



**CITY OF COVINGTON, KENTUCKY
LEGISLATIVE MEETING
BOARD OF COMMISSIONERS
TUESDAY, MARCH 22, 2016, 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 8, 2016 (or motion to dispense with reading and approve minutes).

PUBLIC HEARING: Northern Kentucky HOME Consortium Consolidated Plan/Annual Action Plan – Jeremy Wallace, Community Development Manager

PRESENTATIONS:

ITEMS FOR CONSIDERATION:

NEW BUSINESS – FIRST READING OF ORDINANCES

1. Consider Ordinance No. O-x-16 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, TO CREATE THE POSITIONS OF DIRECTOR OF FINANCE AND OPERATIONS AND ACCOUNTS PAYABLE MANAGER AND ESTABLISHING SALARIES FOR THOSE POSITIONS.** *The Director of Finance and Operations will serve as the Chief Financial Officer and Chief Operations Officer of the City under the*

direction of the City Manager. The Accounts Payable Manager will oversee and maintain the records for the Accounts Payable function of the City.

Staff Reporting:
First Reading, No Vote

OLD BUSINESS – SECOND READING OF ORDINANCES

2. Consider Ordinance No. O-x-16 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, TO CREATE THE POSITION OF COMPUTER FORENSIC ANALYST AND ESTABLISHING THE SALARY FOR THAT POSITION.** *The Police Department staff recognizes the increase in cases where recovery of electronic evidence was necessary and the need for the position of Computer Forensic Analyst. This position in the Department will be a civilian position, non-uniformed, non-civil service.*

Staff Reporting: Bryan Carter, Police Chief
Recommendation: Approve Ordinance

NEW BUSINESS – ORDER/RESOLUTIONS

3. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION FOR RETIREMENT OF FIREFIGHTER WILLIAM D. MUSSMAN FROM THE COVINGTON FIRE DEPARTMENT, EFFECTIVE FEBRUARY 29, 2016.** *Firefighter Mussman is retiring after 20 years of service with the Department. The Board of Commissioners thanks him for his years of service to the City.*

Staff Reporting: Dan Mathew, Fire Chief
Recommendation: Approve Order/Resolution

4. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING AN AMENDED JOB DESCRIPTION FOR THE POSITION OF AUDITOR IN THE COVINGTON FINANCE DEPARTMENT.** *This Order/Resolution amends the job description for the position of Auditor in the Covington Finance Department. This position will be held by Fay Siegel upon approval of item No. 6 on the agenda.*

Staff Reporting: Lisa Desmarais, Interim Finance Director/Operations Director
Recommendation: Approve Order/Resolution

5. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING AN AMENDED JOB DESCRIPTION FOR THE POSITION OF STAFF ACCOUNTANT IN THE COVINGTON FINANCE DEPARTMENT.** *This Order/Resolution amends the job description for the position of Staff Accountant in the Covington Finance Department. This position will be held by Jerome Heist upon approval of item No. 7 on the agenda.*

Staff Reporting: Lisa Desmarais, Interim Finance Director/Operations Director
Recommendation: Approve Order/Resolution

6. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF FAY SIEGEL TO THE POSITION OF AUDITOR IN THE COVINGTON FINANCE DEPARTMENT.**

Staff Reporting: Lisa Desmarais, Interim Finance Director/Operations Director
Recommendation: Approve Order/Resolution

7. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF JEROME HEIST TO THE POSITION OF STAFF ACCOUNTANT IN THE COVINGTON FINANCE DEPARTMENT.**

Staff Reporting: Lisa Desmarais, Interim Finance Director/Operations Director
Recommendation: Approve Order/Resolution

8. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION DECLARING CERTAIN REAL PROPERTY AS SURPLUS PURSUANT TO KRS 82.083(3)(b) AND AUTHORIZING THE MAYOR TO EXECUTE A DEED TRANSFERRING TITLE TO THE PROPERTY LOCATED AT 1322 HERMES AVENUE TO DOUGLAS DEATON, THE ADJACENT PROPERTY OWNER, FOR ECONOMIC DEVELOPMENT PURPOSES.** *The City took title to the land in 2015 from Heritage Bank after the structure on it was demolished. After corresponding with Mr. Deaton, the adjacent property owner-occupant, he expressed his willingness to pay all amounts due and owing against the lot in exchange for the transfer of the deed.*

