

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 Commissioner Tommy Haynes. The Pledge of Allegiance was recited.

It was moved by Commissioner Bowers, seconded by Commissioner Roach, that the minutes of the August 8, 2016 Work Session be passed over for the City Clerk to listen to the tape for requested changes from Commissioner Bowers. These minutes will be presented for approval in October. 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 Haynes, seconded by Commissioner Sower, that the minutes of the August 22, 2016 Regular Meeting; August 23, 2016 Special Meeting and August 29, 2016 Joint Meeting be approved as amended by Commissioner Bowers. 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.

Ceremonial Items

Anna Whitaker retired from Parks & Recreation after 26 years and 10 months of service. Jim Parrish, Director of Parks and Recreation, Steve Brooks, former Director of Parks and Recreation, along with Mayor May, offered their congratulations to Anna and thanked her for the dedicated years of service to the City of Frankfort.

Mayor May called for citizens comments.

Citizens Comments

Randy Roberts, representing United Way, asked the Commission for their support for this year's campaign. This year there will be a competition between the City and County to see who can raise the most funding. Mr. Roberts looks forward to working with everyone on this year's campaign.

Glenn Mathews, a city employee, presented his retirement letter to the Commission. Mr. Mathews will retire on October 31, 2016, after 28 years and 11 months of service.

Vickie Birenberg, representing the Kentucky Heritage Council State Preservation Program, told the Commission that the Kentucky Heritage Council is pleased with the new guidelines to preserve historic building and neighborhoods in Frankfort.

Dr. Green, a committee member of the Frankfort Electric and Water Plant Board, offered his comments to the Commission regarding the Special Meeting that was held in September.

Ann Gibbs, a Frankfort resident, expressed her concerns regarding citizens being able to ask questions at meetings, being cut off and accused of cross examining. Members of the public should be able to ask questions. Ms. Gibbs would like to know what is allowed under citizens comments.

Mayor May, along with Rob Moore, City Solicitor, responded with an explanation of meeting requirements.

Commissioner Roach stated there is a tape of the meeting that could be listened to for clarification.

Joe Dunn, a downtown Frankfort property owner, requested that the Commission analyze the historic rules and regulations and enforce everyone to follow them. Gary Muller, Director of Planning and Building Codes, clarified that tonight's meeting is regarding the Special Historic District, not the Central Business District.

Commissioner Roach stated he is hopeful that we can change the focus to attract new people downtown and adopt some new ideas.

Gary Muller, Director of Planning and Building Codes, told the Commission Item 7.5 was removed from the agenda due to the MOA being a fixed amount and the item will be revised for October.

Ordinances

%AN ORDINANCE TO AMEND THE CITY OF FRANKFORT'S CODE OF ORDINANCES . CHAPTER 152 . BY AMENDING THE CITY OF FRANKFORT'S ZONING REGULATIONS - BY AMENDING ARTICLE 16 BY ADDING HISTORIC PRESERVATION DESIGN GUIDELINES FOR PROPERTIES WITHIN THE SPECIAL HISTORIC (SH) ZONING DISTRICT AND AMENDING ARTICLE 17- ARCHITECTURAL REVIEW BOARD+was presented and read. This Ordinance had its first reading on August 22, 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. 16, 2016 Series).

%AN ORDINANCE FIXING THE RATE OF TAXATION FOR THE YEAR 2017 ON ALL MOTOR VEHICLES AND LEVYING A TAX FOR ALL CITY PURPOSES+was presented and read. This Ordinance had its first reading on August 22, 2016. It was moved by Commissioner Roach, seconded By Commissioner Bowers, 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. 17, 2016 Series).

%AN ORDINANCE FIXING THE RATE OF TAXATION FOR THE YEAR 2016 ON ALL TANGIBLE PROPERTY SUBJECT TO TAX, TRUST AND INSURANCE COMPANIES, PUBLIC SERVICE COMPANIES AND LEVYING SAID TAX FOR ALL CITY PURPOSES+was presented and read. This Ordinance had its first reading on August 22, 2016. It was moved by Commissioner Roach, seconded by Commissioner Bowers, 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. 18, 2016 Series).

%AN ORDINANCE AMENDING SECTION 52.02 (CONNECTIONS; REQUIREMENTS AND CHARGES); AMENDING SECTION 52.48 (DISCHARGES; SPECIAL REQUIREMENTS) AND AMENDING SECTION 52.99 (PENALTY) OF THE CODE OF ORDINANCES FOR THE CITY OF FRANKFORT SEWER DEPARTMENT AND AUTHORIZE THE MAYOR TO SIGN ANY DOCUMENTS ASSOCIATED WITH AMENDING THE ORDINANCE+was presented and read.

