

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, September 12, 2017 6:00 P.M.

A **REGULAR MEETING** of the Board of Commissioners of the City of Covington, Kentucky, was opened by Mayor Meyer on Tuesday, September 12, 2017, at 6:00 p.m., in Commission Chambers, 20 West Pike Street, Covington, Kentucky.

Mayor Meyer presiding with Commissioners Timothy Downing, Jordan Huizenga, Bill Wells, Michelle Williams, City Manager David Johnston, and City Solicitor Frank Warnock, present.

MOTION of Commissioner Huizenga, seconded by Commissioner Downing to dispense with the reading of and approve the minutes of the August 22, 2017, meeting.

Passed. 5 Yeas. Commissioners Downing, Huizenga, Wells, Williams, and Mayor Meyer.

PUBLIC HEARING - A Public Hearing was conducted by Assistant City Solicitor Michael Bartlett regarding changing the time of alcoholic sales on Sunday from 11:00 a.m. to 9:00 a.m. Mr. Bartlett presented to the Commission six emails he had received regarding this issue with five people in favor of the earlier hours and one person against it. Three people from the public spoke against the change.

NEW BUSINESS – ORDERS

COMMISSIONERS' ORDER NO. ORD-242-17

AN ORDER APPROVING THE PROMOTION OF CAPTAIN/PARAMEDIC MICHAEL BLOEMER AND CAPTAIN MICAH FOSTER TO BATTALION CHIEFS IN THE COVINGTON FIRE DEPARTMENT, EFFECTIVE SEPTEMBER 10, 2017.

MOTION of Commissioner Downing, seconded by Commissioner Wells. Passed. 5 Yeas. Commissioners Downing, Huizenga, Wells, Williams and Mayor Meyer

COMMISSIONERS' ORDER NO. ORD-243-17

AN ORDER APPROVING THE PROMOTION OF LIEUTENANT/PARAMEDIC TARA BLACK AND LIEUTENANT/PARAMEDIC DOUGLAS VESELSKY TO CAPTAIN/PARAMEDICS IN THE COVINGTON FIRE DEPARTMENT, EFFECTIVE SEPTEMBER 10, 2017.

MOTION of Commissioner Williams, seconded by Commissioner Huizenga. Passed. 5 Yeas. Commissioners Downing, Huizenga, Wells, Williams and Mayor Meyer

COMMISSIONERS' ORDER NO. ORD-244-17

AN ORDER APPROVING THE PROMOTION OF LIEUTENANT COREY DEYE AND LIEUTENANT JOHN HOFSTETTER TO CAPTAINS IN THE COVINGTON FIRE DEPARTMENT, EFFECTIVE SEPTEMBER 10, 2017.

MOTION of Commissioner Downing, seconded by Commissioner Williams. Passed. 5 Yeas. Commissioners Downing, Huizenga, Wells, Williams and Mayor Meyer

COMMISSIONERS' ORDER NO. ORD-245-17

AN ORDER APPROVING THE PROMOTION OF ENGINEER CRAIG VOGELPOHL, ENGINEER GARY RUCKER, FIREFIGHTER DANIEL

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, September 12, 2017 6:00 P.M.

DECARLO AND FIREFIGHTER AMY GRAY TO LIEUTENANTS IN THE COVINGTON FIRE DEPARTMENT, EFFECTIVE SEPTEMBER 10, 2017.

MOTION of Commissioner Williams, seconded by Commissioner Huizenga. Passed. 5 Yeas. Commissioners Downing, Huizenga, Wells, Williams and Mayor Meyer

COMMISSIONERS' ORDER NO. ORD-246-17

AN ORDER APPROVING THE PROMOTION OF FIREFIGHTER/PARAMEDIC SCOTT MOELLINGER TO ENGINEER/PARAMEDIC AND FIREFIGHTER DAVID STUDER AND FIREFIGHTER TIM REDER TO ENGINEERS IN THE COVINGTON FIRE DEPARTMENT, EFFECTIVE SEPTEMBER 10, 2017.

MOTION of Commissioner Wells, seconded by Commissioner Downing. Passed. 5 Yeas. Commissioners Downing, Huizenga, Wells, Williams and Mayor Meyer

COMMISSIONERS' ORDER NO. ORD-247-17

AN ORDER APPROVING THE PROMOTION OF CAPTAIN PATRICK SWIFT TO ASSISTANT CHIEF OF SERVICES IN THE COVINGTON POLICE DEPARTMENT, EFFECTIVE SEPTEMBER 17, 2017.