Staff Reporting: Donald Warner, Assistant City Solicitor
Recommendation: Approve Order/Resolution

9. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN EXCLUSIVE REVOCABLE LICENSE AND NON-EXCLUSIVE EASEMENT AGREEMENT WITH FRIDA, LLC FOR USE OF THE SOUTHERN HALF OF THE SIXTH STREET PLAZA FOR OUTDOOR DINING FOR A TERM THAT IS CONCURRENT WITH ITS TABLES AND CHAIRS PERMIT FOR THE 2016 OUTDOOR DINING TERM.** *These documents will permit Frida, LLC to operate outdoor dining on the southern*

portion of the plaza. The business must indemnify the City against all losses and maintain insurance throughout the term.

Staff Reporting: Donald Warner, Assistant City Solicitor

Recommendation: Approve Order/Resolution

10. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN EXCLUSIVE REVOCABLE LICENSE AND NON-EXCLUSIVE EASEMENT AGREEMENT WITH LISSE, LLC FOR USE OF THE NORTHERN HALF OF THE SIXTH STREET PLAZA FOR OUTDOOR DINING FOR A TERM THAT IS CONCURRENT WITH ITS TABLES AND CHAIRS PERMIT FOR THE 2016 OUTDOOR DINING TERM.** *These documents will permit Lisse, LLC to operate outdoor dining on the northern portion of the plaza. The business must indemnify the City against all losses and maintain insurance throughout the term.*

Staff Reporting: Donald Warner, Assistant City Solicitor

Recommendation: Approve Order/Resolution

11. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN EXCLUSIVE REVOCABLE LICENSE AND NON-EXCLUSIVE EASEMENT AGREEMENT WITH 601 MAIN STREET, LLC, dba COCK AND BULL ENGLISH PUB FOR THE USE OF THE NORTHERN AND SOUTHERN HALF OF THE SIXTH STREET PLAZA SURROUNDING THE GOOSE GIRL FOUNTAIN FOR OUTDOOR DINING FOR A TERM THAT IS CONCURRENT WITH ITS TABLES AND CHAIRS PERMIT FOR THE 2016 OUTDOOR DINING TERM.** *These documents will permit Cock and Bull to operate outdoor dining on the plaza surrounding the Goose Girl fountain. The business must indemnify the City against all losses and maintain insurance throughout the term.*

Staff Reporting: Donald Warner, Assistant City Solicitor

Recommendation: Approve Order/Resolution

12. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A LEASE RENEWAL CONTRACT WITH THE COMMONWEALTH OF KENTUCKY FOR A ONE-YEAR EXTENSION OF THE LEASE BETWEEN THE CITY OF COVINGTON AND THE HUMAN RIGHTS COMMISSION, IN AN ANNUAL AMOUNT OF \$1,200.00.** *The current lease with the state will expire on June 30, 2016, and under the Lease Agreement with the state, the City has the option to renew the lease under the same terms and conditions of the current lease.*

Staff Reporting: Donald Warner, Assistant City Solicitor

Recommendation: Approve Order/Resolution

13. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE RENEWAL DOCUMENTS OF THE 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 presently has eight licenses for ArcGIS software. The license renewal covers continued maintenance on all of the licenses the City holds.*

Staff Reporting: Jessica Moss, GIS Business Analyst

Recommendation: Approve Order/Resolution

14. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING AN INCREASE IN THE CITY'S BAD CHECK HANDLING FEE FROM \$20.00 TO \$35.00.** *The current rate for the City's bad check handling fee is \$20.00 and under state law this rate can be increased to an amount not to exceed \$50.00. After internal discussion, City staff determined that this would be a reasonable and valid increase under the law.*

Staff Reporting: Michael Bartlett, Assistant City Solicitor

Recommendation: Approve Order/Resolution

15. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING A SPRINGBROOK SECURITY POLICY WHICH WILL ESTABLISH A PROCEDURE FOR MANAGING FINANCE SOFTWARE USER ACCOUNT SETUP AND ACCESS.** *The City uses Springbrook software to manage its financial information. In order to provide a system of checks and balances and an auditing trail, a policy was written to provide guidance and an explanation on how individual user accounts should be organized and financial controls maintained.*

