CITY OF COVINGTON

AGENDA ITEM REQUEST FORM

2026 AIR Submission Deadlines

Dec 26	
Jan 9 & 23	July 2 & 24
Feb 6 & 20	Aug 7 & 21
Mar 6 & 27	Sept 4 & 25
Apr 10 & 24	Oct 9 & 30
May 8 & 22	Nov 13, & 25
June 5	

Caucus Meeting Date	November 10, 2026
Legislative Meeting Date	November 17, 2026

Order ☐ **Ordinance** ☑ **Resolution** ☐ **Presentation** ☐

Will there be any guests attending the Caucus Meeting? **Yes:** ○ **No:** ◉

Division/Department	Div/Dept Head Signature	Responsible Staff Person
Legal	/s/ Frank M. Schultz	Frank Schultz

Specific Nature of Request

AN ORDINANCE AMENDING CHAPTER 30 (ADMINISTRATIVE PROCEDURES) OF THE COVINGTON CODE OF ORDINANCES TO REFLECT FINAL RECOMMENDATIONS FROM THE CITY'S COMMITTEE ON FORM OF GOVERNMENT TRANSITION, EFFECTIVE JANUARY 1, 2027.

Description of Request Including Background Information if Relevant

In November 2024, Covington voters approved a change in the City's form of government from the City Manager form to the Mayor-Council form, effective January 1, 2027.The proposed amendments to Chapter 30 (Administrative Procedures) are intended to establish procedures consistent with the new governmental structure and the applicable provisions of KRS Chapter 83A.The amendments address the respective authority and responsibilities of the Mayor and City Council, administrative procedures, and other provisions governing the conduct of municipal government. The revisions also update references to elected officials and administrative positions to reflect the new governmental structure, as well as changes to mayoral compensation as recommended by the Committee on Form of Government Transition. Approval is requested to adopt the proposed amendments to Chapter 30, effective January 1, 2027, to ensure that the City's administrative and legislative procedures are consistent with the Mayor-Council form of government upon its implementation.

Company/Entity (if multiple, list all)

N/A

Value/Cost **Budgeted - Yes:** ○ **No:** ◉

N/A

Funding Source (Fund Name & Account No.)

N/A

Payment Terms

N/A

Contract/Backup Docs Attached? Y

Grant Funds Used - Yes: ○ **No:** ◉
(list all grant fund types and the associated grant #, or check no)

N/A

SIGNING ORDER

/s/ Frank M. Schultz	10-30-26
1. LEGAL DEPARTMENT REPRESENTATIVE	**DATE**
Jerome A. Heist	11/04/26
2. FINANCE DEPARTMENT REPRESENTATIVE	**DATE**
Sharmili Reddy	11/04/202
3. CITY MANAGER	**DATE**

ADDITIONAL AIR FORM SUBMISSION INFORMATION:

Please attach all relevant documents, i.e., draft contracts, resumes, draft development agreements, etc.

For an Order authorizing an expenditure or obligation of funds, you MUST complete the following:

Value/Cost *- The total amount of the expenditure or obligation. Indicate whether or not this has been budgeted.*

Funding Source *- Source fund(s) including G/L account number(s) and amounts; if NOT budgeted type "not budgeted"*

Payment Terms *- The payment terms*

If you do not have room to enter all required information, provide it in the Description of Request box with the designator "Funds Continued:"

For an Order approving a contract, you MUST attach a full, complete, unsigned copy of the contract, including ALL attachments and exhibits.

Contract draft and review requests must be submitted to the Legal Department at least one week prior to the AIR submission due date.

For the approval of a new or amended Ordinance or Resolution, you MUST attach a full and complete copy of the property formatted Ordinance or Resolution. The Legal Department is available to help with ordinance and resolution drafting and review.

For an Order appointing a new employee , you MUST attach a copy of the resume.

For privacy, the resume will be provided directly to the BOC instead of being published in the meeting packets.

If the prospective employee is related to any current city employee, then you MUST prominently disclose this fact.

