

REGULAR MEETING  
FRANKFORT BOARD OF COMMISSIONERS

January 25, 2016  
5:00 P.M. (EST)

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

ABSENT: None (0)

\*Commissioner Bowers arrived at 5:02 p.m.

Mayor May called the meeting to order. The invocation was given by Reverend Scott Rollins. The Pledge of Allegiance was recited.

It was moved by Commissioner Roach, seconded by Commissioner Sower, that the minutes of the December 7, 2015 Special Joint Meeting, December 14, 2015 Work Session and December 21, 2015 Special Regular Meeting be approved as presented. 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**

City of Frankfort Police Academy Graduate Daniel Thomas Hodges was sworn in by Mayor May.

Todd Horstmeyer, representing Kentucky State University, introduced the new head football coach, Mr. John Smith. Mr. Smith is honored and excited to be here in Frankfort and at Kentucky State University. Mr. Smith asked the Commission to come out and support the team.

#### **Citizens Comments**

Judy Mattingly, Director of Franklin County Health Department, thanked the Commission for considering the Needle Exchange Program once again tonight. Ms. Mattingly hopes that all the recent positive media coverage has been noted. Commissioner Bowers indicated if the Resolution was adopted, that she would like for Ms. Mattingly to send an update on the program in approximately 6 months. Ms. Mattingly agreed to the update in 6 months.

Dr. Rice Leach, Commissioner of Health in Lexington, spoke in favor of the Needle Exchange Program. Dr. Leach stated the Needle Exchange Program has no impact for drug use.

#### **Ordinances**

"AN ORDINANCE TO AMEND SECTION 119.02 OF THE CITY OF FRANKFORT CODE OF ORDINANCES TO REDUCE THE PERCENTAGE OF GROSS REVENUE THAT MUST BE DERIVED FROM THE SALE OF FOOD IN ORDER TO OBTAIN A PERMIT TO OPERATE AN OUTDOOR CAFÉ AND TO SELL ALCOHOLIC BEVERAGES AT THE OUTDOOR CAFÉ, AND TO INCREASE THE PERIOD OF TIME DURING EACH DAY OF THE WEEK THAT THE OUTDOOR CAFÉ MAY SERVE ALCOHOLIC BEVERAGES. THE ORDINANCE FURTHER AMENDS SECTION 119.04 TO STATE THAT PERMITTEES MAY NOT ALLOW THEIR PATRONS TO ENGAGE IN CONDUCT IN VIOLATION OF KRS 244.120" was presented and read. This Ordinance had its first reading on December 21, 2015. 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 and Mayor May (4). Those voting against the motion were Commissioner Bowers (1). The Ordinance was thereupon adopted (Ordinance No. 1, 2016 Series).

#### **Resolutions**

"AUTHORIZED THE MAYOR TO SIGN A RESOLUTION SUPPORTING THE CONTINUED DEVELOPMENT OF ECONOMIC DEVELOPMENT INCENTIVES IN THE CITY OF FRANKFORT" was presented and read. It was moved by Commissioner Roach, seconded by Commissioner Haynes, 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 motion was thereupon adopted (Resolution No.1, 2016 Series).

"AUTHORIZED THE MAYOR TO SIGN A RESOLUTION SUPPORTING THE COMMONWEALTH OF KENTUCKY'S PLAN TO REDEVELOP THE CAPITAL PLAZA TOWER AREA AND REQUESTING THE CONSIDERATION OF CERTAIN FACTORS" was presented and read. It was moved by Commissioner Roach, seconded by Commissioner Bowers, 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 motion was thereupon adopted (Resolution No.2 2016 Series).

"ADOPTED A RESOLUTION AND AUTHORIZED THE MAYOR TO SIGN THE RESOLUTION CONSENTING TO THE OPERATION BY THE FRANKLIN COUNTY HEALTH DEPARTMENT OF A SYRINGE EXCHANGE PROGRAM WITHIN THE CITY OF FRANKFORT" was presented and read. It was moved by Commissioner Haynes, seconded by Mayor May, 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, Bowers and Mayor May (3). Those voting against the motion were Commissioners Sower and Roach (2). The motion was thereupon adopted (Resolution No.3, 2016 Series).

#### **Consent Calendar**

The following miscellaneous and personnel items were presented:

- 7.1 Approved Change Order #2 for Layne Inliner, LLC to cover additional work necessary to complete the project and to balance final quantities for the Indian Hills Phase 3 Inflow/Infiltration Project and to authorize the Mayor to sign all related documents. Funding for this project is available in Account No. 300.68.54390. This account has \$14,797,500 budgeted and as of November 30, \$4,088,693 has been expensed and encumbered (Sewer Department).
- 7.2 Approved Change Order #3 for Layne Inliner, LLC to cover additional work necessary to complete the project and to balance final quantities for the Tierra Linda Inflow/Infiltration Project and to authorize the Mayor to sign all related documents. Funding for this project is available in Account No. 300.68.54390. This account has \$14,797,500 budgeted and as of November 30, \$4,088,693 has been expensed and encumbered (Sewer Department).
- 7.3 Approved Amendment #7 to an Engineering Agreement with CDM Smith (CDM) to allow additional time for engineering and survey services within the Crestwood I&I Reduction Project area. Services are a result of a new alignment required for repairs on Schenkel Lane due to a collapsing existing sanitary sewer pipe, existing utility obstructions, and roadway construction obstacles and to authorize the Mayor to sign all related documents. Funds are available in Sewer Account No. 300.68.54390. The budget for this account is \$14,797,500 and as of July 1 this account had \$0.00 expensed or encumbered (Sewer Department).

