



**CITY OF COVINGTON, KENTUCKY
LEGISLATIVE MEETING
BOARD OF COMMISSIONERS
TUESDAY, APRIL 14, 2015, 6:00 PM**

**20 WEST PIKE STREET
COVINGTON, KENTUCKY**

AGENDA

CALL TO ORDER: Mayor Sherry Carran

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

Reading of Minutes of the meetings of March 31, 2015, (or motion to dispense with reading and approve minutes).

PRESENTATIONS

- “Covington Trail” - The Linden Gateway Small Area Study
- “Beyond the Curb” Sunday, April 19 - Brandon Sehlhorst, Catalytic Development Funding Corporation
- The Randolph Park renovation plans - Ray Mack and Pamela Mullins.

ITEMS FOR CONSIDERATION:

OLD BUSINESS – SECOND READING OF ORDINANCES

1. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE AMENDING § 34.50 AND O-27-13 OF THE COVINGTON CODE OF ORDINANCES, NON-UNIFORMED, NON-CIVIL SERVICE EMPLOYEES, CREATING THE POSITION OF GIS/BUSINESS ANALYST & PROJECT MANAGER AND ESTABLISHING A SALARY FOR THE POSITION.** *The GIS/Business Analyst and Project Manager will report to the Operations Director and will be*

responsible for managing and organizing the GIS for the City and coordinating database management and software selection for all departments. This will involve working with various internal departments and external agencies to identify data and software needs, conducting data and spatial analysis, and utilizing GIS capabilities to assist with the management and execution of various projects throughout the City.

Staff Reporting: Lisa Desmarais, Operations Director

Recommendation: Approve Ordinance

2. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE AMENDING § 34.50 OF THE COVINGTON CODE OF ORDINANCES, NON-UNIFORMED, NON-CIVIL SERVICE EMPLOYEES, AND COMMISSIONERS' ORDINANCE NO. O-27-13, CREATING THE POSITION OF HUMAN RESOURCE MANAGER AND ESTABLISHING A SALARY FOR THE POSITION.** *In the past six months, the Human Resources department has taken on additional responsibilities as it relates to payroll activities which were required to have separation of duties within the Finance department. The Human Resource Manager will also be assigned additional duties for maintaining the management of the City's Workers' Compensation program.*

Staff Reporting: Jo Ann Simpson, Human Resource Director

Recommendation: Approve Ordinance

3. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE AMENDING § 34.50, OF THE COVINGTON CODE OF ORDINANCES, NON-UNIFORMED, NON-CIVIL SERVICE EMPLOYEES, AND COMMISSIONERS' ORDINANCE NO. O 27-13, CREATING THE POSITION OF PUBLIC INFORMATION OFFICER AND ESTABLISHING THE SALARY FOR THAT POSITION.** *This new position will replace the Marketing and Communications position that has been vacated due to the resignation of Natalie Bowers. Many of the functions of the Marketing and Communications position are the same as the Public Information Officer position but the new position has been modified to indicate the job functions, tasks, abilities of a Public Information Officer.*

Staff Reporting: Frank Warnock, City Solicitor/Assistant City Manager

Recommendation: Approve Ordinance

4. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE OF THE CITY OF COVINGTON, KENTUCKY GRANTING RUMPKE CONSOLIDATED COMPANIES, INC., THE EXCLUSIVE FRANCHISE FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES IN THE CITY OF COVINGTON FOR A TERM OF FIVE (5) YEARS COMMENCING ON JULY 1, 2015, AND ENDING ON JUNE 30, 2020, WITH POSSIBLE EXTENSIONS OF TWO (2) 1-YEAR TERMS, AT AN AGGREGATE PRICE NOT TO EXCEED THAT WHICH SHALL BE CALCULATED ON THE BASIS OF THE BID PRICES PROVIDED IN THE PROPOSAL SUBMITTED ON FEBRUARY 13, 2015 BY RUMPKE CONSOLIDATED COMPANIES, INC. IN RESPONSE TO THE REQUEST FOR PROPOSALS FOR SAID FRANCHISE, WHICH WAS ADVERTISED ON JANUARY 9, 2015.** *On January 9, 2015, a Request for Proposals for the Exclusive Franchise for the collection and disposal of solid waste and recyclable in the City was advertised and disseminated to various waste collection professionals. Three proposals were received and opened on February 13, 2015. A selection committee was formed to conduct an extensive review of the submitted materials. The committee evaluated the proposals in terms of the bidders' professional qualifications, the impact the proposals would have on the city's residents and businesses, and the net financial impact each proposal would have on City operations.*

