

**MINUTES**  
**BOARD OF COMMISSIONERS' MEETING**  
**Tuesday, December 6, 2016 6:00 P.M.**

**A REGULAR MEETING** of the Board of Commissioners of the City of Covington, Kentucky, was opened by Mayor Carran on Tuesday, December 6, 2016, at 6:00 p.m., in Commission Chambers, 20 West Pike Street, Covington, Kentucky.

Mayor Carran presiding with Commissioners Chuck Eilerman, Steve Frank, Jordan Huizenga, Bill Wells, City Manager Larry Klein, and City Solicitor Frank Warnock, present.

**MOTION** of Commissioner Huizenga, seconded by Commissioner Wells to dispense with the reading of and approve the minutes of the November 15, 2016, meeting.

**Passed.** 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**PRESENTATIONS** – No presentations scheduled.

**NEW BUSINESS – FIRST READING OF ORDINANCES**

**MEETING DATES**

**COMMISSIONERS' ORDINANCE NO. O-XX-16**

AN ORDINANCE ESTABLISHING DATES OF THE REGULAR LEGISLATIVE MEETINGS OF THE COVINGTON BOARD OF COMMISSIONERS FOR JANUARY 2017.

**First Reading, No Vote**

**OLD BUSINESS – SECOND READING OF ORDINANCES**

**AMEND SECTION 97.06**

**COMMISSIONERS' ORDINANCE NO. O-39-16**

AN ORDINANCE AMENDING SECTION 97.06 OF THE COVINGTON CODE OF ORDINANCES REFLECTING MODIFICATIONS AND IMPROVEMENTS REGARDING THE CITY'S PRACTICES AND PROCEDURES FOR ABANDONED URBAN PROPERTIES.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Huizenga. **Passed.** 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**AMEND SECTION 111.025**

**COMMISSIONERS' ORDINANCE NO. O-40-16**

AN ORDINANCE AMENDING SECTION 111.025, ALCOHOLIC BEVERAGES, LICENSING AND HEARINGS, OF THE COVINGTON CODE OF ORDINANCES TO UPDATE ALCOHOLIC BEVERAGE LICENSES AND FEES AND ESTABLISH NEW LICENSE RENEWAL DATES CONSISTENT WITH STATE LICENSE RENEWAL DATES.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Wells. **Passed.** 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**MINUTES**  
**BOARD OF COMMISSIONERS' MEETING**  
**Tuesday, December 6, 2016 6:00 P.M.**

**NEW BUSINESS – ORDER/RESOLUTIONS**

**RECOGNITION**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-365-16**

AN ORDER/RESOLUTION RECOGNIZING THE MANY INDIVIDUALS AND ORGANIZATIONS WHO RESPONDED TO THE NEEDS OF THE DISPLACED RESIDENTS AFTER THE FIRE AT ST. ALOYSIUS APARTMENTS ON FRIDAY, NOVEMBER 18, 2016.

**MOTION** of Commissioner Huizenga, seconded by Commissioner Wells. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**INDUSTRIAL REVENUE BONDS** – The Roebing Row development was made possible through the utilization of industrial revenue bonds. The City retains title to the land upon which the project was constructed and must be a party to any refunding transaction.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-366-16**

AN ORDER/RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF COVINGTON, KENTUCKY, AUTHORIZING THE ISSUANCE OF TAXABLE INDUSTRIAL BUILDING REFUNDING REVENUE BONDS, SERIES 2016, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$7,650,000.00, THE PROCEEDS OF WHICH SHALL BE USED TO REFUND OUTSTANDING \$8,175,000.00 (ORIGINAL ISSUE AMOUNT) CITY OF COVINGTON, KENTUCKY INDUSTRIAL BUILDING REFUNDING REVENUE BONDS, SERIES 2006, WHICH WERE ISSUED TO REFUND BONDS ORIGINALLY ISSUED TO FINANCE THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF AN INDUSTRIAL BUILDING FACILITY LOCATED WITHIN THE CITY OF COVINGTON, KENTUCKY AND TO IMPROVE SAID FACILITY; PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SAID BONDS; AUTHORIZING AN AMENDED AND RESTATED LEASE AGREEMENT BETWEEN THE CITY OF COVINGTON, KENTUCKY AND ROEBLING ROW, LLC, OR ASSIGNS, WITH RESPECT TO THE FACILITY (THE "AGREEMENT"); AUTHORIZING A TRUST INDENTURE APPROPRIATE FOR THE PROTECTION AND DISPOSITION OF SUCH REVENUES AND FURTHER TO SECURE THE PAYMENT OF SAID BONDS; AUTHORIZING A BOND PURCHASE AGREEMENT; AUTHORIZING AN OPEN-END LEASEHOLD MORTGAGE AND SECURITY AGREEMENT; AUTHORIZING AN ASSIGNMENT OF LEASES, RENTS AND PROFITS; AND AUTHORIZING A HOME OFFICE PAYMENT AGREEMENT.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Wells. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**MINUTES**  
**BOARD OF COMMISSIONERS' MEETING**  
**Tuesday, December 6, 2016 6:00 P.M.**