- 7.4 Approved Amendment #1 to the Professional Services Agreement with Municipal Engineering Company for miscellaneous surveying services, property surveys and easement exhibit assistance for various sewer projects and authorize the Mayor to sign all documents associated with the agreement. Funds are available in Account No. 200.68.53265. This account has \$100,000.00 budgeted and as of August 1, \$11,578 has been expensed and encumbered (Sewer Department).
- 7.5 Approved a Sewer Extension Contract with PFILP – Frankfort BTS, LLC for a proposed sewer extension to serve 100 Granite Ridge Lane in Franklin County, Kentucky and to authorize the Mayor to sign all documents related to the contract. Additional customers added by this sewer extension will increase revenue (Sewer Department).
- 7.6 Approved a request by Mr. Keith Lee for a sewer adjustment due to leaks in the water pipes providing water service to the Tierra Linda and Raven Crest Apartment complexes and to authorize the Mayor to sign any documents related to the adjustment. This will be a one-time sewer adjustment of \$22,698.06 for both apartment complexes, \$6,809.11 for Tierra Linda and \$15,888.95 for Raven Crest (Sewer Department). **Note: Commissioner Roach abstained from voting on this item and completed a vote modification form.**
- 7.7 Authorized the Mayor to execute a Memorandum of Agreement between the City of Frankfort and Kentucky State University, and all related documents. The City is building a walking and biking trail on property adjacent to KSU's property. The proposed Memorandum of Agreement will make this walking and biking trail accessible through KSU's property to students at KSU and to the public. This agreement should have only a minimal financial impact on the City (Parks & Rec).
- 7.8 Authorized the Mayor to sign a contract with America's Bravest to supply bunker gear to the Fire Department and sign all related documents. Funds are budgeted in accounts 100.42.56550 and 100.41.56550 (Fire Department).
- 7.9 Authorized to file an application to fund the creation of Design Guidelines for the City's Central Business historic district and authorizing the Mayor to execute all grant-related documents. A Certified Local Government Grant in the amount of \$18,000.00 with the federal share requested (60% of award) is \$10,500.00 from the Kentucky Heritage Council, and a forty percent (40%) local match of \$7,500.00 will be required. While some in kind services will be provided – the total local match will need to be funded from the Planning Professional Fees Account 100.70.53265 in order to secure the professional services to assist with the project. The match will need to be funded from the General Fund - FY 2016/2017 budget (Planning & Building Codes).
- 7.10 Approved a contract with Vaughn & Melton Consulting Engineers, Inc. for services to conduct Storm Water Mapping for the public maintained systems in the City and authorize the Mayor to sign all related documents. The funds for this project are available in Account No. 100.66.53265 (Public Works).
- 7.11 Authorized a contribution to Downtown Frankfort, Inc. for North Star to complete a Downtown Consumer Market Study and authorize the Mayor to sign all related documents. The cost of the study is \$ 6,000.00. \$3,000.00 will be paid by the City with the remaining \$3,000.00 paid by other organizations. Funds are available in Account No. 100.10.56552 (City Manager).
- 7.12 Approved an enhanced employee wellness benefit to continue promotion of exercise and healthy lifestyles and better meet the unique needs of our employees and allow the Mayor to sign all related documents. Financial impact is approximately \$10,000/year. This estimate is based on 40 employee participants in addition to those who already participate in YMCA membership (City Manager).
- 7.13 **The following personnel items were presented:**
- Promotion of Kelly Jagodzinski in the E911/Police Department to Telecommunicator II TAC, effective 1/19/16 (E-911/Police).

It was moved by Commissioner Haynes, seconded by Commissioner Sower that 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 **Board of Ethics** – Appointment of Dan Ahler, for a term ending 12-31-18. (Replacing Joni Napier Crowe)

It was moved by Commissioner Haynes, seconded by Commissioner Bowers to accept the Mayor's recommendation. 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 **Board of Ethics** – Appointment of Carly Cockley, for a term ending 12-31-19. (Filling vacancy)

It was moved by Commissioner Haynes, seconded by Commissioner Sower to accept the Mayor's recommendation. 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 **ARB** – Appointment of Jennifer Zingg, for a term ending 9-12-18. (Replacing Carol Reese)

It was moved by Commissioner Bowers, seconded by Commissioner Haynes to accept the Mayor's recommendation. 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**

Commissioner Sower requested an update on the Holmes Street corridor. Tom Bradley, Director of Public Works, stated that staff met with Representatives Derrick Graham and Transportation Cabinet staff to place the project on the State's six year Transportation Plan. Mr. Bradley stated the City was looking into hiring an engineering firm to create and plan and offer estimates.

Commissioner Roach thanked Tom Bradley, Director of Public Works, for his work in negotiating a \$20,000.00 reduction on Storm Water mapping fees.

Commissioner Sower asked for an update on the transportation study at the intersection of Kings Daughters Drive and Doctors Drive. Tom Bradley, Director of Public Works, stated pricing has been confirmed for a study of the intersection. Commissioner Sower asked Mr. Bradley to make a recommendation.

**New Business**

Mayor May thanked all the City departments for their hard work during the recent snow events.

Commissioner Sower requested an update on all traffic signals in the City. Tom Bradley, Director of Public Works, has contacted the Transportation Cabinet.

Commissioner Sower asked the staff to research three of the Economic Development Incentives from Resolution 6.1 that was adopted tonight and bring back to a Work Session. The three incentives are Property Banks, Revolving Loan Funds and Tax Increment Financing Districts (TIF).

It was moved by Commissioner Haynes, seconded by Commissioner Bowers that the meeting adjourn. The question was put upon the motion and thereupon adopted by voice vote. The meeting adjourned at 5:37 p.m.

Attest:

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Mayor

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City Clerk