCATED AT 18  
EAST FIFTH STREET, COVINGTON, KENTUCKY, AND AUTHORIZING  
THE MAYOR AND CITY MANAGER TO EXECUTE A LEASE AND ANY  
DOCUMENTS NECESSARY TO EFFECTUATE THE PURCHASE OF THE  
REAL PROPERTY AND TRANSFER OF LICENSES.

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

**URBAN AND COMMUNITY FORESTRY GRANT** – This grant will provide up to  
\$10,000 to be used to plant trees on a portion of Holman Avenue. The planting will be  
done over a two-day weekend in which the City's Urban Forestry Division will lead an  
education tree planting program for local residents.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-262-13**

AN ORDER/RESOLUTION ACCEPTING A KENTUCKY URBAN AND  
COMMUNITY FORESTRY GRANT AND AUTHORIZING THE MAYOR  
TO EXECUTE A MEMORANDUM OF AGREEMENT AND ANY  
RELATED DOCUMENTS TO EFFECTUATE RECEIPT OF THE GRANT.

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

**ADJOURNMENT**

MAYOR CARRAN adjourned the meeting at 8:45 p.m.

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Sherry Carson  
MAYOR

ATTEST:

Margaret McKeon  
CITY CLERK

APPROVED: 9-24-13