

**NOTICE
MEETING VIA VIDEO TELECONFERENCE**

As a result of the state of emergency declared by the President of the United States, Governor of Kentucky, and Mayor of the City of Frankfort due to the global COVID-19 pandemic, the following Meeting Notice is issued:

I, Layne Wilkerson hereby call a meeting of the Frankfort Board of Commissioners for Monday, January 24, 2022, at 5:00 p.m., via GoToMeeting. All items on the agenda will be considered and action will be taken.

Per KRS 61.826, this meeting is a video teleconference meeting. The Board of Commissioners will participate via GoToMeeting. The City will provide a central primary physical location for public viewing of the virtual meeting in the City Hall Commission Chamber, 315 West Second Street. **The Board of Commissioners will not be there in person, but the televisions in the Commission Chamber will be broadcasting the virtual meeting.**

Public comments will still be accepted for the meeting, by submitting a citizen comments form via the City of Frankfort Website – www.frankfort.ky.gov {Government > Board of Commissioners> Citizen Comments} by Monday, January 24 at 4:00 PM.

The virtual meeting will be broadcast via Frankfort Plant Board Cable 10 Live and Facebook Live: Frankfort, Kentucky - City Hall www.facebook.com/CityofFrankfortKY/.

Please see www.frankfortema.org for additional information.

S/Layne Wilkerson
T/Mayor

REGULAR MEETING
FRANKFORT BOARD OF COMMISSIONERS

January 24, 2022
5:00 P.M. (EST)

PRESENT: Commissioner Katrisha Waldrige
Commissioner Kyle Thompson
Commissioner Kelly May
Commissioner Leesa Unger
Mayor Layne Wilkerson (5)

ABSENT: None (0)

Following roll call, Mayor Wilkerson called the meeting to order.

Citizens Comments

City Clerk Chermie Maxwell read the following citizen comments that were submitted virtually:

- Earl Burton commented against the proposed Urban Chicken Ordinance.
- James Hale, Katy Doyle, Kari Williams, Jackson Williams-Hale, Ethan Williams-Hale, Jenn Humphrey, Robyn Hayes, Jennifer Lopez, Bethany Ford, Mike Massie, Leslie W., Kathy Doyle, Erin Ford, Steve Mitchell, Teresa Johnson, Tom Kollmer, Delvin Azofeifa and Jonathan Burns all commented in favor of the proposed Urban Chicken Ordinance.

Presentation

Mayor Layne Wilkerson presented a proclamation to Bill Goodman, Executive Director of Kentucky Humanities in celebration of their 50th Anniversary.

Ceremonial Items

Mayor Layne Wilkerson read a proclamation and along with the Board of Commissioners congratulated Sharon Ganote, Administrative Aide, who is retiring from the City Manager Department following more than 17 years of service.

Consent Calendar

The following miscellaneous and personnel items were presented:

1. **Minutes – Special Meeting, December 1, 2021; Special Meeting, December 6, 2021; Work Session, December 13, 2021; Special Meeting, December 15 & 16, 2021; Regular Meeting, December 20, 2021**

2. **Contract Amendment for Downtown Reinvestment Grant at 311 St. Clair Street – Grants**

Authorized an amendment to the contract for the property at 311 St. Clair Street between Legacy Property Group, LLC and the city regarding a Reinvestment Grant awarded to the property in 2019. The original contract is with Legacy Property Group, LLC and the entity's name has been changed to 311 St. Clair Street, LLC for State/Federal Historic Tax Credit purposes. They have asked that the agreement be changed to reflect that change. Members of 311 St. Clair LLC would also like to extend the date of project completion to February 28, 2022. Members of city staff including the City Attorney, Grants Manager, and Senior Community Planner agree with this amendment. There will be no budget impact. This \$100,000.00 is already in the current budget.

3. **Authorization of an agreement with Designing Local to provide services related to the creation of new “SC” Special Capitol Design Guidelines – Planning**

Authorized the agreement with Designing Local - On August 27th, 2021 the City advertised a Request For Proposals for a Consultant to provide services to the Planning & Community Development Department. Responses were received until the closing date of September 29th. Following the closing date the “Selection Committee” per the RFQ reviewed the responses and met to discuss the Respondents. The Committee discussed the responses and ultimately selected Designing Local as their preferred Respondent. Subsequent to the selection the attached contract has been reviewed by the Planning Director and the City Solicitor. Staff recommends the Board of Commissioner's approve the attached contract and authorize the Mayor to sign the related documents.