This information can be found under Rule 9 in the Board of Commissioners Rules of Procedure. (O-04-21)

Chapter 30 (Title 3) Administrative Procedures

Statutory reference:

[~~City manager~~]***Mayor-Council*** plan of government, see KRS 83A.1[~~5~~]***3***0

Executive authority, see KRS 83A.010(6)

Form and procedure for enacting ordinances, see KRS 83A.060

Organizational structure maintained, see KRS 83A.020

§ 30.01 BOND OF CITY OFFICIALS.

(A) Generally. All officers, officials and employees who handle public funds in the execution of their duties shall give a good and sufficient bond to the city for the faithful and honest performance of his or her duties as security for all money coming into the person's hands or under the person's control. The bond amount shall be based upon the maximum amount of public funds the officer, official or employee handles at any given time during a fiscal year cycle. Notwithstanding the foregoing, city officers, officials and employees may guard against potential losses arising from unfaithful and dishonest performance of duties by obtaining an appropriate policy of insurance.

(B) Payment of surety out of General Fund. The Finance Director is directed to pay for the surety bonds or other appropriate insurance policy or policies required by division (A) above out of the General Fund, in the event that the bonds are signed by some authorized surety company of good standing in the state.

(1984 Code, § 30.01) (Ord. O-13-94, passed 4-12-1994; Ord. O-37-19, passed 12-17-2019)

Statutory reference:

Bond required of persons handling public funds; compliance by elected officials and their employees, see KRS 65.067

§ 30.02 CHECKS AND VOUCHERS.

Any [~~two~~] ***three*** of the persons holding the office of ***Mayor,*** Finance Director and City ***Administrator***[~~Manager~~] of the city are authorized and directed to sign all checks drawn on the credit of the city or any funds administered by it.

(1984 Code, § 30.02) (Res. R-402-83, passed 9-20-1983; Ord. O-1-89, passed 1-24-1989)

Statutory reference:

Official depositories, see KRS 91A.060

§ 30.03 INVESTMENT OF PUBLIC FUNDS.

(A) KRS 66.480 is hereby adopted and incorporated by reference as if fully rewritten herein.

(B) The Finance Director is designated as the officer authorized to invest and oversee the investment of city funds, with the direction and concurrence of the ***Mayor***[~~City Manager~~]. The Finance Director and/or the ***Mayor***[~~City Manager~~] may seek and rely upon the advice of professional financial advisors.

(C) Permitted types of investments include: those enumerated in KRS 66.480(1).

(D) The Finance Director is authorized and directed to develop procedures and standards as enumerated in KRS 66.480(3) that are adopted and incorporated by reference as if fully rewritten herein.

(1984 Code, § 30.03) (Ord. O-26-14, passed 10-21-2014)

§ 30.04 INTEREST RATE ON DELINQUENT ACCOUNTS.

(A) The interest rate on delinquent accounts due the city shall be 12% per annum on the unpaid principal balance.

(B) If anything in this provision conflicts with the Kentucky Revised Statues, the statute shall prevail.

(1984 Code, § 30.04) (Ord. O-7-84, passed 2-28-1984)

§ 30.05 *CITY COUNCIL AND SEPARATION OF EXECUTIVE AND LEGISLATIVE AUTHORITY; COMMUNICATIONS WITH CITY OFFICERS AND EMPLOYEES.*[~~MEMBERS OF *CITY COUNCIL* BOARD OF COMMISSIONERS COMMUNICATIONS WITH STAFF AND OTHERS.~~]

[~~(A) The Board of Commissioners, as the combined legislative and executive authority of the city pursuant to KRS 83A.150, to enhance communications between it and the city's Administration Department, in order to increase government efficiency and to better prepare for the transition to the Mayor–Council form of government, delegates to the Mayor the necessary authority to inquire into the conduct of duties and actions performed by the City Manager between meetings of the Board of Commissioners. The authority shall be exercised at the discretion of the Mayor and is subject to ratification by the Board of Commissioners where appropriate. Such delegation of authority in no way creates regular administrative duties for the Mayor.~~

~~(B) The Mayor shall be recognized as the official head and representative of the city for all purposes. Such recognition shall not, however, include any duties considered an unauthorized delegation of executive or legislative authority from the Board of Commissioners.~~