Consent Calendar

The following miscellaneous and personnel items were presented:

- 7.1 Authorized payment to Mission Communications, LLC for the annual telemetering fee for pump stations and authorized the Mayor to sign all documents associated with the project. Funds are available in Account #200.68.53291. This account has \$50,000 budgeted and as of July 31, \$0 has been expensed and encumbered (Sewer Department).
- 7.2 Approved an amendment to an Engineering Services Agreement with Strand Associates, Inc. for redesign and rebidding services associated with the design of a repair of the floodwall where there are two sewer pipe penetrations in the area of 2nd Street and Logan Street, and authorized the Mayor to sign all documents related to the project. Funds are available in account 300.68.56555. The budget for this account is \$9,612,500 and as of July 31 this account had \$63,170 expended and encumbered (Sewer Department).
- 7.3 Approved Amendment #8 to an Engineering Agreement with CDM Smith (CDM) to provide additional engineering services and construction management for the Crestwood I&I Reduction Project, Schenkel Lane area and authorized the Mayor to sign all documents related to the project. Services are a result of a new alignment required for repairs on Schenkel Lane. Funds are available in account 300.68.56555. The budget for this account is \$9,612,500 and as of July 31 this account had \$63,170 expended and encumbered (Sewer Department).
- 7.4 Approved a construction contract to Herrick Company, Inc. for the construction and installation of the Supervisory Control and Data Acquisition (SCADA) system, Process Water System and Emergency Generator located at the wastewater treatment plant and authorized the Mayor to sign documents related to this project. Funds are available in Sewer Account No. 300.68.56555. The budget for this account is \$9,612,500 and as of July 31 this account had \$63,170 expensed or encumbered. This project is being partially funded by a \$1.32M loan from Kentucky Infrastructure Authority at 1.75% interest (Sewer Department).
- 7.5 **REMOVED**
- 7.6 Approved the bid to Fuelband LLC in the amount of \$92,988 for completing the repair and replacement of exterior siding, trim work, railing, soffit, fascia, flashing, exterior painting, and for other miscellaneous repairs to the Gooch House and authorized the Mayor to sign all documents related to the project. There were two responsive bidders on this Project. The successful low bidder for this project, recommended by Banks Architecture, was Fuelband LLC with a bid amount of \$92,988. Funds for the project are available in account 100-64-53252. The City will receive \$21,846 in tax credits for Phase I. We will also apply for Phase II (Public Works).
- 7.7 Authorized a contract renewal with Morton Salt to provide a one-year supply for road salt and authorized the Mayor to sign all related documents. Funds are available in the Street Department Budget Account No. 100.62.54335 for the purchase of road salt (Public Works).
- 7.8 Authorized entering into a contract with Precision Concrete Cutting (PCC) to provide ADA sidewalk repair services for City public sidewalks in South Frankfort in an amount not to exceed \$52,000 and authorized the Mayor to sign all documents related to the project. No Bid was solicited for this project due to this companies patented equipment and process for removing ADA trip hazards. Public Works contends that PCC is a Sole Source vendor for their particular type of repair work. There are companies that can perform vertical sawing of concrete but they do not have the equipment to perform the horizontal cutting to meet ADA standards. Performing all of this work by grinding and meeting ADA standards is impractical, especially for depths exceeding ½ inch. A list of patents obtained by PCC is attached to help justify the Sole Source designation. Funds for this project are available in the Municipal Aid Account (Account No. 535-00-51100) (Public Works).
- 7.9 Approved a contract with Vaughn & Melton for engineering services associated with the conversion of West Main Street to two-way traffic and authorized the Mayor to sign all related documents. The funds for the design of this project (\$45,240) will come from Municipal Aid Account (Account No. 535-00-51100) (Public Works).
- 7.10 Approved to award the annual bid for resurfacing public streets within the City and authorized the Mayor to sign all related documents. There was one unit price bid received. The bid was from HG Mays Corporation for the following items: Milling . \$39.75/ton, Asphalt Surface . \$72.79/ton, Tack Coat . \$3.25/gal. Public Works has estimated that the combined total of the street segments paved under this contract will not exceed \$249,000 and we find these proposed costs to be fair and reasonable. Money for this item is available in the Municipal Aid account 535.00.51100 (Public Works).
- 7.11 Authorized the Mayor to accept the bid and sign all related documents for the purchase of a new ambulance. The ambulance will be a 2016 model purchased from Excellance Ambulance at a cost of \$218,474.12. The ambulance will be purchased with a lease agreement and the first payment budgeted in account 100-41-56553 (Fire).
- 7.12 Authorized the Mayor to sign all related documents relating to a service contract with Physio-Control for one (1) Lucas device. The contract is for a period of four (4) years at a cost of \$4,650 total and will be paid in four (4) yearly installments. Funds are budgeted in account 100-41-53250 (Fire).
- 7.13 **MOVED TO OLD BUSINESS**
- 7.14 Authorized Police to purchase forty-six (46) new Taser X2 Electronic Control Devices ECDs and relevant components. These ECDs will replace obsolete, and items in disrepair for all officers assigned to the Patrol Division. Also, authorized the Mayor to sign all related documents. The total cost for the forty-six (46) Taser X2 ECDs, four year warranty, AAPM Batteries, Duty Cartridges, Training Cartridges, Data Port Download Kit, and Duty Holsters is \$79,613.74. The funds are budgeted and are available in account # 100-43-56550 (Police).
- 7.15 **MOVED TO OLD BUSINESS**
- 7.16 Approved the Request for Proposals for the 2016 Downtown Reinvestment Program for downtown Frankfort and authorized the Mayor to sign all related documents. The Commission has approved \$100,000.00 for the project in the current budget (Planning & Grants).