4. **Structural Engineer for the McClure Building Sidewalk – Public Works**

Authorized a professional services agreement with Cornerstone Engineering in the amount of \$39,053.70 to provide structural design and bidding services for the repair of structural members and sidewalk replacement at the corner of West Main and St. Clair Street, and for the Mayor to sign all related documents. The sidewalk at the corner of West Main and Saint Clair, running parallel to each street, is supported by a structural system below grade. The basement of the McClure building extends out underneath the sidewalk and the structural supports are accessed through the basement. For many years, water infiltration has caused deterioration of the concrete on the beams, columns and walls below the sidewalk, reducing the stability of the sidewalk. The building owners have enlisted an engineer to inspect the structure, and based on the inspection, the recommendation was made to close a portion of the sidewalk. The engineer determined that the structure supporting the sidewalk is separate

from the building structure. The City of Frankfort has the responsibility to maintain the sidewalk. Therefore, we decided to engage a structural engineer for recommendations for repairs. In order to restore the safety and structural integrity of the sidewalk, the City has issued an RFQ/RFP and received 2 proposals from Structural Consultants to make recommendations, design and administer the repair project. After evaluation of qualifications, the selection committee opened the cost proposals and factored in the cost as 10% of the evaluation. The team concluded that we would like to enter a Professional Services Agreement with Cornerstone Engineering for an amount of \$39,053.70. Staff recommends approval of the professional services agreement with Cornerstone Engineering in the amount of \$39,053.70. Municipal Aid can be utilized for any planning, design or construction inside City Maintained rights-of-way. Funds are available in account #535.00.51100. This will come out of the \$250,000 budgeted for City Sidewalks in Fiscal Year 2021-2022.

5. Purchase of Mainline Camera Van and Mobile Portable Camera Unit – Sewer

Authorized the purchase of a Mainline Camera Van and Mobile Portable Camera Unit from Raush Electronics USA, LLC and for the Mayor to sign all related documents. The Frankfort Sewer Department utilizes two camera van units to conduct mainline CCTV inspections throughout the collection system. Both of the camera vans are used daily to complete investigations for customers and to complete the video footage required by the CMOM Program. FSD is required to CCTV 5% of the collection system every year. This purchase also included a mobile portable unit that will allow staff to load the unit into a remote vehicle and get into areas that a large van is not able to access. In previous years FSD has been required to bid this out for outside contractors to complete these inspections.

The Sewer Department received bids for both units on December 29, 2021. The bids are listed below:

	TOTAL	Mainline Unit	Mobile Unit
RAUSH Electronics USA, LLC	\$353,480.00	\$309,649.00	\$43,831.00
Jack Doheny	\$504,226.65	\$384,736.97	\$119,489.68

The purchase of this vehicle will replace unit 943 which was purchased in 2011. This unit has performed well over the years the unit's age and repairs are starting to cause more downtime than what is productive. This project is in the Capitol Improvement Plans and is budgeted at \$350,000.00. Staff recommends that the Mayor and City Commission approve the purchase of the Mainline Camera Unit and Mobile Portable Camera Unit.

6. The following personnel items were presented:

- Appointment of Anthony Catani in the Police Department as Patrol Officer I, effective 1/4/22 (Police).
- Appointment of Jarrett Hyatt in the Police Department as Patrol Officer I, effective 1/4/22 (Police).
- Appointment of Madison Puryear in the Police Department as Patrol Officer I, effective 1/4/22 (Police).
- Appointment of Jeremy McGruder in the PW/Solid Waste Department as Tech I, effective 1/18/22 (PW/Solid Waste).
- Appointment of Zach Barker in the Parks & Rec Department as Parks & Rec Supervisor, effective 2/1/22 (Parks).
- Retirement of Sharon Ganote as Administrative Aide in the City Manager Department and to authorize payout of accrued leave, effective 1/31/22 (City Manager).
- Resignation of Chris Marston as Sewer Tech I in the Sewer Department and to authorize payout of accrued leave, effective 1/14/22 (Sewer).
- Resignation of Tyler Owens as Patrol Officer II in the Police Department and to authorize payout of accrued leave, effective 1/13/22 (Police).

It was moved by Commissioner Waldrige, seconded by Commissioner Unger, to approve the Consent Calendar. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Thompson, Unger and Mayor Wilkerson (4). Those voting against the motion were none (0). The motion was thereupon adopted. *Note: Commissioner May had technical issues and was unable to vote.*

Boards

1. Civil Service Board for Police & Fire - Reappointment of Corey Bellamy, expiring 2-28-24.

It was moved by Commissioner Waldrige, seconded by Commissioner Thompson, 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 Waldrige, Thompson, May, Unger and Mayor Wilkerson (5). Those voting against the motion were none (0). The motion was thereupon adopted.

2. Civil Service Board for Police & Fire - Appointment of Dantrea Hampton (replacing Raymond Carter), expiring 2-28-24.

It was moved by Commissioner Waldrige, seconded by Commissioner Unger, 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 Waldrige, Thompson, May, Unger and Mayor Wilkerson (5). Those voting against the motion were none (0). The motion was thereupon adopted.

