

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, July 9, 2013 7:00 P.M.

A **REGULAR MEETING** of the Board of Commissioners of the City of Covington, Kentucky, was opened by Mayor Carran, on Tuesday, July 9, 2013, at 7:00 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 Rains, seconded by Commissioner Frank to dispense with the reading of and approve the minutes of the June 25 and June 27, 2013, meeting minutes.

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

NEW BUSINESS – ORDER/RESOLUTIONS

RETIREMENT POLICE DEPARTMENT – Sergeant Kevin Brady is retiring from the Covington Police Department after 21 years of service.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-179-13

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION FOR RETIREMENT OF SERGEANT KEVIN BRADY OF THE COVINGTON POLICE DEPARTMENT, EFFECTIVE JULY 31, 2013.

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

EMPLOYMENT POLICE DEPARTMENT

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-180-13

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF ZACHARY BURTON AND JOSEPH GIER AS POLICE OFFICERS GRADE I, WITH A 12-MONTH PROBATIONARY PERIOD, EFFECTIVE JULY 14, 2013.

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

TEXT AMENDMENT APPLICATION – A number of proposals for the residential reuse of non-residential structures in the Urban Residential zoning district have surfaced. However, the current requirements for non-residential structures to be used as multi-family residential uses do not allow for a feasible number of units for a project to move forward and buildings to be reused.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-181-13

AN ORDER/RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION TO THE KENTON COUNTY PLANNING COMMISSION FOR A TEXT AMENDMENT TO THE CITY OF COVINGTON ZONING ORDINANCE ALLOWING NON-RESIDENTIAL STRUCTURES TO BE USED AS MULTI-FAMILY RESIDENTIAL USES IN THE URBAN RESIDENTIAL (RU-2B) ZONING DISTRICT, SUBJECT TO MINIMUM GROSS FLOOR AREA REQUIREMENTS.

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

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DEVELOPMENT AGREEMENT MUTUAL BUILDING – The proposed development includes approximately 7,000 square feet of first floor commercial retail and 14 residential rental units on the upper floors. The City will also assist the developer in its application for benefits that may be available through the TIF District program. This project will be a catalyst for economic development in downtown Covington.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-182-13

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND THE CITY MANAGER TO EXECUTE A DEVELOPMENT AGREEMENT AND PARKING LEASE RELATED TO THE REDEVELOPMENT OF THE MUTUAL BUILDING LOCATED AT 619-629 MADISON AVENUE WITH MUTUAL BUILDING, LLC.

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

NORTHERN KENTUCKY CAREER CENTER

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-183-13

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A COMMONWEALTH OF KENTUCKY LEASE AGREEMENT, AN AGREEMENT WITH THE LIFE LEARNING CENTER FOR THE PURCHASE OF THE OLD ROBKE SITE NOW REFERRED TO AS THE NORTHERN KENTUCKY CAREER CENTER, AND ANY DOCUMENTS NECESSARY TO EFFECTUATE THE PURCHASE OF THE NORTHERN KENTUCKY CAREER CENTER PROPERTY, AND THE DEVELOPMENT OF THE CENTER AND THE STEWART IRON WORKS IN COVINGTON, KENTUCKY.

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

EASEMENT – Charles Killian, managing member of Village Idiot, LLC, has proposed an informational kiosk sign on the corner of 6th and Philadelphia Streets. Because the proposed sign would not comply with the current zoning ordinance, Mr. Killian has offered an easement to the City for the area where the sign will be located. Mr. Killian is donating the funds for construction and maintenance of the sign.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-184-13

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO AN AGREEMENT ACCEPTING AN EASEMENT FROM THE VILLAGE IDIOT, LLC FOR THE PURPOSE OF CONSTRUCTION OF A SIGN KIOSK AT THE CORNER OF SIXTH AND PHILADELPHIA STREETS.