~~(C) No member of the Board of Commissioners shall make one-on-one contact with a department or division employee on policy implication matters without involvement therein by the City Manager.~~

~~(D) No member of the Board of Commissioners shall communicate on a one-on-one basis with any department or division of municipal government in a manner which should effectuate interruption or redirection in the work assignment of a worker or group of workers in any manner other than an initial request for work assignment made directly to the director of the department or his or her designee in his or her absence.~~

~~(E) Such a request for a work assignment shall be submitted to the department director who has jurisdiction over such request work assignment, regardless of its nature.~~

~~(F) Upon receipt of such a request for a work assignment, whether written or oral, it is understood that the work assignment shall be delegated and/or assigned solely at the director's discretion, or by his or her designee in his or her absence, without threat of retribution from said member of the Board of Commissioners as to its priority of assignment within his or her department unless a decision of the Commission members, in an appropriate setting directs otherwise.~~

~~(G) It is the responsibility of each department director to assess the requested work assignment and make a cursory determination as to whether such individual request calls for priority treatment. In that event, the department director shall so advise all the Commission members and the City Manager in the same manner forthwith of such priority assignment so that all share equally in the dissemination of information.~~

~~(H) No employee or group of employees shall express dissatisfaction in the realm of their employment to any Commission member without first seeking to remedy such situation administratively.~~

~~(I) In the event an employee or group of employees attempts to circumvent such administrative remedies as provided in the personnel policy and/or working agreement, it shall be incumbent upon the Commission member to decline to circumvent or interfere in the administrative process.~~]

(A) Purpose and separation of powers.

(1) Pursuant to KRS 83A.130, the executive authority of the City is vested exclusively in the Mayor, and the legislative authority of the City is vested in the City

Council. Except as expressly authorized by statute, neither the City Council nor any individual member thereof shall exercise executive or administrative authority.

(2) The Mayor shall have responsibility for the supervision, direction, and administration of City departments, officers, and employees under the Mayor's jurisdiction. No individual member of the City Council shall possess or exercise supervisory, managerial, or administrative authority over such personnel.

(3) This section establishes mandatory procedures governing communications between members of the City Council and City officers and employees for the purpose of preserving the separation of executive and legislative authority, protecting employees from conflicting directives, and ensuring the orderly administration of municipal government.

(B) Prohibition on direct communications with City personnel.

(1) Except as expressly authorized by this section or otherwise required by law, no individual member of the City Council shall directly contact, communicate with, or make inquiries of any City officer, department director, supervisor, employee, or other personnel under the Mayor's jurisdiction concerning the business, operations, administration, personnel, policies, programs, finances, enforcement activities, or other official affairs of the City without first obtaining authorization from the Mayor.

(2) The prohibition established by this subsection shall apply regardless of whether the communication involves a request for information, an inquiry concerning an existing matter, a request for explanation or clarification, a proposed action, or an actual or implied direction to perform or refrain from performing any duty.

(3) Prohibited direct communications shall include, without limitation, personal meetings, telephone calls, electronic mail, text messages, written correspondence, electronic messaging, and communications made through intermediaries or third parties acting at the request or direction of a Council member.

(4) No Council member shall independently request or arrange a meeting, briefing, interview, inspection, departmental visit requiring staff assistance, or other official interaction with City personnel without authorization from the Mayor.

(C) Required communication through the Mayor.

(1) Any individual member of the City Council seeking information, records, clarification, assistance, or other action involving the administration or operations of the City shall submit the request directly to the Mayor in writing.

(2) The Mayor shall determine the appropriate manner of addressing such requests, including whether City personnel shall be directed to provide information, prepare a response, participate in a meeting, or undertake any related administrative activity.

(3) The Mayor may authorize direct communications between a Council member and designated City personnel for a specified purpose. Such authorization shall not confer upon the Council member any authority to supervise personnel, assign work, establish priorities, or direct administrative action.

(4) Any authorization for direct communication shall be limited to the subject matter and purpose approved by the Mayor. Unless otherwise directed by the Mayor, the Mayor or the Mayor's designated representative shall be included in communications conducted pursuant to such authorization.