7.17 The following personnel items were presented:

- Retirement of Anna Whitaker in the Parks and Rec Department as Administrative Aide and authorized payment of accrued leave, effective 10/01/16 (Parks & Rec).
- Resignation of Edward Hunt in the Fire Department as Firefighter III/Paramedic and authorized payment of accrued leave, effective 9/13/16 (Fire).
- Resignation of Chase Nichols in the Fire Department as Firefighter II/Paramedic and authorized payment of accrued leave, effective 9/16/16 (Fire).
- Termination of Angie Willoughby in the Planning Department as Electrical Inspector II, effective 8/30/16 (Planning).
- Promotion of Alex Cunningham from the City Manager Department to Administrative Aide in the Parks and Rec Department, effective 9/16/16 (Parks & Rec).
- Appointment of Codie Rich in the Fire/EMS Department as Firefighter I, effective 9/20/16 (Fire).
- Appointment of Drew Stevenson in the Fire/EMS Department as Firefighter I, effective 9/20/16 (Fire).
- Appointment of Phillip Powell in the Fire/EMS Department as Firefighter I, effective 9/20/16 (Fire).
- Appointment of Christopher Wood in the Fire/EMS Department as Firefighter I, effective 9/20/16 (Fire).
- Appointment of Demetrius Bradshaw in the Fire/EMS Department as Firefighter I, effective 9/20/16 (Fire).
- Appointment of Brandon Smither in the Fire/EMS Department as Firefighter I, effective 9/20/16 (Fire).
- Permission to make two (2) conditional offers of employment for the position of Firefighter/EMT Recruit. This request is to backfill the two departing firefighters. The request to make these conditional offers of employment is contingent upon successful completion of background, medical, psychological, polygraph, and drug screen examinations by each candidate. These conditional offers will take staffing to 81.

It was moved by Commissioner Haynes, seconded by Commissioner Sower 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.

Board Appointments

8.1 Frankfort Electric and Water Plant Board . Appointment of John A. Cubine, for a term ending 09-23-20.

It was moved by Commissioner Sower, seconded by Commissioner Haynes, to approve the Mayor's recommendation of John Cubine to the Frankfort Electric and Water Plant Board. 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.

8.2 Architectural Review Board . Reappointment of Joe Berry, for a term ending 09-12-19.

It was moved by Commissioner Haynes, seconded by Commissioner Sower, to approve the Mayor's reappointment of Joe Berry to the Architectural Review Board. 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.

8.3 Architectural Review Board . Reappointment of Ann Austin Wright, for a term ending 09-12-19.

It was moved by Commissioner Bowers, seconded by Commissioner Haynes, to approve the Mayor's reappointment of Ann Austin Wright to the Architectural Review Board. 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.

8.4 Architectural Review Board . Appointment of Jennifer Oberlin, for a term ending 09-12-18 (Replacing Jennifer Zingg).

It was moved by Commissioner Haynes, seconded by Commissioner Sower, to approve the Mayor's recommendation of Jennifer Oberlin to the Architectural Review Board. 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.

8.5 Forestry Advisory (Tree Board) . Appointment of Janie McWilliams, for a term ending 05-08-17 (Replacing Diane Peters).

It was moved by Commissioner Haynes, seconded by Commissioner Sower, to approve the Mayor's recommendation of Janie McWilliams to the Forestry Advisory Board. 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.

8.6 BZA . Appointment of Margaret Townsley, for a term ending 07-01-20 (Replacing Bruce Rankin).

It was moved by Commissioner Haynes, seconded by Commissioner Sower, to approve the Mayor's recommendation of Margaret Townsley to the Board of Zoning Adjustments. 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.

