



CAPITAL OF KENTUCKY

Layne Wilkerson, Mayor

Kelly May, Commissioner

Leesa Unger, Commissioner

Katrisha Waldrige, Commissioner

Anna Marie Rosen, Commissioner

NOTICE

Per KRS 61.826 the Board of Commissioners Regular Meeting being held on November 21, 2022, is a video teleconference meeting. One Commissioner will participate via GoToMeeting or a similar video teleconferencing system. The primary location will be in the City Hall Council Chamber, 315 West Second Street.

AGENDA

REGULAR MEETING
BOARD OF COMMISSIONERS
315 WEST SECOND STREET
FRANKFORT, KY 40601
502/875-8500

November 21, 2022
5:00 PM

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INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL & RECOGNITION

CITIZEN COMMENTS – PLEASE USE THE SIGN IN SHEET- INDIVIDUAL REMARKS ARE LIMITED TO FIVE MINUTES.

CONSENT CALENDAR

Items on the Consent Calendar are considered by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.

1. Minutes – Work Session, October 10, 2022; Regular Meeting, October 24, 2022

2. Wilkinson & Olive Final Balancing Change Order – Sewer

The purpose of this memorandum is to request approval from the Board of Commissioners for the Final Balancing Change Order for Wilkinson & Olive Sanitary Sewer Replacement project and to authorize the Mayor to sign all related documents. The Frankfort Sewer Department has completed the Wilkinson & Olive Sanitary Sewer Replacement project. The project was awarded at \$107,800.00 and the project finished with a total construction cost of \$ 123,277.00. The main cause of the extra work was due to remediation of a sinkhole, replacement of existing frames and covers on existing manholes, and balancing of final quantities.

Original Bid Amount	\$ 107,800.00
<u>Change Order No. 1</u>	<u>\$ 15,477.00</u>
Total	\$ 123,277.00

The cost of the Balancing Change Order is **\$15,477.00**. This item is in the FY 21-22 budget for completion. Staff recommends approval.

Attachments: Memo, 2021 Contract Approval, Final Balancing Change Order
Suggested Disposition: Receive and File; Approve

3. 2023 Parks Department Fees for Programs and Facilities – Parks

The purpose of this agenda item is to provide and seek approval from the Board of Commissioners of the proposed rates for 2023 Parks Department. These are rates for youth athletics, picnic shelters, athletic field rental, the aquatic center and Juniper Hill Golf Course rates. Each year Parks staff and the Parks Advisory Board reviews rates for the aquatic center, golf course, athletic programs, field rentals and picnic shelters and pavilions. Each year prior to the end of the year, the proposed annual rates are brought to the Board of Commissioners for review, feedback and approval. For 2023, the Parks Advisory Board reviewed and discussed the rates and voted unanimously to keep the rates the same from 2022 to 2023, with the exception of water aerobics and lap swimming at the aquatic center. They wish to raise them a dollar, from the current \$1.00 fee to \$2.00 fee. In late 2021, an extensive review of our rates compared to similar neighboring Parks Departments was completed. The Parks Advisory Board feels we are well with in line with our neighbors and does not wish to change fees at this time, with the exception of water aerobics and lap swimming. Staff recommends approval.

Attachments: Memo, Proposed Rates
Suggested Disposition: Receive and File; Approve

4. Juniper Hill Tennis Court Rehab Project, Phase 1 – Parks

The purpose of this agenda item is to seek Board of Commissioners approval to move forward with the bid to renovate the Juniper Hill Tennis Courts and for the Mayor to sign any related documents. The tennis courts at Juniper Hill Park have fallen into disrepair and need complete renovation. The tennis courts are over 25 years old and freezing and thawing over time have created large cracks and damage to the courts. A temporary “heavy duty mat type surface” was placed several years ago as a temporary fix. This surface has degraded beyond usefulness and has been damaged heavily by recent windstorms. A more long-term fix is fresh asphalt with a new color coated sports master surface, very similar to the basketball court renovation at Dolly Graham Park. After the funding was approved and appropriated by the City Commission in Sept 2022, city staff released an Invitation for Bid (IFB) to hire a company to perform the renovation project. After advertising the bid, we received one response from Tennis Technology, Inc. The submitted base bid cost is *\$189,500.00*. A contingency amount of *\$100,000.00* was included for any unforeseen issues that arise during construction for soft soils. This contingency includes *\$100.00 per cubic yard* to dig out soft soils and replace with 3” of #3 stone over 1,000 square yards. However, instead of digging out and installing new #3 stone, this expense could be remedied by milling the asphalt and letting the soil dry out over a period of time in which case the only increase in cost would be time delays. A *\$5,000.00 contingency* is also included for asphalt cost increase due to potential oil prices. Tennis Technology is a highly qualified and reputable company based out of Louisville, KY and has performed several renovations projects in Frankfort, including the basketball courts at Dolly Graham Park, Pickleball courts at East Frankfort, and work at the Frankfort Country Club. Staff recommends approval of the bid from Tennis Technology, Inc.