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

HAMELIN SQUARE – In April, 1977, the Commonwealth of Kentucky awarded the City of Covington a \$2.5 million grant to provide economic development for the MainStrasse Village area. One of the first projects to be completed was the Julian Carroll bell tower. The bell tower is also referred to as the Julian Carroll carillon. It is located at the intersection of 6th and Philadelphia Streets in Goebel Park. Former Kentucky Governor Carrol was a supporter of the project. The bell tower features a mechanical depiction of the Pied Piper of Hamelin which plays at regular intervals throughout the

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day. Hamelin is the German city that is featured in the ancient tale of the Pied Piper of Hamelin.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-185-13

AN ORDER/RESOLUTION RECOGNIZING 526--28 PHILADELPHIA STREET AS HAMELIN SQUARE.

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

MOA BOYS AND GIRLS CLUB – the City and the MS-U Boys and Girls Club have been in partnership for years offering Senior Swim at the club and these funds will contribute toward lifeguard salary expenses. This partnership has allowed for the pool to remain open for various community members' use. Three local high school swim teams also currently use the pool.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-186-13

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A MEMORANDUM OF AGREEMENT WITH THE MARGE SCHOTT-UNNEWHR BOYS AND GIRLS CLUB TO PROVIDE MANAGEMENT OF POOL OPERATIONS AND TWO LIFE GUARDS EFFECTIVE SEPTEMBER 23, 2013, THROUGH FEBRUARY 28, 2014, IN AN AMOUNT NOT TO EXCEED \$14,000.00, PAYABLE FROM THE GENERAL FUND.

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

HOME CONSORTIUM CONTRACT – HOME funds in the amount of \$66,000 were approved in June of 2012 but the project was delayed. Further investigation of the rehab costs showed the need to increase mitigation of hazardous issues, therefore increasing the cost. This increase has already been approved by the Northern Kentucky HOME Consortium Board. The total of \$96,000 investment will be leveraged by the Housing Authority of Newport and Entryway, Inc.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-187-13

AN ORDER/RESOLUTION AMENDING O/R-139-12 AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH ENTRYWAY, INC., IN AN AMOUNT NOT TO EXCEED \$30,000.00 IN ADDITIONAL FUNDING FOR THE REHABILITATION OF A SINGLE FAMILY HOME LOCATED AT 938 HAMLET STREET, NEWPORT, KENTUCKY, PAYABLE FROM PROGRAM YEAR 2011 NORTHERN KENTUCKY HOME CONSORTIUM FUNDS.

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

CDBG FUNDS PROGRAM GUIDELINES – the City is required by the US Department of Housing and Urban Development (HUD) to adopt guidelines for the CDBG and HOME programs administered by the City to ensure that these programs are administered consistently and equitably.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-188-13

AN ORDER/RESOLUTION ADOPTING PROGRAM GUIDELINES FOR APPROVED PROGRAMS FOR PROGRAM YEAR 2013-2014:

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HOMEBUYER ASSISTANCE PROGRAM AND UPPER FLOOR RESIDENTIAL REHAB PROGRAM TO BE FUNDED FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) FUNDS.

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

TAX ASSESSMENT MORATORIUM – Pike Street Associates purchased 220 Pike Street for rehabilitation into commercial space on the first floor and one apartment on the upper floors.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-189-13

AN ORDER/RESOLUTION APPROVING A PROPERTY TAX ASSESSMENT MORATORIUM TO PIKE STREET ASSOCIATES, LLC FOR PROPERTY LOCATED AT 220 PIKE STREET, COVINGTON, KENTUCKY.

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

SURPLUS PROPERTY – Three Ford Crown Victoria police cars are being declared surplus.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-190-13

AN ORDER/RESOLUTION DECLARING CERTAIN CITY PROPERTY AS SURPLUS AND AUTHORIZING ITS SALE PURSUANT TO KRS §§ 82.083 AND 45A-425.