Staff Reporting: Jessica Moss, GIS Business Analyst

Recommendation: Approve Order/Resolution

16. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH PAUL O'BRIEN ENTERPRISES, INC. dba SHAMROCK ENTERPRISES FOR POOL RENOVATIONS AT THE GOEBEL AND RANDOLPH POOLS, AND REJECTING ALL OTHER BIDS, IN AN AMOUNT NOT TO EXCEED \$157,139.00, PAYABLE FROM THE GENERAL FUND.** *The City advertised for bids for the pool renovations and two bids were received. Shamrock Enterprises submitted the best responsible bid.*

Staff Reporting: Rick Davis, Department of Public Improvements Director

Recommendation: Approve Order/Resolution

17. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A THREE-YEAR LEASE AGREEMENT WITH YOGI AND THE FARMER, LLC FOR THE LEASE OF THE CITY-OWNED PROPERTIES LOCATED AT 1214-1216 BANKLICK STREET AND 1213-1215 RUSSELL STREET FOR USE AS A MARKET GARDEN.** *Yogi and the Farmer is an urban market garden and community wellness business which will cultivate food and market that food using the Community Supported Agriculture model.*

Staff Reporting: Geoff Milz, Economic Development Manager

Recommendation: Approve Order/Resolution

18. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANGER TO EXECUTE AND SUBMIT A LETTER APPLYING FOR AND COMMITTING TO THE LONG-TERM OBLIGATIONS OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY SAFER GRANT.** *During the application phase of a SAFER Grant through FEMA, the application requires that the governing body submit a letter of commitment to the terms of the grant.*

Staff Reporting: Dan Mathew, Fire Chief

Recommendation: Approve Order/Resolution

19. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE PUBLICATION OF A REQUEST FOR PROPOSALS FOR THE BROKERAGE AND CARRIER FOR PROPERTY INSURANCE, STOP-LOSS MEDICAL INSURANCE, STOP-LOSS LIABILITY INSURANCE AND WORKERS' COMPENSATION INSURANCE.**

Staff Reporting: Allison Hudson, Compliance Officer

Recommendation: Approve Order/Resolution

20. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE PUBLICATION OF A REQUEST FOR PROPOSALS FOR ROOF REPLACEMENT AT FIRE STATION, COMPANY 5, 1225 HANDS PIKE, COVINGTON, KENTUCKY.**

Staff Reporting: Allison Hudson, Compliance Officer

Recommendation: Approve Order/Resolution

21. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING SEGREGATING FUNDS TO SECURE PAYMENT OF A LEGAL CLAIM.** *A civil judgment has been obtained against a Covington police officer. The City plans to appeal. To secure payment for the judgment and*

attorney's fees, the request is to segregate these funds to secure payment for the judgment and fees.

Staff Reporting: Frank Warnock, City Solicitor

Recommendation: Approve Order/Resolution

22. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MANAGEMENT AGREEMENT BETWEEN THE CITY OF COVINGTON AND DEVOU PROPERTIES MANAGEMENT, LLC FOR THE OPERATION OF THE DEVOU PARK GOLF COURSE AND CLUBHOUSE.** *The City wishes to enter into a management agreement with Devou Properties Management, Inc. to manage, promote, market, and operate the Devou Park Golf Course Clubhouse and Event Center and the Devou Golf Course.*

Staff Reporting: Lisa Desmarais, Operations Director/Interim Finance Director

Recommendation: Approve Order/Resolution

23. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION DESIGNATING _____ AS THE PREFERRED DEVELOPER FOR THE 501 MAIN STREET SITE, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A PREFERRED DEVELOPER AGREEMENT AND ALL OTHER NECESSARY DOCUMENTS TO INITIATE THE REDEVELOPMENT OF THE 501 MAIN STREET SITE, AND REJECTING ALL OTHER SUBMISSIONS.**

Staff Reporting: Geoff Milz, Economic Development Manager

Recommendation: Approve Order/Resolution

PROJECT UPDATES: Great American Cleanup – Sheila Fields

Next regularly scheduled Legislative Commission Meeting: 6:00 PM, Tuesday, April 5, 2016.

Next regularly scheduled Caucus Meeting: 6:00 PM, Tuesday, April 12, 2016.

PUBLIC COMMENTS

COMMISSIONERS' COMMENTS

CITY MANAGER'S COMMENTS

CITY SOLICITOR'S COMMENTS

MAYOR'S COMMENTS

ADJOURNMENT

DRAFT