

REGULAR MEETING
FRANKFORT BOARD OF COMMISSIONERS

June 22, 2015
5:00 P.M. (EDT)

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)

Mayor May called the meeting to order. The invocation was given by Commissioner Haynes. The Pledge of Allegiance was recited.

It was moved by Commissioner Roach, seconded by Commissioner Bowers, that the minutes of the May 11, 2015 Work Session; May 11, 2015 Special Meeting; May 18, 2015 Special Regular Meeting; May 18, 2015 Special Meeting - Personnel Hearing 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

The City of Frankfort Police Department recognized the 2015 graduating class of the Citizens Police Academy. Chief Jeff Abrams and Sergeant Chris Quire presented certificates to each graduate. A special thanks to Rachel Morgan who helped with the first ever graduating class with hearing impaired students.

Mayor May called for a moment of silence for the victims of the shootings and their families in Charleston, South Carolina.

Citizen Comments

Ralph Ludwig, Chairman for Frankfort Electric and Water Plant Board, along with Attorney James Liebman, delivered a written notice to the City Commission of a water rate increase. A brief presentation was given and discussion followed.

Mr. David Rigsby, a Frankfort citizen that resides at 110 Lincoln Drive, requested Item 4.3 Zone Map Amendment be tabled and requested a Public Hearing.

Ms. Joy Jeffries, Executive Director of the Frankfort/Franklin County Tourist & Convention Commission, offered good news regarding Riverfront Development. Rockin' Thunder Jet Boat Rides, LLC. of Madison, Indiana has obtained a business license and will be offering services in Frankfort on the river. Ms. Jeffries gave a big thank you to all City departments that helped to organize the RiverBlast event.

Mr. Preston Cecil, an attorney for the developer of the Swifty Oil property, spoke in favor of Item 4.3 Zone Map Amendment.

Mr. Richard Murphy, representing Swifty Oil also spoke in favor of Item 4.3 Zone Map Amendment.

Ms. Gayle Koellein, a Frankfort citizen, spoke in favor of Item 4.3 Zone Map Amendment.

Mr. John Tabor and Mrs. Kathy Tabor, owners of 131 ½ Willis Avenue, were in attendance regarding Item 7.16 which addresses demolition of the property. Mr. Tabor has not been able to secure funding, therefore, he is requesting time to collect their belongings prior to demolition. Mayor May moved the item from Consent to Old Business. Discussion followed with the Commission directing Gary Muller, Director of Planning & Zoning, to reach out to the demolition contractor and request this property to be the last of the four on his demolition schedule. Mr. Muller is to notify the City Manager of the outcome.

Ordinances

"AN ORDINANCE TO INCREASE THE E-911 LANDLINE SURCHARGE TO \$2.00 PER MONTH" was presented and read. This Ordinance had a first reading on May 18, 2015. It was moved by Commissioner Roach, seconded by Commissioner Bowers, that the Ordinance be tabled and discussed further at the July work session. 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). The Ordinance was tabled and motion thereupon adopted.

"AN ORDINANCE AMENDING SECTION 37.14.B.1, VACATION LEAVE OF THE CITY OF FRANKFORT CODE OF ORDINANCES" was presented and read. This Ordinance had a first reading on May 18, 2015. 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. 9, 2015 Series).

" AN ORDINANCE TO APPROVE OF A ZONE MAP AMENDMENTS FROM RESIDENTIAL "C" DISTRICT – "RC" TO LIMITED COMMERCIAL DISTRICT – "CL" FOR A .293-ACRE PARCEL OF PROPERTY LOCATED AT 107 LYONS DRIVE AND A .292-ACRE PARCEL OF PROPERTY LOCATED AT 106 LINCOLN DRIVE, AND A ZONE MAP AMENDMENT FROM HIGHWAY COMMERCIAL – "CH" TO LIMITED COMMERCIAL DISTRICT – "CL" FOR A .65-ACRE PARCEL OF PROPERTY LOCATED AT 289 VERSAILLES ROAD FOR THE PURPOSE OF CONSTRUCTING A COMMERCIAL BUSINESS AND TO CONSOLIDATE ALL PROPERTIES INTO ONE TRACT. THE PROPERTIES ARE MORE PARTICULARLY DESCRIBED AS PVA MAP #S 085-22-03-017.00, #085-22-03-020.00 AND 085-22-03-018.00" was presented and read. It was moved by Commissioner Roach, seconded by Commissioner Haynes, to proceed with the Zone Map Amendment. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Haynes, Sower, Roach (3). Those voting against the motion were Commissioner Bowers and Mayor May (2). The motion was thereupon adopted.