Staff Reporting: Christian Dennery, Interim City Solicitor; Sheila Fields, Solid Waste Coordinator

Recommendation: Approve Ordinance

NEW BUSINESS – FIRST READING OF ORDINANCES

5. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE CREATING § 90.22 AND AMENDING § 90.30 OF THE CITY OF COVINGTON CODE OF ORDINANCES TO ALLOW GOATS IN THE CITY FOR THE PURPOSE OF LAND MANAGEMENT PRACTICES SUBJECT TO RESTRICTIONS AND CITY APPROVAL.** *The City desires to promote urban farming practices to promote healthy living and best land management practices. Part of this effort is to allow the efficient use of goats in the City to control overgrowth of plants, and clear land of shrubbery and weeds. Gus Wolf, Loren VanDyke Wolff and Emily Wolff have joined together with others to promote urban farming practices in the city. A \$5,000 Creative Community Grant has been awarded to fund the use of 7-13 female goats to clear invasive plants and overgrowth in Goebel Park this summer.*

Staff Reporting: Frank Warnock, City Solicitor/Assistant City Manager
First Reading, No Vote

6. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE AMENDING § 34.50, OF THE COVINGTON CODE OF ORDINANCES, NON-UNIFORMED, NON-CIVIL SERVICE EMPLOYEES, AND COMMISSIONERS' ORDINANCE NO. O-27-13, CREATING THE POSITION OF ECONOMIC DEVELOPMENT MANAGER AND ESTABLISHING THE SALARY FOR THAT POSITION.** *The position of Economic Development Manager replaces the position of Business Development Manager. The position will cover all of the duties previously assigned to the Business Development Manager with the addition of oversight of the City's Tax Increment Financing District, the Economic Development Program and the HUD 108 Loan Pool program. One additional staff member will also be assigned to this person.*

Staff Reporting: Larisa Sims, Assistant City Manager
First Reading, No Vote

7. Consider Ordinance No. O-xx-15 entitled: **AN ORDINANCE AMENDING § 34.50 OF THE COVINGTON CODE OF ORDINANCE, NON-UNIFORMED, NON-CIVIL SERVICE EMPLOYEES, AND COMMISSIONERS' ORDINANCE NO O-27-13, CREATING THE POSITION OF COMPLIANCE OFFICER AND ESTABLISHING A SALARY FOR THE POSITION.** *The Compliance Officer will conduct compliance audits that will provide an independent, objective assessment designed to test and confirm legal compliance with applicable state, federal, and local laws and regulations, contractual agreements and internal policies and procedures. This staff member will assist departments by identifying where compliance risks may exist, recognize areas for improvement, provide recommendations to improve controls, and perform follow-up audits to assure compliance.*

Staff Reporting: Lisa Desmarais, Operations Director
First Reading, No Vote

NEW BUSINESS – ORDER/RESOLUTIONS

8. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE ADOPTION OF THE KENTON COUNTY EMERGENCY OPERATIONS PLAN.** *KRS 39B.010(1), KRS 39B.030(3) and*

KRS 39C.050(3) requires the development and maintenance of a local emergency operations plan which sets forth the local governments' organizational structure, policies, procedures, and guidelines for the management and coordination of all disaster and emergency response.

Staff Reporting: Larry Klein, City Manager; Steve Hensley, Kenton County Emergency Management Director

Recommendation: Approve Order/Resolution

9. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF EMILY SHECKELS AHOUSE AS THE HISTORIC PRESERVATION AND PLANNING SPECIALIST, IN THE COMMUNITY SERVICES DIVISION OF THE DEVELOPMENT DEPARTMENT, EFFECTIVE JUNE 8, 2015.** *Ms. Ahouse will be filling the vacated position of Historic Preservation and Planning Specialist. Emily has a Bachelor of Science Degree in Design and Environmental Analysis/Interior Design and a Master of Arts Degree in Historic Preservation from Cornell University. She is currently employed by the City of Coral Gables, Florida.*

Staff Reporting: Mike Yeager Community Services Manager

Recommendation: Approve Order/Resolution

10. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE UPDATED JOB DESCRIPTION FOR THE POSITION OF RISK MANAGER.** *The job description has been updated to more accurately reflect the status of the position as well as the duties and responsibilities of the role within the City. The new job description provides focus and attention to the role of the Risk Manager as that of a person who formulates, develops, and coordinates safety and loss control functions City-wide.*