(5) The Mayor may designate the City Administrator or another appropriate executive officer, by executive order consistent with KRS 83A.130(7), to coordinate requests and communications on the Mayor's behalf.

(6) Nothing in this subsection shall permit the Mayor to obstruct, deny, or condition the lawful exercise of any authority expressly conferred upon the City Council by statute.

(D) Prohibition on administrative interference and work assignments.

(1) No individual Council member shall directly or indirectly:

(a) Direct, order, supervise, or otherwise exercise authority over any City officer or employee under the Mayor's jurisdiction;

(b) Assign work, establish priorities, alter duties, request the performance of a specific administrative task, or direct the use of City personnel or resources;

(c) Interfere with or attempt to influence the hiring, promotion, assignment, evaluation, discipline, suspension, termination, or other personnel actions concerning any City employee, except when exercising authority expressly conferred by law;

(d) Interfere with any administrative investigation, employee grievance, disciplinary proceeding, code enforcement matter, licensing determination, procurement process, or other executive or administrative proceeding;

(e) Direct or attempt to influence the manner in which a City department implements or enforces any ordinance, regulation, administrative policy, or lawful executive directive;

(f) Request that City personnel prepare reports, conduct research, draft documents, provide legal opinions, or perform other work for an individual Council member without authorization from the Mayor; or

(g) Use the Council member's elected position to pressure, threaten, intimidate, or otherwise influence City personnel concerning the performance of their official duties.

(2) A request framed as a suggestion, recommendation, inquiry, or informal communication shall not be exempt from this section when its purpose or reasonably foreseeable effect is to direct or influence the performance of an executive or administrative function.

(3) Nothing in this subsection shall restrict the City Council, acting as a legislative body, from adopting lawful ordinances, municipal orders, appropriations, or other legislative measures within the authority conferred upon it by statute.

(E) Requests for information and reports.

(1) An individual Council member may request information from the Mayor concerning any matter related to City government. Such a request shall not independently authorize the Council member to obtain information directly from City personnel or require personnel to perform work.

(2) The Mayor shall determine the appropriate personnel, manner, and timing of responses to requests made by individual Council members, subject to all duties and obligations imposed by applicable law.

(3) The City Council, acting as a body, may require reports or information in accordance with applicable law, including KRS 83A.130. The Mayor shall coordinate the preparation and submission of such information and shall not withhold information that the City is legally required to provide to the Council.

(4) Whenever practicable and appropriate, information prepared by City personnel in response to an official legislative inquiry may be furnished to all Council members to ensure consistency in the dissemination of information.

(F) Statutory investigative authority of City Council.

(1) Nothing in this section shall limit the authority of the City Council under KRS 83A.130(13) to investigate the activities of City government or require City officers or employees to prepare and submit sworn statements regarding the performance of their official duties.

(2) Where an investigation or sworn statement involves an office, department, or agency under the Mayor's jurisdiction, written notice of the Council's action shall be provided to the Mayor before the investigation is undertaken or the statement is required, as provided by KRS 83A.130(13).

(3) The Mayor shall have the right to review any such sworn statement before its submission to the Council and to appear personally or through a designee on behalf of any department, office, or agency during an investigation, to the extent provided by statute.

(4) The notice requirement established by this subsection shall not be construed as a requirement that the Mayor approve or consent to a lawfully authorized investigation by City Council. An investigation concerning the Mayor personally shall be governed by the applicable statutory requirements.

(5) No individual Council member shall purport to exercise the investigative authority conferred upon the City Council as a body without appropriate authorization from the Council or other independent authority provided by law.

(G) Communications during official meetings and proceedings.

(1) This section shall not prohibit Council members from questioning City officers or employees who are lawfully appearing before the City Council at a duly convened meeting, hearing, or proceeding, provided such communications are conducted in accordance with applicable law and the established rules of procedure.

(2) The Mayor shall ordinarily coordinate the attendance and participation of City personnel in Council meetings. Nothing herein shall impair the Council's authority to require testimony, sworn statements, or participation in an investigation as expressly authorized by statute.

(3) Questions or statements made by Council members during an official proceeding shall not constitute authorization to direct, supervise, or interfere with the performance of executive or administrative functions.