"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 13 – TABLE 13.2, STANDARDS FOR EXEMPT SIGNS, FOOTNOTE "H", AND SECTION 13.18.3, ADDITIONAL PROVISIONS. THE TEXT AMENDMENT INCLUDES AMENDING TIMEFRAMES FOR BANNERS WITHIN NATIONAL HISTORIC DISTRICTS AS AN INCENTIVE AND TO ALLOW COMBINED FASCIA SIGNAGE ASSOCIATED WITH A SIGNAGE PLAN OR DEVELOPMENT PLAN" was presented and read.

Resolutions

"A RESOLUTION TO AUTHORIZE THE SUBMISSION OF A FULL APPLICATION FOR HOMELAND SECURITY GRANT FUNDS AND AUTHORIZE THE MAYOR TO SIGN ALL GRANT-RELATED DOCUMENTS FOR FUNDING TO PURCHASE A ROBOTEX AVATAR III" was presented. It was moved by Commissioner Haynes, seconded by Commissioner Sower, 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.12, 2015 Series).

"A RESOLUTION TO CONSIDER AUTHORIZING AN AGREEMENT WITH THE BLUEGRASS AREA DEVELOPMENT DISTRICT TO ADMINISTER A COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE BENSON CREEK SEWER SEPARATION PROJECT FOR \$35,500.00. THE TOTAL GRANT AWARD IS \$529,000.00, OF THIS AWARD AMOUNT \$35,500.00 IS FOR GRANT ADMINISTRATION AND THIS FUNDING IS ON TOP OF THE REGULAR GRANT. THE DEPARTMENT FOR LOCAL GOVERNMENT DETERMINES THE AMOUNT. THIS WILL NOT IMPOSE ANY ADDITIONAL OUT OF POCKET COSTS TO THE CITY" was presented. It was moved by Commissioner Roach, seconded by Commissioner Sower, 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.13, 2015 Series).

"A RESOLUTION TO AUTHORIZE THE SUBMISSION OF A FULL APPLICATION OF HOMELAND SECURITY GRANT FUNDS AND AUTHORIZE THE MAYOR TO SIGN ALL GRANT-RELATED DOCUMENTS TO APPLY FOR FUNDING TO PURCHASE A TRAILER AND EQUIPMENT TO BE USED AFTER A NATURAL DISASTER" was presented. 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.14, 2015 Series).

Consent Calendar

The following miscellaneous and personnel items were presented:

- 7.1 Authorized the declaration of eight (8) Ford Crown Victoria's, four (4) Ford Taurus's, and their equipment surplus to approve trade of these surplus vehicles to Paul Miller Ford for a \$13,000.00 credit toward the purchase of a budgeted new unmarked vehicle or up-fitting for budgeted newly purchased patrol vehicles. Also, to authorize the Mayor to sign all related documents. Trade allowance of \$13,000.00 to Paul Miller Ford to offset the purchase cost of a budgeted unmarked vehicle or up-fitting for budgeted newly purchased patrol vehicles (Police Department).
- 7.2 Authorized the purchase of three (3) 2016 Ford Police Interceptor Utility patrol vehicles (Police). Also, to authorize the Mayor to sign all related documents. The cost per vehicle on State Contract is \$28,019.00. The cost of total up-fit (stripping, equipment etc.) is \$15,282.15 per vehicle. This brings the total cost of each of the three (3) requested vehicles to \$43,301.15 per vehicle. The total cost of this vehicle purchase request is \$129,903.45. Please note that although the price quote for up-fitting is from Paul Miller Ford, the cars will be purchased from Crossroads Ford under State Price Contract. Funds are available in Account No. 100.43.54315 (Police Department).
- 7.3 Approval of a Sewer Extension Contract with Frankfort Plant Board for a proposed sewer extension to service the new office building on Sower Boulevard in Frankfort, 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).
- 7.4 Approval of a construction contract to Kenney Inc. for construction of a new pump station, approximately 550-feet of 8-inch gravity line and 272-feet of 8-inch force main and to authorize the Mayor to sign all documents related to the project. Funds are available in Sewer Account No. 300.68.54390. The budget for this account is \$12,005,000 and as of April 30 this account had \$3,102,280 expensed or encumbered (Sewer Department).
- 7.5 Approval of Amendment #6 to the engineering contract with DLZ Kentucky, Inc. for additional Construction Administration and Resident Observation Services and authorize the Mayor to sign all documents related to the project. Funds are available in Sewer Account No. 300.68.54390. The budget for this account is \$12,005,000 and as of April 30 this account had \$3,102,280 expensed or encumbered (Sewer Department).
- 7.6 Approval to rescind an authorization to generate a purchase order for Teledyne Instruments, Inc. and to authorize a purchase order to Telog Instruments, Inc. for the purchase of flow monitoring equipment, related to in-house flow monitoring and to authorize the Mayor to sign all documents related to the purchase. Funds are available in Sewer Account No. 300.68.54390. The budget for this account is \$12,005,000 and as of April 30 this account had \$3,102,280 expensed or encumbered (Sewer Department).
- 7.7 Authorized Amendment #2 to the engineering contract with Jacobs Engineering Group, Inc. for additional construction administration needed due to additional time needed by the Contractor for construction of the Two Creeks Pump Station and Sanitary Sewer Rehabilitation Project 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 \$12,005,000 and as of April 30 this account had \$3,102,280 expensed or encumbered (Sewer Department).
- 7.8 Authorized the Mayor to sign all paperwork related to the purchase of a 2016 Ford Explorer from Paul Miller Ford to replace the current Fire Marshall vehicle. Although the vehicle is not in the current budget, it is scheduled for replacement in the next 18 months. Purchasing the vehicle now should alleviate the need to purchase two staff vehicles from 2016-2017 budget. The vehicle will be purchased from the state contract list at a price of \$30,460.44. This expenditure will be charged to account number 100-42-56550 (Fire).
- 7.9 Authorized to continue with a Memorandum of Agreement (MOA) with the Legislative Research Commission (LRC) and authorize the Mayor to sign documentation. Wages and benefits to be paid by the City from both the Fire and EMS personnel services budgets and to be reimbursed by the Legislative Research Commission at a rate of \$40.00 per hour. The rate of \$40 per hour is sufficient to cover the overtime and benefits of the employees working the stand-by shift (Fire).
- 7.10 Authorized to enter into a contract between the City and Leak Eliminators, LLC for the repair of a storm sewer pipe located at the floodwall behind Second Street Elementary School and to authorize the Mayor to sign all documents related to the project. We anticipate funding availability for this project from the Public Works Floodwall Maintenance and Repairs account pending approval of the FY2016 Annual Budget (Public Works).
- 7.11 MOVED TO OLD BUSINESS
- 7.12 Authorized the filing of a grant application for 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Program and to authorize the Mayor to sign all grant documents including a Memorandum of Understanding with Franklin County Fiscal Court. Financial Analysis: Cost for this project is estimated to be \$15,016.00. Under the Edward Byrne Memorial JAG Program the City of Frankfort will be allocated \$15,016.00 for Community Policing. The grant program should cover the cost of the project (Police Department).
- 7.13 Authorized the filing of an application for a 2015 Walmart Foundation Community Grant and to authorize the Mayor to sign all grant-related documents. There is no match for this grant (Parks & Recreation).
- 7.14 Authorized the Mayor to sign two amendments for Safe Routes to School funding agreements for time extensions that include non-discrimination language and to sign all related documents which may include resolutions. There are no matching funds required (Public Works).
- 7.15 Authorized the Mayor to sign a Custodial Services and Securities Account Control Agreement with Community Trust Bank and Raymond James & Associates, Inc., and all related documents. There should be no fiscal impact on the City (Finance).
- 7.16 MOVED TO OLD BUSINESS

7.17 Authorized the following personnel actions:

- Transfer/Voluntary Demotion of John Haden in the Fire Department from Assistant Fire Chief to Fire Battalion Chief, effective 6/30/15 (Fire).
- Appointment of Daniel Hodges to the Police Department as Patrol Officer I, effective 6/16/15 (Police).
- Resignation of Ryan Champ in the Fire/EMS Department as Firefighter II/EMT and authorized payment of accrued leave, effective 6/3/15 (Fire).
- Resignation of Timothy Southard in the Fire/EMS Department as Firefighter II/EMT and authorized payment of accrued leave, effective 6/24/15 (Fire).
- Resignation of Tom Fugate in the Parks and Recreation Department as Museum Curator and authorized payment of accrued leave, effective 5/29/15 (Parks & Rec.).

