

COMMISSIONERS' ORDER NO. _____

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE A SETTLEMENT AGREEMENT AND RELEASE WITH RIVER CITY GLASS, INC., dba McANDREWS WINDOWS AND GLASS REGARDING DISPUTED LITIGATION INVOLVING WINDOW INSTALLATION AT THE STEWART IRON WORKS BUILDING.

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WHEREAS, the City was the owner of certain real property located at 20 West 18th Street and more commonly referred to as Stewart Iron Works Building; and

WHEREAS, the City entered into certain agreement with McAndrws to provide certain window installation services toward the development of the property; and

WHEREAS, a dispute has arisen between the parties regarding the property, contract, and the project; and

WHEREAS, McAndrews filed a suite in Kenton County Circuit Court Case No 15-CI-00664 captioned River City Glass, Inc., dba McAndrews Windows and Glass v The City of Covington, Kentucky; and

WHEREAS, the parties desire to fully settle any and all disputes which may exist between them.

NOW THEREFORE,
BE IT ORDERED BY THE BOARD OF COMMISSIONERS OF THE CITY OF COVINGTON, KENTON COUNTY, KENTUCKY:

Section 1

That the City shall pay to McAndrews the sum of \$39,500.00 in funds within ten days of the date of this agreement.

Section 2

That upon receipt of the settlement payment, the parties shall dismiss their respective claims against each other, with prejudice, in the Litigation.

Section 3

That the Board of Commissioners hereby authorizes the Mayor to execute a Settlement Agreement and Release with River City Glass, Inc. dba McAndrews Windows and Glass.

Section 4

That this order shall take effect and be in full force when passed and recorded according to law.

MAYOR

ATTEST:

CITY CLERK

Passed: _____

COMMISSIONERS' ORDER NO. _____

AN ORDER AUTHORIZING THE SUBMISSION OF AN APPLICATION TO KENTUCKY'S PETROLEUM STORAGE TANK ENVIRONMENTAL ASSURANCE FUND FOR CITY-OWNED PROPERTY AT ONE POLICE MEMORIAL DRIVE AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH CHASE ENVIRONMENTAL TO ADMINISTER THE APPLICATION AND ENVIRONMENTAL REMEDIATION PROCESS FOR THE SITE.

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WHEREAS, the City received a directive from the State to investigate reported diesel fumes in the basement level of the Police Department; and

WHEREAS, the City contracted with Chase Environmental to replace the sub-pumps in the basement and drill external monitoring wells to test the property for contamination; and

WHEREAS, the City is eligible for funding for this work and must submit an application to the Petroleum Storage Tank Environmental Assurance Fund (PSTEAF), along with a \$500.00 application fee; and

WHEREAS, Chase Environmental will administer the application process and remedial effort and will be paid via the PSTEAF.

NOW THEREFORE,
BE IT ORDERED BY THE BOARD OF COMMISSIONERS OF THE CITY OF COVINGTON, KENTON COUNTY, KENTUCKY:

Section 1

That the Board of Commissioners hereby approves the submission of an application to Kentucky's Petroleum Storage Tank Environmental Assurance Fund and authorizes the Mayor to execute a contract with Chase Environmental to administer the application and environmental remediation process for the site.

Section 2

That this order shall take effect and be in full force when passed and recorded according to law.

MAYOR

ATTEST:

CITY CLERK

Passed: _____

COMMISSIONERS' ORDER NO. _____

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY FOR THE CORONAVIRUS RELIEF FUND REIMBURSEMENT IN AN AMOUNT OF \$2,902,575.00.

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WHEREAS, the United States Congress enacted the Coronavirus Aid, Relief and Economic Security Act (CARES ACT) which provides assistance to state and local governments; and

WHEREAS, Section 5001(d) of the CARES Act provides the eligible purposes for which payments may be used, specifically allowing state and local governments to make payments for program that 1) are necessary expenditures incurred due to the public health emergency with respect to COVID19; 2) were not accounted for in the budget most recently approved as of the date of enactment (March 27, 2020); and 3) were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020; and

WHEREAS, the City has submitted an application for the grant funds and the Commonwealth has been duly designated to administer the grant funds.

**NOW THEREFORE,
BE IT ORDERED BY THE BOARD OF COMMISSIONERS OF THE CITY OF
COVINGTON, KENTON COUNTY, KENTUCKY:**

Section 1

That the Board of Commissioners hereby authorizes the Mayor to execute a Memorandum of Agreement with the Commonwealth of Kentucky for the Coronavirus Relief Fund reimbursement in an amount of \$2,902,575.00.

Section 2

That this order shall take effect and be in full force when passed and recorded according to law.