Staff Reporting: Lisa Desmarais, Operations Director

Recommendation: Approve Order/Resolution

11. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF BOB STARK AS RISK MANAGER, REPORTING TO THE OPERATIONS DIRECTOR, EFFECTIVE APRIL 15, 2015.** *Bob was hired as Risk Manager in November 2007. His initial focus was to help the City reduce costs associated with Workers' Compensation claims. Bob has also implemented City-wide safety training programs, assisted with accident investigations, implemented as OSHA compliance program, and created annual processes for safety audits. It has*

become apparent that the City would benefit if the Risk Manager focus more time on loss mitigation and safety than on administering the Workers' Comp program. Bob will now be reporting to the Operations Director and will focus his time on monitoring and analyzing risks across all departments.

Staff Reporting: Lisa Desmarais, Operations Director

Recommendation: Approve Order/Resolution

12. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE JOB DESCRIPTION FOR THE POSITION OF COMPLIANCE OFFICER.** *This new position's duties will include: perform quality assurance and compliance audits of contracts and agreements; collaborate with all City departments to ensure legal compliance with the City's procurement policy; assist in contract development with collective bargaining units; develop and provide one-on-one training to City staff on new, current or updated procedures and best practices as they relate to legal contracts and agreements; assist both the Development Department and Finance Department in coordinating internal compliance reviews and monitoring activities.*

Staff Reporting: Lisa Desmarais, Operations Director

Recommendation: Approve Order/Resolution

13. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF ALLISON HUDSON TO THE POSITION OF COMPLIANCE OFFICER, EFFECTIVE APRIL 15, 2015.** *Allison was hired as a Payroll Specialist in October 2011. She has worked diligently within the Finance Department to implement more modern, cost-efficient and efficient payroll practices. Allison will graduate in May with her law degree from NKU Salmon P. Chase College of Law. Because of her expansive financial background, academic achievements and familiarity with the City, Allison is well qualified for this new position.*

Staff Reporting: Lisa Desmarais, Operations Director

Recommendation: Approve Order/Resolution

14. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF BOB HAGEDORN AS PAYROLL SPECIALIST IN THE COVINGTON FINANCE DEPARTMENT.** *Mr. Hagedorn will graduate "summa cum laude" from Thomas More College in May with a BA in Accounting and a minor in Business Administration. Bob also has a BA in Economics and a BA in History. He currently works for Munninghoff,*

Lange & Company and his experience includes facilitating external audits and auditing procedures familiarity with public accounting, office and field auditing, and data/information management.

Staff Reporting: Lisa Goetz, Finance Director

Recommendation: Approve Order/Resolution

15. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING AN UPDATED ORGANIZATIONAL CHART FOR THE CITY OF COVINGTON.** *The new Organization Chart recognizes recent changes made in the Human Resources Department, Administration Department under the direction of the City Operations Director, as well as the Department of Development and Legal Department.*

Staff Reporting: Larry Klein, City Manager

Recommendation: Approve Order/Resolution

16. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE REAPPOINTMENT OF SHANE NEGANGARD TO THE COVINGTON AUDIT COMMITTEE, FOR A THREE-YEAR TERM, EFFECTIVE MAY 1, 2015, AND EXPIRING APRIL 30, 2018.** *Shane is one of the founding members of the Audit Committee and has agreed to stay on the Committee for another three years.*

Staff Reporting: Larry Klein, City Manager

Recommendation: Approve Order/Resolution

17. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE REAPPOINTMENT OF JOHN VISSMAN TO THE BOARD OF EXAMINERS FOR POLICE AND FIREFIGHTERS, FOR A THREE-YEAR TERM, EFFECTIVE APRIL 14, 2015, AND EXPIRING APRIL 13, 2018.** *This Board is responsible for certifying and overseeing the exams given for Police and Fire. Mr. Vissman was first appoint to the Board in 2011 and has agreed to continue his role on the Board for another three years.*

Staff Reporting: Larry Klein, City Manager

Recommendation: Approve Order/Resolution

18. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LETTER OF AGREEMENT WITH THE KENTUCKY HERITAGE COUNCIL TO**

AMEND THE DUE DATE FOR THE NATIONAL REGISTER NOMINATION OF THE PEASELBERG HISTORIC DISTRICT TO MAY 1, 2015 FOR THE FIRST DRAFT AND JUNE 1, 2015 FOR THE FINAL DRAFT. *The Peaselburg National Register Nomination received a \$10,000 grant from the State Historic Preservation Office (SHPO) with a City match of \$6,667 which was funded through staff time allocated to this project. Because the grant announcement was not made until August, the RFQ and consultant search process was delayed to September and contracts were not able to become executed until November which caused the deadline of February 1 for an initial draft of the nomination difficult to achieve. SHPO has amended the contract with a new deadline of June 1 for the final draft due date.*