Permission to make up to seven (7) conditional offers of employment for the position of Firefighter/EMT Recruit. 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. Five positions are currently vacant and two vacancies are anticipated as a result of July retirements. Seven new hires will take staffing to 81 based on vacancies stated. An August start date for new hires is anticipated.

It was moved by Commissioner Roach, seconded by Commissioner Haynes, 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

It was moved by Commissioner Roach, seconded by Commissioner Haynes, to accept the Mayor's Recommendation and reappoint the following:

8.1 Board of Park Commissioners – Reappointment of Ann French Thomas, for a term ending 5-1-18.

8.2 Board of Park Commissioners – Reappointment of Judy Zeigler, for a term ending 5-1-18

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 Bowers stated how much she appreciates the citizens that volunteer to serve on the boards. If anyone is interested, please volunteer your time.

Commissioner Haynes extended a special thank you to Rebecca Hall, Grants Manager, as he appreciates how well she works with the other City departments.

Old Business

Item 7.11 was moved to Old Business at the request of Commissioner Sower. This item is to approve a Memorandum of Agreement for Deputy Jailer Service and to authorize the Mayor to sign all related documents. Costs will be invoiced as incurred up to \$50,700 per year. This cost has been included in the 2015-16 Solid Waste Division budget (Public Works). Discussion followed regarding the MOA. It was moved by Commissioner Haynes, seconded by Commissioner Roach, that the MOA be approved. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Haynes, Roach, Bowers and Mayor May (4). Those voting against the motion were Commissioner Sower (1). The MOA was thereupon approved.

Item 7.16 was moved to Old Business at the request of Mayor May. Approval of bid for demolition of 4 structures and rubbish removal at **116 Allnut, 128 Allnut, 131 ½ Willis Street, and 707-709 Dabney**, and to execute the Agreement with John Fehsal Jr., the contractor that will be performing the demolition work. Also, to authorize the Mayor to sign all documents related to the demolition. Funding for the demolition of these properties will be from the Planning and Building Codes Department budget – account #100.70.53295 (Planning & Building Codes). Discussion followed regarding the demolitions. It was moved by Commissioner Roach, seconded by Commissioner Haynes, that the bid 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 bid was thereupon approved.

At the request of Commissioner Roach, Bill Scalf, Sewer Department Director, discussed the non-pay billing issues for the Sewer Department. Mr. Scalf is working with Bobby Ripy of the IT Department to develop a database of customers to track the service.

At the request of Commissioner Sower, Tim Zisoff, City Manager, will look into options regarding use of The Frankfort Plant Board Building next to City Hall when FPB vacates the property. Also, check on an MOA with State Facility Management for use of parking lots downtown.

New Business

Item 10.1 is to authorize the advertisement for engineering services to design repairs to Schenkel Cave due to storm damage that occurred during the April 3 rain event. Funds are available in account 300.68.54390 but the expenses should be reimbursed by FEMA (Sewer Department). Discussion followed. It was moved by Commissioner Roach, seconded by Commissioner Haynes, that the advertisement 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 authorization to advertise was thereupon approved.

Item 10.2 is to authorize the purchase of a 2015 side entry Dodge Wheelchair Minivan from American Bus Sales & Associations via the State Pricing Contract for use in the Transit Division of Public Works and to authorize the Mayor to sign any related documents. The State Pricing Contract for the van is \$34,913. This equipment purchase was not approved in the 2014-2015 Budget. However, there is money left in the Public Works Department's overall budget. This item will be paid for out of Account No. 100-67-54370 (Public Works). Discussion followed. It was moved by Commissioner Bowers, seconded by Commissioner Sower, that the purchase 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 authorization to purchase was thereupon approved.

It was moved by Commissioner Bowers, seconded by Commissioner Haynes to adjourn to closed session regarding Property KRS 61.810 (1)(b), Personnel KRS 61.810(1)(f) and Litigation KRS 61.810(1)(c) at 6:37 p.m. The question was put upon the motion and thereupon adopted by voice vote.

It was moved by Commissioner Roach, seconded by Commissioner Bowers, that the meeting return to open session at 7:52 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, that the meeting adjourn. The question was put upon the motion and thereupon adopted by voice vote. The meeting adjourned at 7:52 p.m.

Mayor

Attest:

City Clerk