MAYOR

ATTEST:

CITY CLERK

Passed: _____

COMMISSIONERS' ORDER NO. _____

AN ORDER AUTHORIZING THE PURCHASE OF 110 SETS OF TURNOUT GEAR FROM 911 FLEET AND FIRE EQUIPMENT, IN AN AMOUNT OF \$256,876.90, PAYABLE THROUGH THE FETFAO FUND.

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WHEREAS, IN 2003 Local 38 filed a grievance against the City for not providing, in their opinion, "safe fire equipment and fire closing that meets Kentucky OSHA or NFPA standards; and

WHEREAS, in an effort to comply with the desired settlement, the purchase of 110 sets of PPE (turnout gear) is necessary to replace gear that has reached its maximum useful life of 10 years according to NFPA; and

WHEREAS, the Board of Commissioners previously authorized the purchase of 110 sets of turnout gear from 911 Fleet and Fire Equipment, in an amount of \$256,876.90, payable through a lease purchase agreement with Republic First National Bank via Commissioners Order No. ORD-143-20; and

WHEREAS, subsequent to the adoption of ORD-143-20, staff determined it is in the City's best interest to purchase the turnout gear without incurring interest charges; and

WHEREAS, staff recommends proceeding with the direct purchase of the turnout gear to avoid interest costs associated with the Republic First National Bank lease purchase agreement, with the purchase price to be paid from the FETFAO fund and reimbursement to the FETFAO fund to be paid according to terms and conditions.

NOW THEREFORE,
BE IT ORDERED BY THE BOARD OF COMMISSIONERS OF THE CITY OF COVINGTON,
KENTON COUNTY, KENTUCKY:

Section 1

That the Board of Commissioners hereby authorizes the purchase of 110 sets of turnout gear from 911 Fleet and Fire Equipment, in an amount of \$256,876.90, payable from the FETFAO fund and such payment to be reimbursed by the Fire Department budget.

Section 2

That this order shall take effect and be in full force when passed and recorded according to law.

MAYOR

ATTEST:

CITY CLERK

Passed: _____

COMMISSIONERS' ORDER NO. _____

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH ZW PROPERTIES, LLC TO FACILITATE THE PAYMENT OF A \$4,200.00 FORGIVABLE FACADE INCENTIVE FOR PROPERTY LOCATED AT 1928 MADISON AVENUE.

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WHEREAS, the owners are planning a \$8,400 façade enhancement for their building using a local painting contractor; and

WHEREAS, the owners have already invested \$74,550.00 into renovating the upstairs apartments and white-boxing the commercial space to attract a future tenant;

WHEREAS, a façade loan will help offset the cost of this exterior improvement, while assisting economic development within the City; and

WHEREAS, City staff have determined that ZW Properties LLC meets the criteria for the façade program and recommend that they receive a façade grant in an amount not to exceed \$4,200.00, subject to certain terms and conditions in the loan agreement.

**NOW THEREFORE,
BE IT ORDERED BY THE BOARD OF COMMISSIONERS OF THE CITY OF
COVINGTON, KENTON COUNTY, KENTUCKY:**

Section 1

That the Board of Commissioners hereby authorizes the Mayor to execute a façade loan agreement with ZW Properties, LLC to facilitate the payment of a \$4,200.00 façade incentive for the property located at 1928 Madison Avenue, payable from the Economic Development Fund and General Fund.

Section 2

That this order shall take effect and be in full force when passed and recorded according to law.

MAYOR

ATTEST:

CITY CLERK

Passed: _____

COMMISSIONERS' ORDER NO. _____

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE CENTER FOR GREAT NEIGHBORHOODS TO FACILITATE THE PAYMENT OF A \$6,000.00 FORGIVABLE FACADE INCENTIVE FOR PROPERTY LOCATED AT 1131 HOLMAN STREET.

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WHEREAS, the owners are planning a \$19,350.00 façade enhancement for their building using a local painting contractor; and

WHEREAS, the work will also include repairing windows, adding exterior lighting, a commercial storefront, and cornice repairs; and

WHEREAS, a façade loan will help offset the cost of this exterior improvement, while assisting economic development within the City; and

WHEREAS, City staff have determined that the Center for Great Neighborhoods meets the criteria for the façade program and recommend that they receive a façade grant in an amount not to exceed \$6,000.00, subject to certain terms and conditions in the loan agreement.