(H) Statutory rights and other exceptions.

Nothing in this section shall be construed to:

(1) Restrict the right of a Council member, acting in the same capacity as any other eligible person, to request public records from the City's official records custodian pursuant to KRS 61.870 through 61.884;

(2) Prevent the submission of proposed legislation, official notices, meeting materials, or other documents to the City Clerk when such submission is authorized or required by law;

(3) Restrict lawful communications between the City Council and employees or legal counsel independently employed or retained by the Council pursuant to applicable law;

(4) Prevent compliance with a lawful judicial order, subpoena, statutorily authorized investigation, or other compulsory legal process;

(5) Prohibit communications or disclosures protected by applicable federal or state law, including constitutionally protected expression, participation in legally protected complaint procedures, or reports to authorized law enforcement, regulatory, or oversight authorities;

(6) Prevent Council members from receiving constituent complaints, concerns, or requests for assistance, provided that any resulting request for administrative action or staff assistance is directed through the Mayor in accordance with this section;

(7) Prohibit ordinary social, ceremonial, or incidental communications between Council members and City personnel that do not involve the exercise or attempted exercise of official administrative authority or otherwise circumvent the requirements of this section; or

(8) Restrict any power or duty expressly vested in the City Council or an individual Council member by state law.

(I) Obligations of City personnel.

(1) Except as otherwise authorized by this section or applicable law, a City officer or employee receiving a direct request from an individual Council member concerning official City business shall respectfully refer the request to the Mayor or the Mayor's authorized representative.

(2) No City officer or employee shall be required to perform work, disclose nonpublic information, alter an assignment, or undertake administrative action solely because an individual Council member has requested or suggested such action.

(3) Nothing in this section shall require an employee to notify the Mayor before making a communication or disclosure where such notice is prohibited by law or would interfere with legally protected reporting or other rights.

(4) City personnel shall continue to comply with applicable confidentiality obligations, records-retention requirements, personnel policies, collective bargaining agreements, and other governing laws and procedures.

(J) Employee complaints and constituent matters.

(1) Individual Council members shall not undertake, direct, or participate in an administrative investigation or employee grievance proceeding except where expressly authorized by law.

(2) Employee complaints involving employment matters shall be processed in accordance with applicable personnel policies, collective bargaining agreements, and other governing procedures, without limiting any independent right to make a legally protected report or disclosure.

(3) A Council member receiving a complaint or information concerning possible misconduct shall not independently direct City personnel to investigate or take corrective action. The Council member may refer the matter to the Mayor, an appropriate legally authorized oversight authority, or the City Council for consideration of action within its lawful authority, as appropriate under the circumstances.

(K) Compliance and enforcement.

(1) This section shall be construed to preserve the lawful separation of executive and legislative authority established by KRS 83A.130.

(2) Alleged violations by a Council member may be referred to the City Council for consideration of such action as is lawfully available to the Council. Nothing herein shall authorize the Mayor to discipline or remove an elected Council member or confer powers not otherwise authorized by law.

(3) Notwithstanding § 10.99 of this Code, a violation of this section shall not independently constitute a criminal offense or subject a Council member or City employee to a monetary fine. Nothing herein shall preclude otherwise lawful administrative or employment action consistent with applicable law, contract, and policy.

(4) This section shall not create a private cause of action or alter any right, obligation, or remedy otherwise established by law.

(1984 Code, § 30.06) (Ord. O-74-86, passed 11-3-1986; Ord. O-35-24, passed 12-17-2024)

§ 30.06 CODE OF CONDUCT, CONFLICT OF INTEREST.

(A) The following federal regulations related to codes of conduct, procurement policies and conflicts of interest provisions, as amended from time to time, are hereby adopted by reference and incorporated as if fully set forth in this code:

(1) 2 C.F.R. 200;

(2) Title 24: Housing and Urban Development, § 92.356 Conflict of Interest; and

(3) Title 24: Housing and Urban Development, § 570.611 Conflict of Interest.

(B) Copies of these federal regulations shall be maintained at the City Clerk's office and shall be available for public inspection, and they shall be made a part of the permanent records of the city. (Copies are attached to Ord. O-3-08.)