Action Items

1. Second Reading

“AN ORDINANCE AMENDING THE CITY OF FRANKFORT CODE OF ORDINANCES, SECTION 37.12(A)(12) RELATING TO HOLIDAY PAY AND HOLIDAY LEAVE”. This ordinance had its First Reading on December 20, 2021. Summary: This ordinance amends Section 37.12(A)(12) of the City of Frankfort Code of Ordinances which establishes Holiday Pay and Holiday Leave to add an additional day to the Christmas holiday.

It was moved by Commissioner Unger, seconded by Commissioner Waldrige, to adopt the ordinance. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Thompson, May, Unger and Mayor Wilkerson (5). Those voting against the motion were none (0). The Ordinance was thereupon adopted (Ordinance No. 1, 2022 Series).

2. Second Reading

“AN ORDINANCE REZONING PROPERTY LOCATED ON REILLY ROAD WITH THE ADDRESS OF 14 & 16 REILLY ROAD, MORE SPECIFICALLY DESCRIBED AS PVA MAP NUMBERS 061-00-00-072.00 AND 061-00-00-070.00 FROM GENERAL COMMERCIAL DISTRICT (CG) TO GENERAL INDUSTRIAL DISTRICT (IG)”. This ordinance had its First Reading on December 20, 2021. SUMMARY: This ordinance approves a zone map amendment for the properties with the addresses of 14 and 16 Reilly Road more specifically described as PVA map Numbers 061-00-00-072.00 and 061-00-00-070.00, from General Commercial District (CG) to General Industrial District (IG).

It was moved by Commissioner May, seconded by Commissioner Unger, to adopt the ordinance. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Thompson, May, Unger and Mayor Wilkerson (5). Those voting against the motion were none (0). The Ordinance was thereupon adopted (Ordinance No. 2, 2022 Series).

3. Second Reading

“AN ORDINANCE AMENDING THE CITY OF FRANKFORT CODE OF ORDINANCES, SECTION 90.07 RELATING TO STOCKYARDS/BARNS/PENS FOR LIVESTOCK OR EXOTIC ANIMALS AND ADOPTING A NEW 90.08 RELATING TO URBAN BACKYARD CHICKENS”. This ordinance had its First Reading on December 20, 2021. Summary: This ordinance (1) amends City of Frankfort Ordinance 90.07 relating to Stockyards/ Barns/ Pens for Livestock or Exotic Animals to clarify language relating to the agricultural zone exemption; and (2) establishes a new Section 90.08 governing Urban Backyard Chickens, including requirements for the type and number of birds allowed; standards for housing chickens in a safe and sanitary condition; permitting requirements; and enforcement and penalties for noncompliance.

It was moved by Commissioner Unger, seconded by Commissioner May, to adopt the ordinance. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, May, Unger and Mayor Wilkerson (4). Voting against the motion was Commissioner Thompson (1). The Ordinance was thereupon adopted (Ordinance No. 3, 2022 Series).

4. Second Reading

“AN ORDINANCE AMENDING ORDINANCE NO. 13, 2021 SERIES APPROPRIATING THE REVENUE TO BE RECEIVED BY THE CITY OF FRANKFORT FOR THE FISCAL YEAR 2021-2022”. This ordinance had its First Reading on January 10, 2022. Summary: This ordinance amends Ordinance No. 13, 2021 Series, appropriating the revenue to be received by the City for the Fiscal Year 2021-2022 by adding the following expenditures and transfers as noted:

General Fund-\$776,832 (aggregate total)

Transfers from General Fund-\$100,000 (aggregate total)

Capital Improvements-\$100,000 (aggregate total)

And by adding the following revenue:

General Fund -\$215,000 (aggregate total)

It was moved by Commissioner May, seconded by Commissioner Unger, to adopt the ordinance. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Thompson, May, Unger and Mayor Wilkerson (5). Those voting against the motion were none (0). The Ordinance was thereupon adopted (Ordinance No. 4, 2022 Series).

5. Harrods Lease for Capitol View Park

It was moved by Commissioner Unger, seconded by Commissioner Thompson, to approve a one (1) year lease. Following additional discussion, it was moved by Commissioner May, seconded by Commissioner Thompson, to rescind the previous motion. The motion was adopted by voice vote.

It was moved by Commissioner Waldrige, seconded by Commissioner Thompson, to approve the lease with the following amendments: replace the one (1) year term with a five (5) year term and add a clause stipulating that if the master lease with the state is terminated, the sublease will terminate on the same date. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Thompson, May, Unger and Mayor Wilkerson (5). Those voting against the motion were none (0). The motion was thereupon adopted.

