

PRESENT: Commissioner Tommy Z. Haynes  
Commissioner John R. Sower  
Commissioner Robert E. Roach  
Commissioner Lynn Bowers  
Mayor William I. May, Jr. (5)

ABSENT: None

Mayor May called the meeting to order. The invocation was given by Rev. Sandy Lacey. The Pledge of Allegiance was recited.

It was moved by Commissioner Roach, seconded by Commissioner Haynes, that the minutes of the October 5, 2016 Special Meeting; October 10, 2016 Work Session and October 24, 2016 Regular Meeting be approved. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Haynes, Sower, Roach, Bowers, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

Mayor May called for citizens comments.

#### Citizens Comments

Kent Whitworth, representing the Kentucky Historical Society, offered his thanks to the City Commission as well as City staff for the success of the 2016 KY History Half Marathon. Mr. Whitworth stated the next marathon is scheduled for September 30, 2017.

David Billings, representing the Frankfort Plant Board, gave a power point presentation regarding the reservoir. Mr. Billings stated the next public meeting is scheduled for December 15, 2016 at 5:30 pm.

Ann Gibbs, a citizen of Frankfort, spoke regarding her opposition to Item 9.1, which is an MOA between KCDC and the City of Frankfort to begin a pilot program regarding economic development with the Frankfort Independent School System. Ms. Gibbs stated all sections of the City should be treated equally.

Commissioner Elect Scott Tippet gave his support to Item 9.1.

Eric Whisman thanked the Commission for their continued support of the Historical Preservation Grant Program. Mr. Whisman also spoke about the Old Federal Building and possible grant applications for funding as well as the future of City Hall and Plant Board Buildings.

#### Ordinances

AN ORDINANCE TO AMEND SECTION 93.69 OF THE CITY OF FRANKFORT CODE OF ORDINANCES RELATING TO FIREWORKS SO THAT ONLY FIREWORKS AS DEFINED IN § 93.65(B)(1), (B)(3)(B), (D), (E), (F) AND (G) AND GENERALLY KNOWN AS GROUND AND HAND- HELD SPARKLING DEVICES, CHASERS, SMOKE DEVICES, SNAKES/GLOW WORKS, TRICK NOISEMAKERS AND WIRE SPARKLERS MAY BE USED WITHIN THE CITY OF FRANKFORT+was presented and read. This Ordinance had its first reading on October 24, 2016. It was moved by Commissioner Bowers, seconded by Commissioner Haynes, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Haynes, Sower, Roach, Bowers and Mayor May (5). Those voting against the motion were none (0). The Ordinance was thereupon adopted (Ordinance No. 20, 2016 Series).

AN ORDINANCE AMENDING SECTION 40.22 OF THE CITY OF FRANKFORT CODE OF ORDINANCES RELATING TO THE ORIGINAL APPOINTMENT OF INDIVIDUALS TO THE CITY OF FRANKFORT FIRE DEPARTMENT+was presented and read. This Ordinance had its first reading on October 24, 2016. It was moved by Commissioner Haynes, seconded by Commissioner Roach, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Haynes, Sower, Roach, Bowers and Mayor May (5). Those voting against the motion were none (0). The Ordinance was thereupon adopted (Ordinance No. 21, 2016 Series).

AN ORDINANCE TO CONSIDER A CHANGE TO THE STREETS AND SIDEWALKS ORDINANCE AND CREATE A RIGHT-OF-WAY STANDARD REGULATING WORK IN THE CITY MAINTAINED ROADS AND STREETS+was presented and read. This Ordinance had its first reading on October 24, 2016. It was moved by Commissioner Haynes, seconded by Commissioner Sower, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Haynes, Sower, Roach and Mayor May (4). Those voting against the motion were Commissioner Bowers (1). The Ordinance was thereupon adopted (Ordinance No. 22, 2016 Series).

AN ORDINANCE TO CONSIDER A CHANGE TO THE SOLID WASTE ORDINANCE, EFFECTIVE JANUARY 1, 2017+was presented and read. This Ordinance had its first reading on October 24, 2016. It was moved by Commissioner Haynes, seconded by Commissioner Sower, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Haynes, Sower, Roach, Bowers and Mayor May (5). Those voting against the motion were none (0). The Ordinance was thereupon adopted (Ordinance No. 23, 2016 Series).