**RESIGNATION**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-367-16**

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION OF LIEUTENANT ERIC MONCRIEF FROM THE COVINGTON FIRE DEPARTMENT, EFFECTIVE NOVEMBER 15, 2016.

**MOTION** of Commissioner Huizenga, seconded by Commissioner Eilerman. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**PROMOTION**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-368-16**

AN ORDER/RESOLUTION APPROVING THE PROMOTION OF ENGINEER KRISTA DEYER TO LIEUTENANT IN THE COVINGTON FIRE DEPARTMENT, EFFECTIVE NOVEMBER 15, 2016.

**MOTION** of Commissioner Wells, seconded by Commissioner Huizenga. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**PROMOTION**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-369-16**

AN ORDER/RESOLUTION APPROVING THE PROMOTION OF FIREFIGHTER SEAN SCHATZMAN TO ENGINEER IN THE COVINGTON FIRE DEPARTMENT, EFFECTIVE NOVEMBER 15, 2016.

**MOTION** of Commissioner Huizenga, seconded by Commissioner Frank. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**CONTRACT** – Fire and EMS Academy is an online subscription for training resources.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-370-16**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH PRAETORIAN DIGITAL FOR A FIRE AND EMS ACADEMY ONLINE TRAINING SUBSCRIPTION, IN AN AMOUNT OF \$5,056.00, PAYABLE FROM GENERAL FUND.

**MOTION** of Commissioner Huizenga, seconded by Commissioner Wells. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**AMEND MOU**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-371-16**

AN ORDER/RESOLUTION APPROVING AN AMENDMENT TO THE CURRENT MOU WITH FEMA TASK FORCE-1 TO INCLUDE KURT THOMAS AS A REPRESENTATIVE MEMBER.

**MOTION** of Commissioner Huizenga, seconded by Commissioner Wells. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**MINUTES**  
**BOARD OF COMMISSIONERS' MEETING**  
**Tuesday, December 6, 2016 6:00 P.M.**

**CHANGE ORDER** – The proforma for the Devou Golf & Event Center project included a 5% contingency funding for necessary change orders to the contract due to unforeseen costs. Performance Construction has incurred additional costs making a change order necessary.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-372-16**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CHANGE ORDER WITH PERFORMANCE CONSTRUCTION FOR THE DEVOU GOLF & EVENT CENTER PROJECT INCREASING THE ORIGINAL CONTRACT AMOUNT OF \$5,252,925.00, TO \$5,399,711.92, AN AMOUNT OF \$146,786.92.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Wells.  
Passed. 4 Yeas. Commissioners Eilerman, Huizenga, Wells, and Mayor Carran.  
1 Nay. Commissioner Frank.

**PROMOTION** – There is currently an opening in the Right-of-Way division for a light equipment operator and Mr. Hamm has passed the operator's test.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-373-16**

AN ORDER/RESOLUTION APPROVING THE PROMOTION OF KENNY HAMM FROM DRIVER TO LIGHT EQUIPMENT OPERATOR IN THE DEPARTMENT OF PUBLIC IMPROVEMENTS, EFFECTIVE DECEMBER 7, 2016.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Wells.  
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**EMPLOYMENT**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-374-16**

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF KYLE HODGE AS A LABORER I IN THE DEPARTMENT OF PUBLIC IMPROVEMENTS, EFFECTIVE DECEMBER 7, 2016.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Wells.  
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**AMEND PARKING PLAN** – This parking space is available with the removal of the parklet that was situated there. It will be a paid spot.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-375-16**