6. Sustainable Strategies DC Contract Renewal

Staff requests authorization to renew the annual contract with Sustainable Strategies DC for 2022 to aid in Identifying Funding Opportunities, Building Frankfort's Competitive Advantages, Grant Writing Assistance and Support, Stakeholder Support and Advocacy. The City has been under contract with Sustainable Strategies DC since 2019 and has been the recipient of over \$8.9 million dollars in grant funds during this time. Staff would like to continue this relationship with Sustainable Strategies DC and renew the contract with the same terms of \$6,000.00 per month for a 12-month period. Total cost of the contract will be \$72,000.00 over 12 months.

It was moved by Commissioner Waldrige, seconded by Commissioner May, to approve the renewal. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Thompson, May, Unger and Mayor Wilkerson (5). Those voting against the motion were none (0). The motion was thereupon adopted.

7. Sewer Extension Contract with 2020 Center, LLC – Sewer

Staff requested the Board of Commissioners to table this item as we have not received a signed contract from the developer.

It was moved by Commissioner Waldrige, seconded by Commissioner Unger, to table this item and bring back to a future voting meeting once the contract has been signed. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Thompson, May, Unger and Mayor Wilkerson (5). Those voting against the motion were none (0). The motion was thereupon adopted.

8. Industrial Revenue Bonds/ Prescient Resolution & MOA

It was moved by Commissioner May, seconded by Commissioner Thompson, to approve the MOA & adopt the resolution. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Thompson, May, Unger and Mayor Wilkerson (5). Those voting against the motion were none (0). The MOA & Resolution were thereupon adopted (Resolution No. 1, 2022 Series).

9. Federal Transit Administration (FTA) CARES Grant Transit Center/Parking Garage Project YMCA Mitigation Memorandum of Agreement (MOA)

In the spring of 2020, the City of Frankfort was notified of the Kentucky Transportation Cabinet's (KYTC) interest in providing a large FTA CARES grant to assist in funding the Transit Center/Parking Garage project located on Parcel B. Since that time, City staff has been working with KYTC and FTA's Atlanta Office to identify and provide a variety of information to complete the formal grant application process. Some of this information concerned the Section 106 environmental review process. The last piece of information that will complete this process is a mitigation MOA that addresses the YMCA Building located on Parcel C. FTA had determined earlier that all of Parcels B and C had to be considered in the cultural historic resources review. As a result, the YMCA Building was determined eligible for the National Register of Historic Places (NRHP). Due to the NRHP eligibility of the YMCA Building and the fact that it would be demolished during the redevelopment of Parcels B and C, a mitigation plan had to be developed. Over the past few months, City staff has worked with KYTC and FTA to develop an acceptable mitigation MOA. The City Solicitor reviewed the draft and asked that we forward it to KYTC for their review. Yesterday, we received KYTC's request to finalize the MOA and to affix City signatures and return it to them. Since City staff has been cooperating with KYTC and FTA since the spring of 2020 to get to this last step in the grant application process, we request that the YMCA Mitigation MOA be presented to the Board of Commissioners for their approval at their Monday, January 25, 2022 meeting. Upon receiving their approval, the appropriate signatures will be affixed, and we will forward it to KYTC for their signatures and to forward it on to FTA. We expect that the FTA CARES grant will be awarded to the City of Frankfort in the very near future.

It was moved by Commissioner Unger, seconded by Commissioner May, to approve the MOA. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Thompson, May, Unger and Mayor Wilkerson (5). Those voting against the motion were none (0). The motion was thereupon adopted.

New Business/Unfinished Business

Commissioner Waldrige offered her thanks and congratulations to several members of the community for their achievements.

It was moved by Commissioner May, seconded by Commissioner Unger, to go into Executive Session per KRS 61.810(1)(c) litigation, discussions of proposed litigation of the public agency related to past personnel matters. Action may be taken in open session. The motion was adopted by voice vote. The meeting went into closed session at 6:43 p.m.

It was moved by Commissioner Unger, seconded by Commissioner May, that the meeting return to open session. The motion was adopted by voice vote. The meeting returned to open session at 6:59 p.m.

It was moved by Commissioner Unger, seconded by Commissioner May, to approve the settlement agreement with Keith Park, authorize staff to take necessary steps to complete the terms of the settlement, 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 May, Unger and Mayor Wilkerson (3). Voting against the motion was Commissioner Thompson (1). The motion was thereupon adopted. Note: Commissioner Waldrige recused herself from the vote.

It was moved by Commissioner Unger, seconded by Commissioner Waldrige, that the meeting adjourn. The question was put upon the motion and was adopted by voice vote. The meeting adjourned at 7:03 p.m.

Mayor

Attest:

City Clerk