Staff Reporting: Andy Juengling, Interim Preservation & Planning Specialist

Recommendation: Approve Order/Resolution

19. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING THE RENEWAL OF ANNUAL MAINTENANCE LICENSES WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE FOR ARCGIS SOFTWARE IN AN AMOUNT NOT TO EXCEED \$2,600.00, PAYABLE FROM THE GENERAL FUND** *The City currently has 8 licenses for ArcGIS software used by staff at DPI and the Development Department. This contract renewal covers continued maintenance on licenses which provides us with technical support, training opportunities, online mapping and data collection capabilities.*

Staff Reporting: Jessica Moss

Recommendation: Approve Order/Resolution

20. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION GRANTING AN EASEMENT TO DUKE ENERGY OHIO, INC. TO ACCOMMODATE THE INSTALLATION OF A NEW NATURAL GAS PIPELINE ON CITY PROPERTY LOCATED ADJACENT TO THE OHIO RIVER BETWEEN THE CLAY WADE BAILEY BRIDGE AND THE BRENT SPENCE BRIDGE.** *Duke Energy plans to install a major natural gas pipeline under the Ohio River between Covington and Cincinnati this summer. The City owns a tract of land between the Clay Wade Bailey Bridge and the Brant Spence Bridge which Duke needs to access to install the pipeline. Duke has agreed to pay the City \$7,616.00 and transfer title of a smaller parcel of land that is located on the western edge of the City's property to the City in consideration of providing this easement.*

Staff Reporting: Mike Yeager, Community Services Manager

Recommendation: Approve Order/Resolution

21. Consider Order/Resolution No. O/R-xx-15 entitled: AN ORDER/RESOLUTION APPROVING A TERMINATION OF THE INTERLOCAL AGREEMENT BETWEEN KENTON COUNTY FISCAL COURT AND THE CITY OF COVINGTON TO ACQUIRE AND LEASE A SITE FOR THE DEVELOPMENT OF A REGIONAL FARMERS MARKET; AND, TO TERMINATE A CONTRACT, LEASE AND OPTION AGREEMENT BY AND BETWEEN THE CITY OF COVINGTON, KENTUCKY, DEVELOPMENT PROPERTIES CORPORATION AND THE CITY OF COVINGTON, KENTUCKY.

Staff Reporting: Frank Warnock, City Solicitor/Assistant City Manager

Recommendation: Approve Order/Resolution

22. Consider Order/Resolution No. O/R-xx-15 entitled: AN ORDER/RESOLUTION APPROVING THE TRANSFER AND DISPOSITION OF REAL PROPERTY LOCATED AT 630-632 SCOTT BOULEVARD TO GATEWAY COMMUNITY AND TECHNICAL COLLEGE FOUNDATION, INC.

Staff Reporting: Frank Warnock, City Solicitor/Assistant City Manager

Recommendation: Approve Order/Resolution

23. Consider Resolution No. R-xx-15 entitled: A RESOLUTION BY THE CITY OF COVINGTON, KENTUCKY, DEVELOPMENT PROPERTIES CORPORATION ("CORPORATION") APPROVING THE TERMINATION OF A CONTRACT, LEASE AND OPTION AGREEMENT BY AND BETWEEN THE CORPORATION AND THE CITY OF COVINGTON, KENTUCKY.

24. Consider Resolution No. R-xx-15 entitled: A RESOLUTION BY THE CITY OF COVINGTON, KENTUCKY, DEVELOPMENT PROPERTIES CORPORATION ("CORPORATION") APPROVING THE TRANSFER AND DISPOSITION OF REAL PROPERTY LOCATED AT 630-632 SCOTT BOULEVARD TO GATEWAY COMMUNITY AND TECHNICAL COLLEGE FOUNDATION, INC.