AN ORDER/RESOLUTION AMENDING THE MAINSTRASSE PARKING PLAN (O/R-311-15 AND O/R-287-16) ADDING ONE PARKING SPACE AT 327 WEST SIXTH STREET.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Wells.  
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**GRANT FUNDS** – the City was awarded TAP funding to perform structural engineering review, civil engineering design, property acquisition and initial

**MINUTES**  
**BOARD OF COMMISSIONERS' MEETING**  
**Tuesday, December 6, 2016 6:00 P.M.**

construction on the bridge. After looking into the feasibility of the project and speaking with the City of Wilder, staff believes that this is not a viable project.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-376-16**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE  
A REJECTION LETTER FOR GRANT FUNDS AWARDED FOR THE  
WATER BRIDGE CROSSING OF THE LICKING RIVER.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Huizenga.  
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and  
Mayor Carran.

**REQUEST FOR PROPOSALS** – In 2013, the joint Devou Boards allocated \$175,600.00 to the museum to utilize for building improvements. In June of 2016, the boards approved the use of the remaining funds, not to exceed \$40,000 for design services to get a better cost estimate of the building expansion.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-377-16**

AN ORDER/RESOLUTION APPROVING THE PUBLICATION OF A  
REQUEST FOR PROPOSALS FOR ENGINEERING AND  
ARCHITECTURAL DESIGN SERVICES FOR THE BEHRINGER  
CRAWFORD MUSEUM.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Wells.  
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and  
Mayor Carran.

**INVITATION TO BID** – Phases 2 and 3 of the trail project will connect the trail from the Clayton-Meyer Park to Austinburg (Phase 2) and ultimately to Randolph Park (Phase 3), a total of two miles from 22<sup>nd</sup> Street to 8<sup>th</sup> Street.

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-378-16**

AN ORDER/RESOLUTION APPROVING THE PUBLICATION OF AN  
INVITATION FOR BIDS FOR CONSTRUCTION OF PHASES 2 AND 3 OF  
THE LICKING RIVER GREENWAY TRAILS.

**MOTION** of Commissioner Huizenga, seconded by Commissioner Wells.  
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and  
Mayor Carran.

**BOARD REAPPOINTMENTS**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-379-16**

AN ORDER/RESOLUTION APPROVING THE REAPPOINTMENTS OF  
DON SMITH AND PAMELA MULLINS TO THE COVINGTON HUMAN  
RIGHTS COMMISSION FOR THREE-YEAR TERMS, EFFECTIVE  
NOVEMBER 11, 2016, AND EXPIRING NOVEMBER 10, 2019.

**MOTION** of Commissioner Huizenga, seconded by Commissioner Wells.  
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and  
Mayor Carran.

**MINUTES**  
**BOARD OF COMMISSIONERS' MEETING**  
**Tuesday, December 6, 2016 6:00 P.M.**

**BOARD APPOINTMENT**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-380-16**

AN ORDER/RESOLUTION APPROVING THE APPOINTMENTS OF JOHN FLESCH TO THE DEVOU PARK ADVISORY COMMITTEE FOR A THREE-YEAR TERM, EFFECTIVE DECEMBER 7, 2016, AND EXPIRING DECEMBER 6, 2019, AND CHAS BRANNEN TO FILL AN UNEXPIRED TERM, EXPIRING DECEMBER 31, 2017.

**MOTION** of Commissioner Wells, seconded by Commissioner Eilerman. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**CITY EMPLOYEES' RETIREMENT FUND**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-381-16**

AN ORDER/RESOLUTION APPROVING AN INCREASE OF THE ANNUAL CONTRIBUTION TO THE CITY EMPLOYEES RETIREMENT PLAN FUND PROVIDING FUNDING AT 100% OF THE RECENT ACTUARIAL VALUATION REPORT, PAYABLE FROM GENERAL FUND.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Huizenga. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**POLICE AND FIREMENS' RETIREMENT FUND**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-382-16**

AN ORDER/RESOLUTION APPROVING AN INCREASE OF THE ANNUAL CONTRIBUTION TO THE POLICE AND FIREMENS' RETIREMENT PLAN FUND PROVIDING FUNDING AT 100% OF THE RECENT ACTUARIAL VALUATION REPORT, PAYABLE FROM GENERAL FUND.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Huizenga. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**ORGANIZATIONAL CHART**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-383-16**

AN ORDER/RESOLUTION APPROVING THE UPDATED CITY ORGANIZATION CHART.