AN ORDINANCE AMENDING SECTION 37.31, PAY PLAN; CLASSIFICATION AND COMPENSATION OF THE CITY OF FRANKFORT CODE OF ORDINANCES AND TO AMEND SECTION 37.31(E) OF THE CODE OF ORDINANCES TO ADD THE JOB TITLE OF PARALEGAL, GRADE 76+was presented and read. This Ordinance had its first reading on October 24, 2016. It was moved by Commissioner Roach, seconded by Commissioner Haynes, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Haynes, Sower, Roach, Bowers and Mayor May (5). Those voting against the motion were none (0). The Ordinance was thereupon adopted (Ordinance No. 24, 2016 Series).

AN ORDINANCE TO CREATE AND ADOPT SECTIONS 94.01, 94.02, 94.03, 94.04, 94.05, 94.06 AND 94.07 OF THE CITY OF FRANKFORT CODE OF ORDINANCES RELATING TO THE CREATION OF AN ENERGY PROJECT ASSESSMENT DISTRICT (%PAD+)+was presented and read. This Ordinance had its first reading on October 24, 2016. It was moved by Commissioner Sower, seconded by Commissioner Haynes, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Haynes, Sower, Bowers and Mayor May (4). Commissioner Roach abstained (1). The Ordinance was thereupon adopted (Ordinance No. 25, 2016 Series).

AN ORDINANCE TO AMEND THE CITY OF FRANKFORT CODE OF ORDINANCES . CHAPTER 150 . BY AMENDING THE BUILDING CODE PERMIT FEES AND ELECTRICAL CODE PERMIT FEES+was presented and read. This Ordinance had its first reading on October 24, 2016. It was moved by Commissioner Haynes, seconded by Commissioner Sower, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Haynes, Sower, Roach, Bowers and Mayor May (5). Those voting against the motion were none (0). The Ordinance was thereupon adopted (Ordinance No. 26, 2016 Series).

AN ORDINANCE OF A ZONE MAP AMENDMENT FROM PLANNED RESIDENTIAL %R+TO PLANNED COMMERCIAL %C+FOR A 2.75-ACRE PARCEL OF PROPERTY OWNED BY JOE AND ANN GRIDER THAT IS LOCATED DIRECTLY SOUTH OF THE BRIGHTON PARK BOULEVARD AND TUSCANY LANE INTERSECTION, MORE SPECIFICALLY DESCRIBED AS PVA MAP #085-00-00-015.00+was presented and read.

## Resolutions

A Resolution creating a Downtown Reinvestment Grant Review Task Force was presented and read. It was moved by Commissioner Haynes, seconded by Commissioner Roach, that the Resolution be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Haynes, Sower, Roach, Bowers and Mayor May (5). Those voting against the motion were none (0). The Resolution was thereupon adopted (Resolution No. 15, 2016 Series).

## Consent Calendar

The following miscellaneous and personnel items were presented:

- 7.1 Awarded a contract to Electro Scan Inc. to provide Sanitary Sewer Evaluation Survey services in the form of low voltage conductivity inspection of the sanitary sewer lines for leaks, and authorized the Mayor to sign all related documents. An Invitation for Bids was advertised in October 2016 and bids were received on November 3, 2016. Electro Scan was the sole bidder at \$52,894.40, which includes a contingency of \$3,600.00. Funds are available in Sewer Account No. 300.68.56555. The budget for this account is \$9,612,500 and as of September 30 this account had \$1,762,563 expensed or encumbered (Sewer Department).
- 7.2 Awarded a third contract extension to Hydromax USA, LLC to provide Sanitary Sewer Evaluation Survey (SSES) services in the form of sewer line cleaning and closed circuit televising of lines and authorized the Mayor to sign all related documents. This third contract extension will generate a Purchase Order to add an additional \$150,000.00 to the contract to continue cleaning and televising sewer lines as part of our ongoing Sanitary Sewer Evaluation Surveys to identify sources of Inflow/Infiltration and to fulfill CMOM program requirements. Funds are available in Sewer Account No. 300.68.54390. The budget for this account is \$930,000 and as of September 30 this account had \$172,323 expensed or encumbered (Sewer Department).
- 7.3 Approved Change Order #1 to the construction contract to Free Contracting, Inc. for the relocation of the force main for the Old Lawrenceburg pump station and authorized the Mayor to sign all documents related to the project. This is a balancing change order to close out the project. The reduction in cost is due to connections in the field being closer than expected, which led to a reduction in pipe, pavement replacement and sidewalk replacement. Original Contract . \$407,620.00/Change Order 1 - \$ 17,340.50/Total Contract - \$390,279.50. This change order reduces the total contract amount by \$17,340.50 (Sewer Department).
- 7.4 Approved sites for Brownfield Assessments utilizing Brownfield grant funds and designated the Mayor to execute all documents pertaining to the Brownfield Assessment grant. The grant does not require a match in the form of cash or in-kind services. These assessments should have no additional impact on the budget (Grants/Sewer).
- 7.5 Authorized the Mayor to sign a 5 year contract with Duplicator Sales for City Hall copier lease and any related documents. The monthly lease payment will come from various departments budget. The new lease will save the departments over \$100 a month (Finance).
- 7.6 Approved of a Rate Stabilization Agreement between the City of Frankfort and KLC for the renewal of the Property and Casualty policy for the period 2016-17 thru 2018-19 (3 year period) and authorized the Mayor to sign all related documents. The City will achieve a savings of \$21,000 for 2016-17. KLC is offering to extend the City's Property and Casualty thru 2018-19. The insurance premium could rise by a net increase of \$19,000 worst case for the period 2016-17 thru 2018-19 (2016-17 \$-21,000K, 2017-18 \$20,000K, 2018-19 \$20,000K = \$19,000) (Finance).
- 7.7 Approved for the Fire Department to apply for the Assistance to Firefighters Grant (AFG) and authorized the Mayor to sign all related documents. Currently, only a portion of the match is budgeted, but it is likely that the match can be met through deferring other equipment (Fire).
- 7.8 Awarded a contract (Phase 1) with ADE Contracting for repairing sidewalks in Downtown Frankfort and authorized the Mayor to sign all related documents. ADE Contracting was the low bidder in the amount of \$173,315.10 with a 15% contingency \$199,312.37. Funds for this project, \$199,312.37, are available in the Municipal Aid Account (Account No. 535-00-51100) (Public Works).
- 7.9 Awarded a contract with ADE Contracting for repairing damaged sidewalks at multiple locations throughout the City of Frankfort and authorized the Mayor to sign all related documents. ADE Contracting was the low bidder in the amount of \$57,281.70 with a 15% contingency \$68,738.04. Funds for this project, \$68,738.04, are available in the Municipal Aid Account (Account No. 535-00-51100) (Public Works).
- 7.10 Approved an increased scope of an existing contract with ADE Contracting for the construction of new curb, sidewalk and pad for a new bus shelter on Schenkel Lane and authorized the Mayor to sign all related documents. Funds for this project are \$8,400 (includes 20% contingency) are available in the Municipal Aid Account (Account No. 535-00-51100) (Public Works).
- 7.11 Awarded a one-year contract extension for janitorial services to Laura's Cleaning Service, LLC. and authorized the Mayor to sign any related documents. The contract rate for cleaning services is \$5800 per month. Funds are available in Account #100.64.53295 for the cleaning services agreement with Laura's Cleaning Service, LLC. (Public Works).
- 7.12 Awarded a contract with Otis Engineering for engineering services related to the Downtown Sidewalk Repair Project and authorized the Mayor to sign all documents related to the project. Engineering Services for this project are based upon a negotiated fee equal to 12% of the actual construction costs. Construction costs for the project are estimated at \$199,312.37 and the associated contract with Otis Engineering will be \$23,917.48. Funds for this project are available in the Municipal Aid Account (Account No. 535-00-51100) and included in the FY2016-2017 Budget (Public Works).
- 7.13 **The following personnel items were presented:**
  - Appointment of Freda Hardison in the City Manager/HR Department as Payroll Specialist, effective 11/02/16 (City Manager/HR).
  - Appointment of Cody Allen in the PW/Solid Waste Department as PW Tech I, effective 11/29/16 (PW/Solid Waste).
  - Promotion of Carl Groce in the Sewer Department to Lead Plant Operator, effective 11/01/16 (Sewer).
  - Resignation of William Satterley in the PW/Solid Waste Department as Public Works Tech III, effective 11/03/16 (PW/Solid Waste).

It was moved by Commissioner Haynes, seconded by Commissioner Roach that items of the Consent Agenda be adopted. All members being present, the motion to approve the consent agenda was adopted by voice vote without objection

## Old Business

Item 9.1 is to authorize the Mayor to sign the Memorandum of Agreement between the City of Frankfort and the Capital Community Economic Industrial Development Authority, Inc., d/b/a/ Kentucky Capital Development Corporation (%CDC+) to implement a pilot economic development project (%Project+) in the City of Frankfort that would provide enhanced internet access to students located within the City's boundaries, and all related documents. The City of Frankfort has engaged in discussions with the Frankfort Independent School System and KCDC concerning the implementation of an economic development project within the City limits. The economic development project would require the payment by the City to KCDC of the amount of \$200,000 in order to complete the following items:

1) Wireless and technology upgrades are required to be installed/implemented at Frankfort High School, Second Street School, the Early Learning Academy, and at the Rosenwald Empowerment Preparatory Academy. Frankfort Independent will be responsible for paying for the installation/implementation of these wireless and technology upgrades at each of these locations. Upon the completion of the installation/implementation of these wireless and technology upgrades at all of these locations, Frankfort Independent shall submit a request for reimbursement to KCDC, supported by invoices and other documentation reflecting the completion of this work. After KCDC's review and acceptance of the request for reimbursement, KCDC shall issue a check to reimburse Frankfort Independent for these costs, said reimbursement check not to exceed \$80,000;

2) Frankfort Independent has identified a number of students without internet access in the home, which results in an internet access gap and is an impediment to learning/education. The Frankfort Plant Board has agreed to work with Frankfort Independent in installing devices to close this internet gap, as set forth in Attachment A to the MOA. Upon the completion of the work set forth in Attachment A, Frankfort Independent shall submit a request for reimbursement to KCDC, supported by invoices and other documentation reflecting the completion of this work. After KCDC's review and acceptance of the request for reimbursement, KCDC shall issue a check to reimburse Frankfort Independent for these costs, said reimbursement check not to exceed \$60,000; and,

3) A communication/marketing/branding program will also be carried out for the City of Frankfort and other institutions within the City, including but not limited to Frankfort Independent. The City, Frankfort Independent and KCDC will develop this communication/marketing/branding program and ensure the completion of same. Subject to the approval of the City Manager, KCDC shall issue a check to reimburse itself and Frankfort Independent for the costs of this communication/marketing/branding program, said reimbursement not to exceed \$60,000.

The MOA further provides that KCDC shall require Frankfort Independent to submit to it and the City of Frankfort a written quarterly report on the progress/status of the Project. After the 2017 school year has begun, this quarterly report shall include the number of students involved in the Project, the Program's impact on the performance of the students (including improvements or decreases in school participation and grades), and other relevant information needed to successfully monitor and complete the pilot Project. KCDC agrees to provide the City of Frankfort with a written report containing its determination of the effectiveness of the Project in enhancing/improving economic development in Frankfort. There would be a financial impact to the City in an amount not to exceed \$200,000. The intent is for this payment to result in enhanced economic development in the City of Frankfort.

Following a lengthy discussion, Commissioner Bowers made a motion to hold the vote on Item 9.1. The motion died for lack of a second. It was moved by Commissioner Haynes, seconded by Commissioner Sower, that the MOA be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Haynes, Sower, Roach and Mayor May (4). Those voting against the motion were Commissioner Bowers (1). The motion was thereupon adopted.

Commissioner Bowers asked that staff address the issue of water on Lyons Drive as soon as possible. Tom Bradley, Director of Public Works, stated they have been working on the issue and with the citizen that owns the property.

Commissioner Roach requested that the City Manager work with the Frankfort Plant Board on clarification of motions that were passed during their last meeting regarding the Tanglewood Neighborhood Association.

Commissioner Roach spoke regarding the Old Federal Building, realignment of Conway Street and relocation of the Fire Station on Second Street, indicating that no decisions have been made on any of these issues and the Commission is still reviewing the options.

Commissioner Sower requested an update on the Historic Preservation Grant be placed on the December Work Session Agenda.

Commissioner Sower asked that the Sewer Tap Fee for commercial property be placed on the December Work Session Agenda.

#### **New Business**

Commissioner Bowers suggested that the Commission ride in the Christmas Parade on Saturday, December 3, at 5:30 pm. Eddie Slone, Fire Chief, will check if a Fire Truck is available.

It was moved by Commissioner Haynes, seconded by Commissioner Sower, that the meeting go into closed session per KRS 61.810(1)(c) Litigation and KRS 61.810(1)(f) Personnel. The question was put upon the motion and thereupon adopted by voice vote. The meeting went into closed session at 6:33 p.m.

It was moved by Commissioner Bowers, seconded by Commissioner Sower, that the meeting return to open session at 7:13 p.m.. The question was put upon the motion and thereupon adopted by voice vote.

It was moved by Commissioner Bowers, seconded by Commissioner Haynes, that the Commission approve the Post Mediation Agreement with Old Y LLC and to authorize the Mayor to sign all related documents. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Haynes, Sower, Roach, Bowers and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Sower, seconded by Commissioner Haynes, that the meeting adjourn. The question was put upon the motion and thereupon adopted by voice vote. The meeting adjourned at 7:15 p.m.

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Mayor

Attest:

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City Clerk