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

RIVERFRONT COMMONS – The Riverfront Commons concept is for an integrated continuous public riverfront consisting of multi-use trails, plazas, overlooks, parks and events that will link six Northern Kentucky communities. In 2011, the city entered into an inter-local agreement with Bellevue, Dayton, Ft. Thomas, Ludlow, and Newport and the counties of Campbell and Kenton enabling participation in the membership of a non-profit corporation for the coordination of the project, in order to implement a comprehensive strategy for riverfront development. On February 12, 2013, an order/resolution was approved enabling city staff to seek design services for Phase I of the Riverfront Commons in Covington. On June 13, 2013, OKI Regional Council of Governments approved a SNK funded matching grant, part of which was designated for implementation of a portion of the project, totaling \$230,406.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-191-13

AN ORDER/RESOLUTION APPROVING A CONTRACT WITH WOOLPERT, INC. FOR DESIGN SERVICES FOR A PORTION OF RIVERFRONT COMMONS FROM THE BASE OF GREENUP STREET WESTWARD TO KY 8 NOT TO EXCEED \$328,100.00 PAYABLE THROUGH THE CAPITAL FUND.

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

BEHRINGER-CRAWFORD BID – This project will provide new, energy efficient windows to the Legacy Building at the museum as well as interior shutters and painting

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of the exterior surfaces. Funding from the Drees Pavilion Allocation has been provided for the project through the joint recommendation of the Devou Park Advisory Committee and Devou Properties, Inc.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-192-13

AN ORDER/RESOLUTION ACCEPTING THE BID OF ASHLEY CONSTRUCTION FOR WINDOWS, SHUTTERS, AND PAINTING IMPROVEMENTS AT THE BEHRINGER-CRAWFORD MUSEUM, AS THE BEST RESPONSIBLE BID AND REJECTING ALL OTHER BIDS, IN AN AMOUNT NOT TO EXCEED \$61,575.00, PAYABLE FROM DEVOU PARK MASTER PLAN FUNDS.

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

CAROLINE AVENUE RECONSTRUCTION - Total reconstruction Caroline is necessary because the street is deteriorating from the base up due to groundwater issues and inadequate under drains to remove the water. Additionally, the existing storm water system is not able to handle the surface runoff. The reconstruction will take care of these issues by reconstructing the storm water system and installing new under drains and roadway base.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-193-13

AN ORDER/RESOLUTION ACCEPTING THE BID OF LARRY SMITH, INC. FOR THE RECONSTRUCTION OF CAROLINE AVENUE, AS THE LOWEST RESPONSIBLE BID, AND REJECTING ALL OTHER BIDS, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT IN THE AMOUNT OF \$616,660.00, \$481,240.00 PAYABLE FROM OKI; \$55,000.00 PAYABLE FROM CDBG FUNDS; \$12,460.00 PAYABLE FROM CAPITAL IMPROVEMENT FUND; AND \$67,460.00 PAYABLE FROM SANITATION DISTRICT 1.

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

4209 DECOURSEY AVENUE - The City advertised for bids for the purchase of this lot and received only one bid from the adjacent property owner.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-194-13

AN ORDER/RESOLUTION ACCEPTING THE SOLE BID OF \$1,000.00 FOR THE PURCHASE OF THE CITY-OWNED LOT AT 4209 DECOURSEY AVENUE AND AUTHORIZING THE TRANSFER OF THE PROPERTY TO JUANITA ANDERSON VIA QUIT CLAIM DEED.

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

HUMAN RIGHTS COMMISSION REAPPOINTMENT

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-195-13

AN ORDER/RESOLUTION APPROVING THE REAPPOINTMENT OF MARIE BRAUN TO THE COVINGTON HUMAN RIGHTS COMMISSION FOR A THREE-YEAR TERM, EFFECTIVE JANUARY 22, 2013, AND EXPIRING JANUARY 21, 2016.


MOTION of Commissioner Rains, seconded by Commissioner Frank.

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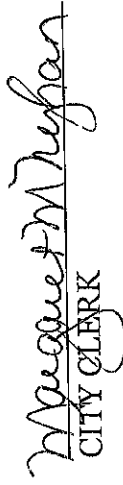
Passed. 5 Yeas. Commissioners Eilerman, Frank, Rains, Williams, and Mayor Carran.

ADJOURNMENT

MAYOR CARRAN adjourned the meeting at 8:40 p.m.


MAYOR

ATTEST:


CITY CLERK

APPROVED: 7-23-13