**MOTION** of Commissioner Huizenga, seconded by Commissioner Eilerman. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**MEMORANDUM OF UNDERSTANDING**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-384-16**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH AFSCME, AFL-CIO, LOCAL 237 APPROVING THE REFERENCED

**MINUTES**  
**BOARD OF COMMISSIONERS' MEETING**  
**Tuesday, December 6, 2016 6:00 P.M.**

BASED PRICING PLAN AS AN OPTION IN THE CITY'S HEALTH CARE PLAN FOR AFSCME MEMBERS, AND TO APPROVE AFSCME'S PARTICIPATION IN THE CITY'S DRUG AND ALCOHOL FREE WORKPLACE POLICY.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Huizenga. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**MANAGEMENT AGREEMENT ADDENDUM**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-385-16**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO AN ADDENDUM TO THE MANAGEMENT AGREEMENT WITH DEVOU PROPERTIES MANAGEMENT COMPANY, LLC TO REFLECT ADDITIONAL TERMS AND CONDITIONS REGARDING ALCOHOLIC BEVERAGE CONTROL LICENSES.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Wells. Passed. 4 Yeas. Commissioners Eilerman, Huizenga, Wells, and Mayor Carran. 1 Nay. Commissioner Frank.

**BOARD RESIGNATION**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-386-16**

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION OF BARRY COATES FROM THE KENTON COUNTY PLANNING COMMISSION, EFFECTIVE DECEMBER 31, 2016.

**MOTION** of Commissioner Huizenga, seconded by Commissioner Wells. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**BOARD REAPPOINT**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-387-16**

AN ORDER/RESOLUTION APPROVING THE REAPPOINTMENT OF JOHN KIDD TO THE AUDIT COMMITTEE FOR A THREE-YEAR TERM, EFFECTIVE SEPTEMBER 10, 2016, AND EXPIRING SEPTEMBER 9, 2019.

**MOTION** of Commissioner Huizenga, seconded by Commissioner Eilerman. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**BOARD REAPPOINTMENTS**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-388-16**

AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF JOHN MEILING TO THE URBAN FORESTRY BOARD FOR A THREE-YEAR TERM, EFFECTIVE DECEMBER 7, 2016, AND EXPIRING DECEMBER 6, 2019, AND THE REAPPOINTMENTS FOR THREE-YEAR TERMS OF STAN NASSANO EFFECTIVE SEPTEMBER 24, 2016, AND EXPIRING SEPTEMBER 23, 2019, AND JANE AUGER AND GUS WOLF EFFECTIVE AUGUST 20, 2016, AND EXPIRING AUGUST 19, 2019.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Huizenga.

**MINUTES  
BOARD OF COMMISSIONERS' MEETING  
Tuesday, December 6, 2016 6:00 P.M.**

Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**NON-UNION EMPLOYEES FUND ALLOCATION**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-389-16**

AN ORDER/RESOLUTION APPROVING A DISBURSEMENT OF FUNDS TO NON-UNION EMPLOYEES, PURSUANT TO SECTION 4.1 OF THE FISCAL STABILITY ORDINANCE, O-50-15, TO SHARE TO PROCEEDS OF THE ALLOCATION OF THE CARRYOVER OF FUNDS PROVIDED FOR COMPENSATION OF CITY EMPLOYEES IN THE EVENT THAT FUNDS ARE AVAILABLE AFTER OTHER OBLIGATIONS HAVE BEEN SATISFIED.

**MOTION** of Commissioner Huizenga, seconded by Commissioner Eileram. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**SOLID WASTE USER FEE**

**COMMISSIONERS' ORDER/RESOLUTION NO. O/R-390-16**

AN ORDER/RESOLUTION APPROVING THE RESIDENTIAL SOLID WASTE AND RECYCLING USER FEE AT AN ANNUAL RATE OF \$152.52 TO BE BILLED ON A QUARTERLY BASIS BY RUMPKE OF KENTUCKY, INC. IN THE AMOUNT OF \$38.13.

**MOTION** of Commissioner Eilerman, seconded by Commissioner Wells. Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

**ADJOURNMENT**

Mayor Carran adjourned the meeting at 8:40 p.m.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED: \_\_\_\_\_