(1984 Code, § 30.09) (Ord. O-65-05, passed 11-29-2005; Ord. O-3-08, passed 1-29-2008)

§ 30.07 ELECTION OF CITY OFFICERS.

(A) [~~Pursuant to KRS 83A.150 and 83A.030, the elected officers of the city shall consist of a Mayor and four City Commissioners, which together shall be known as the Board of Commissioners. Beginning January 1, 2027,~~] [~~p~~]***P***ursuant to KRS 83A.1[~~5~~]***3***0 and 83A.030, the elected officers of the city shall [~~also~~] consist of an elected executive, called the Mayor, and an elected legislative body called the City Council, comprised of six City Councilmembers.

(B) Pursuant to the authority granted to the city by KRS 83A.050(1), [~~the Board of Commissioners and, beginning on January 1, 2027,~~] the City Council do hereby prescribe that the election of city officers shall be under non-partisan city election laws as provided in KRS 83A.045, 83A.170, 83A.175 and 83A.047. The city reconfirms, reiterates and readopts the non-partisan method authorized by KRS Ch. 83A for the election of city officers.

(C) No person shall be elected to city office without being nominated at a non-partisan primary as provided in KRS 83A.170, except when no primary election is required pursuant to KRS 83A.170(6).

(D) City officers shall be elected at large.

(E) [~~Beginning January 1, 2029,~~] [~~t~~]***T***he Mayor shall receive an annual salary equal to the maximum amount permitted under state law as proscribed by the Department of Local Government***, and shall receive annual cost-of-living increases in an amount equal to the maximum amount permitted under state law as proscribed by the Department of Local Government*** . The Mayor shall be eligible for participation in all healthcare and retirement plan options consistent with or similar in value to those offered

to full-time employees. The Mayor shall have access to a city owned laptop, mobile phone, and vehicle (or stipend).

(F) [~~Beginning January 1, 2027, ~~]City Councilmembers shall receive an annual salary of $17,787.15. City Councilmembers shall have access to a city owned laptop and mobile phone. City Councilmembers are not eligible for and will not receive healthcare and retirement benefits.

(1984 Code, § 30.10) (Ord. O-25-14, passed 10-21-2014; Ord. O-06-2025, passed 5-27-2025)

§ 30.08 MEETINGS OF THE *CITY COUNCIL*[~~BOARD OF COMMISSIONERS~~]; CODE OF CONDUCT FOR PUBLIC COMMENTS.

(A) The purpose of the public comment agenda item for the city's legislative meetings is to provide the public with the opportunity to bring to the attention of the ***Mayor and City Council*** [~~Board of Commissioners~~] items of interest to the public and within the City ***government's*** [~~Commission's~~] subject matter jurisdiction.

(B) It is the purpose of the standards of conduct for public comment to ensure a safe environment for anyone to comment, provide input, or protest any action, inaction or policy of the city or to simply talk directly to the governing ***body***[~~board~~].

(C) Every attendee and speaker shall comply with the following standards of conduct:

(1) Do not speak without first being recognized by the presiding officer;

(2) Obey the direction of the presiding officer as to when and how long to speak;

(3) Respect all people, present or watching, and those who agree and those who disagree with the speaker's point of view;

(4) Do not make personal, impertinent, slanderous or profane remarks to ***the Mayor or*** any member of the ***City Council***[~~Commission~~], staff or general public;

(5) Do not verbally or physically threaten, attempt to intimidate or bully elected or appointed officials, staff or members of the public, whether in the meeting or in the entry halls to the meeting chambers;

(6) Refrain from hateful epithets and demeaning language based on hate of a person's race, religion, sexual orientation, ethnicity, gender or disability;

(7) Do not use profanity or obscenity;

(8) There is to be no applause, cheering, shouting, booing or heckling from the audience; and

(9) Do not attack or question the motives of other people.

(D) This code of conduct shall be posted in the [~~Commission~~]***Council*** chambers, be located near the speaker sign-up form, and be posted on the podium used by the speakers.

(Ord. O-07-24, passed 4-23-2024)