**NOW THEREFORE,
BE IT ORDERED BY THE BOARD OF COMMISSIONERS OF THE CITY OF
COVINGTON, KENTON COUNTY, KENTUCKY:**

Section 1

That the Board of Commissioners hereby authorizes the Mayor to execute a façade loan agreement with the Center for Great Neighborhoods to facilitate the payment of a \$6,000.00 façade incentive for the property located at 1131 Holman Street, payable from the Economic Development Fund and General Fund.

Section 2

That this order shall take effect and be in full force when passed and recorded according to law.

MAYOR

ATTEST:

CITY CLERK

Passed: _____

COMMISSIONERS' ORDER NO. _____

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AMENDED AND RESTATED COMMERCIAL RENT INCENTIVE AGREEMENT WITH HAVEN SPA, LLC.

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WHEREAS, the original rent incentive agreement with Haven Spa was executed on September 13, 2019; and

WHEREAS, due to unforeseen delays in preparing the space to be leased by Haven Spa, they were unable to move into the space during the term of the original agreement; and

WHEREAS, Haven Spa is requesting an extension until July 31, 2021; and

WHEREAS, the extension is permissible under the Small Business Program guidelines.

NOW THEREFORE,
BE IT ORDERED BY THE BOARD OF COMMISSIONERS OF THE CITY OF COVINGTON, KENTON COUNTY, KENTUCKY:

Section 1

That the Board of Commissioners hereby authorizes the Mayor to execute an Amended and Restated Commercial Rent Incentive Agreement with Haven Spa, LLC.

Section 2

That this order shall take effect and be in full force when passed and recorded according to law.

MAYOR

ATTEST:

CITY CLERK

Passed: _____

COMMISSIONERS' ORDER NO. _____

AN ORDER APPROVING THE EMPLOYMENT OF BENJAMIN OLDIGES AS PARKS AND RECREATION DIVISION MANAGER IN THE NEIGHBORHOOD SERVICES DEPARTMENT, EFFECTIVE OCTOBER 5, 2020.

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**NOW THEREFORE,
BE IT ORDERED BY THE BOARD OF COMMISSIONERS OF THE CITY OF COVINGTON, KENTON COUNTY, KENTUCKY:**

Section 1

That the Board of Commissioners hereby approves the employment of Benjamin Oldiges as Parks and Recreation Division Manager, effective October 5, 2020.

Section 2

That this order shall take effect and be in full force when passed and recorded according to law.

MAYOR

ATTEST:

CITY CLERK

Passed: _____

COMMISSIONERS' ORDER NO. _____

**AN ORDER APPROVING THE EMPLOYMENT OF JOSEPH MEIMANN
AS A FULL-TIME CODE ENFORCEMENT INSPECTOR, EFFECTIVE
OCTOBER 1, 2020.**

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**NOW THEREFORE,
BE IT ORDERED BY THE BOARD OF COMMISSIONERS OF THE CITY OF
COVINGTON, KENTON COUNTY, KENTUCKY:**

Section 1

That the Board of Commissioners hereby approves the employment of Joseph Meimann as a Full-time Code Enforcement Inspector, effective October 1, 2020.

Section 2

That this order shall take effect and be in full force when passed and recorded according to law.

MAYOR

ATTEST:

CITY CLERK

Passed: _____

COMMISSIONERS' ORDER NO. _____

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE A LEASE RENEWAL CONTRACT WITH THE COMMONWEALTH OF KENTUCKY FOR A TWO-YEAR EXTENSION OF THE LEASE BETWEEN THE CITY AND THE KENTUCKY HUMAN RIGHTS COMMISSION.

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**NOW THEREFORE,
BE IT ORDERED BY THE BOARD OF COMMISSIONERS OF THE CITY OF COVINGTON, KENTON COUNTY, KENTUCKY:**

Section 1

That the Board of Commissioners hereby authorizes the Mayor to execute a Lease Renewal Contract with the Commonwealth of Kentucky for a two-year extension of the lease between the City and the Kentucky Human Rights Commission.

Section 2

That this order shall take effect and be in full force when passed and recorded according to law.

MAYOR

ATTEST:

CITY CLERK

Passed: _____

COMMISSIONERS' ORDER NO. _____

**AN ORDER APPOINTING SEVEN MEMBERS TO THE NEWLY FORMED
BOARD OF ARCHITECTURAL REVIEW AND DEVELOPMENT.**

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**NOW THEREFORE,
BE IT ORDERED BY THE BOARD OF COMMISSIONERS OF THE CITY OF
COVINGTON, KENTON COUNTY, KENTUCKY:**

Section 1

That the Board of Commissioners hereby appoints seven members to the newly formed Board of Architectural Review and Development.

Section 2

That this order shall take effect and be in full force when passed and recorded according to law.

MAYOR

ATTEST:

CITY CLERK

Passed: _____