Old Business

Consent Items 7.13 & 7.15 moved to Old Business Items 9.1 – 9.2

Item 9.1 is to consider approving a request by Mr. Roger Crall for a sewer adjustment due to leaks in the water pipes providing water service at the Valley View Mobile Home Park located at 709 Holmes Street and to authorize the Mayor to sign any documents related to the adjustment. Mr. Crall is the current owner of the Valley View Mobile Home Park and the MHP was served by a single master meter for the entire MHP. There have been a series of underground leaks during the month of December 2015 and Mr. Crall has attempted to repair the leaks, but as a leak is repaired another leak occurs. The underground leaks were not in the proximity of sewer lines and the Sewer Department does not believe a significant amount of the leaking water entered the sewer system. To correct the problem Mr. Crall recently contracted with the Frankfort Plant Board to replace the entire water supply system and have individual meters installed at each mobile home. The work was completed in July 2016 and the Frankfort Plant Board removed the master meter from the MHP on July 20, 2016. This will be a one-time adjustment to Mr. Crall's sewer account at the Frankfort Plant Board of \$63,956.25 (Sewer Department). It was moved by Commissioner Bowers, seconded by Commissioner Roach, to approve the adjustment. 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.

Item 9.2 is to authorize the Mayor to sign the Agreement to hire Tim Zisoff as the Interim City Manager. Mr. Zisoff, the City Manager, recently announced his resignation from the position of City Manager of Frankfort, Kentucky, with the resignation to take effect at close of business on October 3, 2016. However, Mr. Zisoff has agreed to serve as the Interim City Manager for the period of time beginning October 4, 2016, and ending December 31, 2016, with the possibility of a thirty (30) day extension thereafter, subject to the mutual agreement of the parties. Pursuant to the Agreement, Mr. Zisoff will receive the same salary and benefits while serving as the Interim City Manager as he received while serving as the permanent City Manager. There should be no financial impact to the City, as Mr. Zisoff will receive the same benefits while serving as the Interim City Manager as he received while serving as the permanent City Manager. It was moved by Commissioner Bowers, seconded by Commissioner Roach, to approve the agreement. 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.

Commissioner Sower requested an update from Chief Abrams regarding 307 Cold Harbor Drive. Jeff Abrams, Chief of Police, stated a written update will be issued later this week. Rob Moore, City Solicitor, said that charges have been sworn out to the person attempting to move into the property. The police are currently looking for the individuals.

Commissioner Sower asked for an update on manhole covers from Tom Bradley, Director of Public Works. Mr. Bradley stated he would offer a written response.

Commissioner Bowers stated as she has been walking around town, citizens have approached her regarding the curbs being yellow lined. The roads are narrow and cars are parking on curbs along the curves. Please consider painting the curbs yellow and she will email Public Works regarding the spot that is needed.

Commissioner Bowers has received compliments regarding the staff and the move out service that is offered. Thank you to Public Works Department.

New Business

Item 10.1 is a discussion of the City Manager Consultant Search Firm for the selection process. Kathy Fields, Human Resources Director, gave the Commission a table with firms that submitted the RFP. After a brief discussion and review of the firms, it was moved by Commissioner Bowers, seconded by Commissioner Roach, to interview the Mercer Group and Slavin Management Consultants. 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 Bowers, seconded by Commissioner Sower, to include the newly elected Commission in the process and the pool of candidates be narrowed down to five final candidates. 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.

Commissioner Roach expressed concern over the Architectural Review Board directing staff to meet requirements. Gary Muller, Director of Planning and Building Codes, discussed the issue and a new phrase will be added to the Ordinance by Mr. Muller for the Commission's review. Mr. Muller will also speak to the Architectural Review Board at the next meeting.

Commissioner Bowers proposed that the Commission ride together at the KSU Homecoming Parade. No objection from the Commission.

Commissioner Sower requested that staff check on the dozen globe lights that are out along West Main Street.

It was moved by Commissioner Roach, seconded by Commissioner Haynes, that the meeting go into closed session per KRS 61.810 (1)(b) Property. The question was put upon the motion and thereupon adopted by voice vote. The meeting went into closed session at 6:31 p.m.

It was moved by Commissioner Roach, seconded by Commissioner Bowers, that the meeting return to open session at 7:00 p.m.. The question was put upon the motion and thereupon adopted by voice vote.

It was moved by Commissioner Roach, seconded by Commissioner Haynes, to authorize the Mayor to sign a Contract and any related documents to Purchase Real Estate for the property located at 2601 Bald Knob Road for the amount of \$ 25,000. 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 Haynes, seconded by Commissioner Roach, that the meeting adjourn. The question was put upon the motion and thereupon adopted by voice vote. The meeting adjourned at 7:02 p.m.

Mayor

Attest:

City Clerk