MOTION of Commissioner Williams, seconded by Commissioner Wells. Passed. 5 Yeas. Commissioners Downing, Huizenga, Wells, Williams and Mayor Meyer

COMMISSIONERS' ORDER NO. ORD-248-17

AN ORDER APPROVING THE APPOINTMENT OF LIEUTENANT COLONEL BRIAN STEFFEN TO THE POSITION OF ASSISTANT CHIEF OF OPERATIONS IN THE COVINGTON POLICE DEPARTMENT, EFFECTIVE SEPTEMBER 17, 2017.

MOTION of Commissioner Huizenga, seconded by Commissioner Downing. Passed. 5 Yeas. Commissioners Downing, Huizenga, Wells, Williams and Mayor Meyer

COMMISSIONERS' ORDER NO. ORD-249-17

AN ORDER APPROVING THE PROMOTION OF LIEUTENANT BRIAN VALENTI TO CAPTAIN IN THE COVINGTON POLICE DEPARTMENT, EFFECTIVE SEPTEMBER 17, 2017.

MOTION of Commissioner Huizenga, seconded by Commissioner Downing. Passed. 5 Yeas. Commissioners Downing, Huizenga, Wells, Williams and Mayor Meyer

COMMISSIONERS' ORDER NO. ORD-250-17

AN ORDER APPROVING THE PROMOTION OF SERGEANT JUSTIN WEITHOLTER TO LIEUTENANT IN THE COVINGTON POLICE DEPARTMENT, EFFECTIVE SEPTEMBER 17, 2017.

MOTION of Commissioner Wells, seconded by Commissioner Williams. Passed. 5 Yeas. Commissioners Downing, Huizenga, Wells, Williams and Mayor Meyer

**MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, September 12, 2017 6:00 P.M.**

COMMISSIONERS' ORDER NO. ORD-251-17

AN ORDER APPROVING THE PROMOTION OF DETECTIVE JAMES WEST TO SERGEANT IN THE COVINGTON POLICE DEPARTMENT, EFFECTIVE SEPTEMBER 17, 2017.

MOTION of Commissioner Wells, seconded by Commissioner Williams. Passed. 5 Yeas. Commissioners Downing, Huizenga, Wells, Williams and Mayor Meyer

COMMISSIONERS' ORDER NO. ORD-252-17

AN ORDER APPROVING THE EMPLOYMENT OF JOHN MAIROSE III AS A GRADE I PATROL OFFICER IN THE COVINGTON POLICE DEPARTMENT, EFFECTIVE SEPTEMBER 24, 2017.

MOTION of Commissioner Williams, seconded by Commissioner Downing. Passed. 5 Yeas. Commissioners Downing, Huizenga, Wells, Williams and Mayor Meyer

NEW BUSINESS – CONSENT AGENDA ITEMS

COMMISSIONERS' ORDER NO. ORD-253-17

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE U.S. DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION AGREEING TO THE POLICE DEPARTMENT'S PARTICIPATION IN THE DEA TASK FORCE EFFECTIVE OCTOBER 1, 2017, THROUGH SEPTEMBER 30, 2018.

COMMISSIONERS' ORDER NO. ORD-254-17

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE KENTON COUNTY POLICE DEPARTMENT TO PARTICIPATE IN THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM AND TO APPROVE THE BUDGET ITEMS AS SUBMITTED BY THE COVINGTON POLICE DEPARTMENT.

COMMISSIONERS' ORDER NO. ORD-255-17

AN ORDER APPROVING A ONE-YEAR RENEWAL WITH LEADS ONLINE, LLC FOR THE POWER PLUS INVESTIGATION SYSTEM SERVICE PACKAGE, IN AN AMOUNT OF \$7,618.00, PAYABLE FROM GENERAL FUND.

COMMISSIONERS' ORDER NO. ORD-256-17

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE A JOINDER AGREEMENT, AN ESTOPPEL CERTIFICATE AND AGREEMENT, A CONSENT TO ASSIGNMENT, AND A LETTER OF UNDERSTANDING RELATING TO THE CLOSING OF THE 501 MAIN RIVERHAUS DEVELOPMENT.

COMMISSIONERS' ORDER NO. ORD-257-17

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE A REVISED PACE AGREEMENT FO THE 501 MAIN RIVERHAUS DEVELOPMENT TO REFLECT CHANGES REQUESTED BY THE PACE LENDER.

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, September 12, 2017 6:00 P.M.

COMMISSIONERS' ORDER NO. ORD-258-17

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE AN ASSIGNMENT AND ASSUMPTION OF LEASE AND OPTION TO PURCHASE AGREEMENT WITH YOGI AND THE FARMER, LLC.

COMMISSIONERS' ORDER NO. ORD-259-17

AN ORDER AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A LEASE AMENDMENT WITH NORTHERN KENTUCKY AREA DEVELOPMENT DISTRICT FOR ADDITIONAL LEASED SPACE FOR THE BRIGHTON CENTER.