Staff Reporting: Frank Warnock, City Solicitor/Assistant City Manager

Recommendation: Approve Resolution

25. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING A CHANGE ORDER WITH GREAT LAKES CONSTRUCTION COMPANY FOR THE DEVOU PARK WALL PROJECT, IN AN AMOUNT NOT TO EXCEED \$150,000.00, PAYABLE FROM THE CAPITAL FUND.** *Great Lakes Construction was awarded the contract for the Devou wall project. The bulk of this change order has to do with construction of a small wall along the bottom portion of Devou Drive near Western. The geotechnical boring information we had showed the depth of the shale much shallower than what was encountered on site. To make the slope work, a new wall will need to be construction. The rest of the change order has to do with unexpected conditions that the drilling subcontractor ran into during their work. Additional demolition and removal of oversized foundations on the old wall caused delays in the process and increased costs.*

Staff Reporting: Mike Yeager, Community Services Manager

Recommendation: Approve Order/Resolution

26. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION APPROVING LICENSE AGREEMENTS AND A MANAGEMENT SERVICES CONTRACT BETWEEN THE CITY OF COVINGTON AND CINCY BIKE SHARE, INC.** *Red Bike currently has 30 locations in Cincinnati and the usage and demand has far exceeded expectations. The NKY river cities have been in communication with Red Bike to find locations that make sense for new station on the Kentucky side of the river. Staff has identified six locations that are being recommended and feel they are the ideal locations for the bike stations.*

Staff Reporting: Mike Yeager, Community Services Manager

Recommendation: Approve Order/Resolution

27. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO ISSUE A NOTICE TO PROCEED AND TO EXECUTE AN EXCLUSIVE FRANCHISE FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES IN THE CITY OF COVINGTON WITH RUMPKE OF KENTUCKY, INC., WITH COMPENSATION PROVISIONS IN AN AMOUNT NOT TO EXCEED _____ PER YEAR, PAYABLE FROM SOLID WASTE DISPOSAL ANNUAL FEES.**

Staff Reporting: Christian Dennery, Interim City Solicitor

Recommendation: Approve Order/Resolution

28. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE LEGAL DEPARTMENT TO ENFORCE, THROUGH FORECLOSURE ACTIONS, THE INTERESTS THAT THE CITY HOLDS IN VARIOUS VACANT AND/OR ABANDONED PROPERTIES ON ACCOUNT OF STATUTORY LIENS FOR DELINQUENT AD VALOREM TAXES AND/OR NUISANCE LIENS, AND UPON ACQUISITION, DECLARE AS SURPLUS AND TRANSFER SAID PROPERTY FOR ECONOMIC DEVELOPMENT PURPOSES, PURSUANT TO KRS 82.083, TO THOSE DEVELOPERS LISTED IN THE ATTACHED SCHEDULE, ON THE CONDITION THAT SAID DEVELOPERS PAY FOR THE COSTS ASSOCIATED WITH THE FILING OF ANY LEGAL ACTIONS, AND THE COST OF ACQUISITION OF THE PROPERTIES AT THE TIME OF THE MASTER COMMISSIONER SALE.** *In line with its continuing efforts to remove blight, abate nuisances and enforce its property maintenance and nuisance code the City has identified numerous privately owned properties that remain vacant, are perennial nuisances, and which attract crime and have had a significant impact on surrounding property value. The City has decided to bring foreclosure actions to force a sale of the blighted properties with a view of transferring title to prequalified Covington Community Developers who are ready and willing to put the property back into productive use.*

Staff Reporting: Christian Denny, Interim City Solicitor

Recommendation: Approve Order/Resolution

Urban Design Review Board Hearing Appeal

- 27a. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION UPHOLDING THE URBAN DESIGN REVIEW BOARD DECISION OF MARCH 16, 2015, THAT DENIED A CERTIFICATE OF APPROPRIATENESS APPLICATION BY STEVE McMURTRY FOR INFILL CONSTRUCTION OF A THREE-STORY TOWNHOUSE AT 628 GARRARD STREET.**
- 27b. Consider Order/Resolution No. O/R-xx-15 entitled: **AN ORDER/RESOLUTION OVERRULING THE URBAN DESIGN REVIEW BOARD DECISION OF MARCH 16, 2015, THAT DENIED A CERTIFICATE OF APPROPRIATENESS APPLICATION BY STEVE McMURTRY FOR INFILL CONSTRUCTION OF A THREE-STORY TOWNHOUSE AT 628 GARRARD STREET.**

Staff Reporting: Bryce Rhoades, Assistant City Solicitor

**NEXT REGULARLY SCHEDULED BOARD OF COMMISSIONERS MEETING:
April 28, 2015**

PUBLIC COMMENTS

COMMISSIONERS' COMMENTS

CITY MANAGER'S COMMENTS

CITY SOLICITOR'S COMMENTS

MAYOR'S COMMENTS

ADJOURNMENT

DRAFT