

ARCHITECTURAL REVIEW BOARD

February 9 , 2022

5:00 PM

WORKSESSION

CHAIR JENNIFER OBERLIN , PRESIDING

Members Present:

Nicole Konkol
Brittany Sams
Tom Midkiff
Patti Cross
Kevin Breeck
Jennifer Oberlin
Irma Johnson

Also Present:

Edwin Logan, Attorney
Vicki Birenberg, Historic Preservation Officer
Jordan Miller, City of Frankfort Senior Planner

WORKSESSION

The first item of business was parliamentary procedure training, including related topics.

Attorney Ed Logan was present and gave an informative presentation about Roberts Rules and other parliamentary procedures. Mr. Logan provided the Board members with some pamphlets and paperwork that offered more information outside of his presentation.

The presentation included information about making motions and different types of motions, the difference in making a motion to table and item (30 day) verses a motion to postpone the item (60 or more days).

Mr. Logan explained that every motion has six steps: motion, second, restatement, debate, vote, and announce outcome.

Mr. Logan discussed point of order and asking for point of information as well as point of inquiry.

Mr. Logan stated that the Chairman gets to set the flow of the meeting and that every member should be given an opportunity to speak.

Mr. Logan talked about making a motion to move the previous question and extending time. He also mentioned a motion to reconsider but stated that this had to be done at that meeting and couldn't be reconsidered once the meeting was closed.

Mr. Logan talked about due process and the taking, weighing of evidence and conclusions to get a vote based on the evidence. Mr. Logan explained that a hearing for due process can limit the scope and time of the meeting. He stated that evidence is photos, testimony, staff reports but not opinions.

Mr. Logan stated that ex parte communication is prohibited and the Board members cannot discuss a case or item with someone outside of the public hearing. If a Board member is approached they could encourage the citizen to attend the meeting and provide their comments at that time for the entire Board. Additionally if a Board member(s) receive email communication they should respond that they will forward it to the City staff so it can be considered by the entire Board at the public meeting.

Mr. Logan talked about conflict of interest and not using your position to further your own agenda, outcome or otherwise. He stated that if there is a conflict of interest the member should recuse themselves from the meeting. Anything that gives financial benefit to you or a family member should be avoided.

The next item of business was the recap of 2021 historic preservation accomplishments vis-à-vis 2021 Work Plan.

Vicki Birenberg, City of Frankfort Historic Preservation Officer was present and provided an update for the items that were on the 2021 Work Plan.

1. Update the Special Capital zoning district design guidelines. Ms. Birenberg reported that this project is underway, community outreach as started, the budget amended and a consultant hired. Mr. Miller reported that there is a contract, they have obtained insurance and will be moving forward. He stated they hope to provide an update to the Board in March.
2. Seek Memorandum of Agreement with Kentucky Heritage Council regarding the distribution of historic survey forms or obtain KHC historic survey forms for internal use only. Ms. Birenberg reported that this had not been completed due to the digitization and more at KHC. She mentioned that this goal might require some sort of subscription and recommended that the Board include this on the 2022 Work Plan.
3. Conduct meeting procedures/Robert's Rules training for ARB members and invite other City boards to participate. Ms. Birenberg stated that meeting/procedures training was completed at this meeting tonight and she would like to see it repeated annually.
4. Prioritize a list of potential new historic districts and/or landmarks. Ms. Birenberg stated that this has not happened but that staff feels as though we have laid the groundwork. Also initial interest has been placed on the African American Historic Context as well as interest in Montrose Park.
5. Host a preservation workshop. Ms. Birenberg reported that Bob Yapp completed that at a 2-day Workshop in August 2021.
6. Investigate holding a preservation training seminar with real estate professionals. Ms. Birenberg stated some discussions have been held about

- partnering with Preservation Kentucky to offer this training. Ms. Johnson stated that she thought another organization was working on this and planning something for this spring. Additionally she mentioned that Whitaker Bank was interested in sponsoring the event and providing the space in the meeting room. Ms. Johnson mentioned that LBAR is interested in offering this a continuing education opportunity.
7. Conduct monthly review meetings. Ms. Birenberg stated that this is completed.
 8. Provide updates to the Board of Commissioners as requested or appropriate. Ms. Birenberg stated that she believes the previous Chair has reached out to the Board of Commissioners and will provide the annual report at the March work session.

The next item of business was Development of 2022 Work Plan, including subcommittee assignments as needed. Ms. Birenberg was present and recommended that the following items be included on the 2022 Annual work Plan:

1. Participate in the update of the Special Capital Design Guidelines.
2. Seek Memorandum of Agreement, subscription, or other way to obtain all Frankfort's Historic and Architectural Survey Forms, as well as GIS Shape files for National Register listings/districts, from the Kentucky Heritage Council.
3. Participate in the update of the Frankfort/Franklin County Comprehensive Plan.
4. Promote awareness of the African American Historic Context report and recommend National Register nominations as appropriate.
5. Participate in Preservation Month and Heritage Week, May 8-14, 2022. Ms. Birenberg asked the Board for suggestions of topics that could be included in workshops during Heritage week. The Board discussed the possibility of offering the training preservation training seminar with real estate professionals being offered at that time and the upcoming tax credits changes and how tax credits can be beneficial.
6. Partner with Preservation Kentucky and Kentucky Trust to host real estate historic preservation training.

Due to this being the work session the Board decided to vote on adopting the 2022 Annual Work Plan at the next meeting when this will be included on the agenda.

The next item of business was Certified Local Government grant application recommendation.

Ms. Birenberg stated that staff would like to apply for a grant to conduct an analysis of the economic impact to historic preservation activity in Frankfort. She stated that staff has met internally with our Grants Manager and Finance Director, and they endorse an application. They anticipate the total cost of \$45K to complete the analysis. The end result will quantify the economic benefit to the community, which will help tie it

to the City's strategic plan. This will help make the case to pursue new designations in order to expand available incentives to historic neighborhoods that currently lack access.

Mr. Breeck made a motion to create a resolution allowing staff to submit the CLG grant application. The motion was seconded by Ms. Konkol and passed unanimously.

Ms. Birenberg mentioned that as part of this application they will be seeking a match from the City, she stated that 40% is required but they were going to ask for slightly more and hope to get \$20,000.

The next item of business was Certified Local Government Annual Report.

Ms. Birenberg provided that CLG Annual Report for FY2021 for the period 10/1/20-9/30/21.

The following information was provided in the report:

- There were 151 zoning and building permit applications (including amendments) during the reporting period.
- 111 of those were administratively approved by staff
- 40 of the applications were forwarded to the ARB for review
- 5 were CUP applications - all were approved
- 35 were COA applications. 34 were approved. One was a tie but it was approved upon resubmission.

The next item of business was Review of select case outcomes from 2020/2021 .

Ms. Birenberg showed before and after pictures of the following properties:

309 Capital Avenue
108 Todd Street
319 Ewing Street
302 Shelby Street
127 E. Todd Street
515 Logan Street
313 Conway Street

There being no other business, Mr. Breeck made a motion to adjourn. The motion was seconded by Ms. Cross and all were in favor. The meeting adjourned at 7:19 pm.