COMMISSIONERS' ORDER NO. ORD-260-17

AN ORDER AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A DEVELOPMENT AGREEMENT AND SUBORDINATION AGREEMENT WITH R.A.H. REALTY, LLC FOR THE DEVELOPMENT OF THE PROPERTY LOCATED AT 409-415 SCOTT BOULEVARD.

COMMISSIONERS' ORDER NO. ORD-261-17

AN ORDER AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A FIVE-YEAR BUSINESS RETENTION INCENTIVE AGREEMENT WITH BLAIR TECHNOLOGY GROUP, LLC.

COMMISSIONERS' ORDER NO. ORD-262-17

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH CHAKO'S BAKERY TO FACILITATE THE PAYMENT OF A \$6,000.00 RENT SUBSIDY INCENTIVE FOR PROPERTY LOCATED AT 212 WEST PIKE STREET.

COMMISSIONERS' ORDER NO. ORD-263-17

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH 420 MADISON , LLC dba CHOPS, CHEESE & CHIVES TO FACILITATE THE PAYMENT OF A \$6,000.00 FORGIVABLE FAÇADE LOAN FOR PROPERTY LOCATED AT 420 MADISON AVENUE.

COMMISSIONERS' ORDER NO. ORD-264-17

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH FLYING AXES, INC. TO FACILITATE THE PAYMENT OF A \$6,000.00 RENT SUBSIDY INCENTIVE FOR PROPERTY LOCATED AT 100 WEST SIXTH STREET.

COMMISSIONERS' ORDER NO. ORD-265-17

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH OLIVIA LANE DESIGNS, LLC dba GRAINWELL MARKET TO FACILITATE THE PAYMENT OF A \$5,400.00 RENT SUBSIDY INCENTIVE FOR PROPERTY LOCATED AT 33 WEST PIKE STREET.

COMMISSIONERS' ORDER NO. ORD-266-17

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH MOONRISE DOUGHNUTS TO FACILITATE THE

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, September 12, 2017 6:00 P.M.

PAYMENT OF A \$6,000.00 RENT SUBSIDY INCENTIVE FOR PROPERTY LOCATED AT 3718 WINSTON AVENUE.

COMMISSIONERS' ORDER NO. ORD-267-17

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH HOOKSYU, INC. dba OLDE TOWNE TAVERN TO FACILITATE THE PAYMENT OF A \$6,000.00 FORGIVABLE FAÇADE LOAN FOR PROPERTY LOCATED AT 35 WEST PIKE STREET.

COMMISSIONERS' ORDER NO. ORD-268-17

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH LSOP, LLC AND BLUE SOX BAR AND GRILLE, LLC TO FACILITATE THE PAYMENT OF A \$6,000.00 FORGIVABLE FAÇADE INCENTIVE FOR PROPERTY LOCATED AT 302 COURT STREET.

COMMISSIONERS' ORDER NO. ORD-269-17

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE A 50/50 COST SHARING AGREEMENT WITH SD1 FOR THE LATONIA AVENUE RECONSTRUCTION PROJECT.

COMMISSIONERS' ORDER NO. ORD-270-17

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH ENVIRONMENT & ARCHAEOLOGY, LLC TO PERFORM A PHASE I ARCHAEOLOGY SURVEY IN POINTE BENTON, IN AN AMOUNT NOT TO EXCEED \$3,718.00, PAYABLE FROM CAPITAL BOND FUND.

COMMISSIONERS' ORDER NO. ORD-271-17

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE U.S. FISH & WILDLIFE SERVICE AND KENTUCKY WATERWAYS ALLIANCE FOR A GRANT TO INCREASE THE CITY MONARCH BUTTERFLY WAYSTATIONS.

COMMISSIONERS' ORDER NO. ORD-272-17

AN ORDER ACCEPTING THE RESIGNATION OF DAVID PANDILIDIS, PART-TIME CODE ENFORCEMENT INSPECTOR, EFFECTIVE SEPTEMBER 9, 2017.

COMMISSIONERS' ORDER NO. ORD-273-17

AN ORDER APPROVING A ONE-YEAR RENEWAL WITH ROEDING INSURANCE GROUP AND TRAVELER'S INSURANCE FOR THE CITY'S CRIME & FIDELITY COVERAGE, IN AN AMOUNT NOT TO EXCEED \$4,064.87.

COMMISSIONERS' ORDER NO. ORD-274-17

AN ORDER APPROVING A ONE-YEAR RENEWAL WITH ROEDING INSURANCE GROUP FOR BROKERAGE SERVICES FOR THE CITY'S PROPERTY & CASUALTY INSURANCE AND WORKER'S COMPENSATION INSURANCE, IN AN AMOUNT NOT TO EXCEED \$37,000.00.

**MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, September 12, 2017 6:00 P.M.**

Orders No. ORD-253-17 through ORD-274-17 were passed by consent agenda as follows:

MOTION of Commissioner Williams, seconded by Commissioner Downing.
Passed. 5 Yeas. Commissioners Downing, Huizenga, Wells, Williams and
Mayor Meyer

NEW BUSINESS – ORDERS

COMMISSIONERS' ORDER NO. ORD-275-17

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE A MUTUAL RELEASE OF CLAIMS AGREEMENT IN THE CASE OF CITY OF COVINGTON VS. MEREDITH LAWRENCE THAT WILL ALLOW THE CITY TO OBTAIN TITLE TO REAL PROPERTY LOCATED ON THE RIVERFRONT AT 83, 840, 850 HIGHWAY AVENUE.

MOTION of Commissioner Wells, seconded by Commissioner Downing.
Passed. 4 Yeas. Commissioners Downing, Huizenga, Wells, and Mayor Meyer
Commissioner Williams present, not voting

COMMISSIONERS' ORDER NO. ORD-276-17

AN ORDER AUTHORIZING THE MAYOR TO EXECUTE A SETTLEMENT AGREEMENT AND RELEASE IN THE LITIGATION STYLED E.F. INVESTMENTS, LLC, ET AL. V. CITY OF COVINGTON, KENTUCKY, ET AL. PENDING IN THE UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF KENTUCKY.

MOTION of Commissioner Downing, seconded by Commissioner Wells.
Passed. 4 Yeas. Commissioners Downing, Huizenga, Wells, and Mayor Meyer
1 Nay. Commissioner Williams

The following Order was read and a motion was made by Commissioner Downing, second by Commissioner Williams, to pass this Order at this time and put in on an agenda in six weeks. Motion passed 5-0.

COMMISSIONERS ORDER

AN ORDER AUTHORIZING THE MAYOR 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.

COMMISSIONERS' ORDER NO. ORD-277-17

AN ORDER AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH THE CARNEGIE FOR SERVICES RELATED TO ITS OPERATION, IN AN AMOUNT NOT TO EXCEED \$60,000.00, PAYABLE FROM THE GENERAL FUND.

MOTION of Commissioner Wells, seconded by Commissioner Huizenga.
Passed. 5 Yeas. Commissioners Downing, Huizenga, Wells, Williams and
Mayor Meyer

**MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, September 12, 2017 6:00 P.M.**

The following Order was read and there was no motion made by Board to approve.

COMMISSIONERS ORDER

AN ORDER APPROVING THE CONSTRUCTION OF A BASIN/RAIN GARDEN NEAR THE INTERSECTION OF PROSPECT AND EAST NINTH STREET BY SANITATION DISTRICT 1 AND AUTHORIZING THE MAYOR TO EXECUTE A MAINTENANCE AGREEMENT WITH SD1.

The following two orders were read and a motion was made by Commissioner Downing, second by Commissioner Williams to pass on these at this time. Motion passed 4-1 with Commissioner Wells voting Nay.

COMMISSIONERS ORDER

AN ORDER APPROVING THE EMPLOYMENT OF BRIAN OSTERMAN AS A PART-TIME FIRE/RENTAL INSPECTOR, EFFECTIVE SEPTEMBER 13, 2017.

COMMISSIONERS ORDER

AN ORDER APPROVING THE EMPLOYMENT OF JOSEPH MEIMANN AS A PART-TIME CODE ENFORCEMENT INSPECTOR, EFFECTIVE SEPTEMBER 13, 2017.

NEW BUSINESS – RESOLUTIONS

COMMISSIONERS RESOLUTION NO. R-10-17

A RESOLUTION SUPPORTING THE CURRENT STRUCTURE AND BENEFITS OF THE COUNTY EMPLOYEES RETIREMENT SYSTEM WHILE SEPARATING IT FROM THE KENTUCKY RETIREMENT SYSTEM.

MOTION of Commissioner Huizenga, seconded by Commissioner Downing. Passed. 5 Yeas. Commissioners Downing, Huizenga, Wells, Williams and Mayor Meyer

NEW BUSINESS – FIRST READING OF ORDINANCES

COMMISSIONERS' ORDINANCE NO. O-XX-17

AN ORDINANCE AMENDING §34.50 OF THE COVINGTON CODE OF ORDINANCES CREATING THE POSITION OF PART-TIME RECREATION ASSISTANT.

ADJOURNMENT

Mayor Meyer adjourned the meeting at 7:40 p.m.

**MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, September 12, 2017 6:00 P.M.**

MAYOR

ATTEST:

CITY CLERK

APPROVED: _____