Attachments: Memo, Bid Response

Suggested Disposition: Receive and File; Approve

5. Historic Preservation Economic Impact Study Contract with PlaceEconomics

Staff requests authorization from the Board of Commissioners to award a contract to PlaceEconomics of Washington, DC as a consultant to complete an economic impact study to quantify the benefits of historic preservation to the City of Frankfort and to authorize the Mayor to sign all related documents. In February 2022, the Board of Commissioners authorized the application of a Certified Local Government subgrant from the Kentucky Heritage Council in the amount of \$24,999, with a cash match of \$20,001, to complete a study of the economic impacts that historic preservation planning and policy have had in our community. The results of such a study may help to change the ongoing negative perceptions of the costs and benefits of historic preservation, which has been part of our public policy for over 35 years. It will also help to determine whether expanding planning efforts into historic but not yet designated communities (such as Bellepoint, Montrose Park, Holmes Street, or newly identified significant resources/neighborhoods associated with our African American heritage) are worthwhile to provide financial incentives (in the form of eligibility for federal and state historic rehabilitation tax credits) for property maintenance, rehabilitation, and to further economic development and other goals. An RFP was released in late September and resulted in 1 proposal within the \$45,000.00 budget. The \$20,001.00 cash match was approved by the Board of Commissioners at the February 28, 2022 Regular Meeting. The selection committee, which included Planning Staff and the Grants Manager, met with Donovan Rypkema of PlaceEconomics on November 2, 2022, to discuss the proposal. PlaceEconomics has extensive experience across the country completing this type of analysis. The committee recommends authorization to award the project to PlaceEconomics.

Attachments: Memo, Contract, RFP Response

Suggested Disposition: Receive and File; Approve

6. Officer Development Training Instructor Contract – Fire

The purpose of this memo is to request that the Board of Commissioners approve an agreement with Fire Training Associates for the purposes of teaching a Strategy and Tactics for Initial Company Operations (STICO) course and authorize the Mayor to sign all related documents. Each year, funding is budgeted for training and education for the department. Included in these funds are dollars earmarked for attending outside specialty courses and travel costs. The National Fire Academy offers various courses designed to pair qualified instructors from around the US to share their various perspectives and experience levels with smaller departments as they enhance fireground operations. Typically, we would send personnel to these courses sporadically while paying travel costs for a limited number of personnel. This year, we are hosting the course to allow more personnel the opportunity to attend while controlling costs. STICO is a 2-day course that is designed to meet the needs of Company Officers (COs) responsible for managing the operations of 1 or more companies during structural firefighting operations. This course is designed to develop the management skills needed by COs to accomplish assigned tactics at structure fires. This course prepares our members with the management skills for incident operations within your community. To enhance the learning experience, we are seeking to have Chief Leonard Carmichael (Ret.) Trenton Fire Department, NFA Leadership Instructor, come share his knowledge, experience, and perspective(s) on this specific topic. Therefore, the local preference ordinances do not apply to this specific agreement. Budget impact for this course is \$4,695.00 with available funds in our FY23 training budget account 42-55460. We will open any available course slots to surrounding communities to offset the course cost; however, that figure will not be readily known till the course is a bit closer. Staff recommends approval of the contract.

Attachments: Memo, Contract
 Suggested Disposition: Receive and File; Approve

7.

Personnel Action	Employee	Department	Date	Position
Retirement	Eddie Wiley	Public Works/Floodwall	11/30/2022	Heavy Equipment Operator Authorize payout of accrued leave
Promotion	Brandon McClain	Public Works/Floodwall	11/15/2022	Sr Tech to Heavy Equipment Operator
Resignation	Josh Skaggs	Public Works	11/3/2022	Sr Tech Authorize payout of accrued leave
Resignation	Ivan Robinson	Police	11/10/22	Patrol Officer Authorize payout of accrued leave
Resignation	William Yancey	Sewer	11/8/22	Plant Operator I
Resignation	Jared Rhodus	Fire & EMS	11/23/22	Firefighter II Authorize payout of accrued leave

Attachments: Josh Skaggs letter of resignation, Ivan Robinson letter of resignation, William Yancey letter of resignation
 Suggested Disposition: Receive and File; Approve

BOARDS

1. Architectural Review Board -- Appointment of Rebecca Horn Turner (replacing Tom Midkiff), expiring 9-12-25 (representing Preservation).

Attachments: Letter from the Mayor, Appointee information
 Suggested Disposition: Receive and File; Approve

ACTION ITEMS

These are items where discussion is held by the City Commission. Items such as Ordinances, Orders and Resolutions are discussed under this section of the agenda. Public comments are not allowed except as authorized by the Mayor.

1. Second Reading

“AN ORDINANCE REZONING A PORTION OF THE PROPERTY located on Versailles Road with the address of 260 Versailles Road, more specifically described as PVA map number 085-00-00-021.00, from Planned Commercial District (PC) to Highway Commercial District (CH)”. This ordinance had its First Reading on October 24, 2022. Summary: This ordinance approves a zone map amendment for the property with the address of 260 Versailles Road more specifically described as PVA map Number 085-00-00-021.00, from Planned Commercial District (PC) to Highway Commercial District (CH).

Attachments: Memo, Ordinance, Legal Description & Survey of Property, Staff Report reviewed by the Frankfort/Franklin County Planning Commission, Minutes from September 8, 2022, Planning Commission Meeting
Suggested Disposition: Receive and File; Adopt Ordinance

2. Second Reading

“AN ORDINANCE ESTABLISHING PROCEDURES FOR ACQUIRING VACANT AND ABANDONED PROPERTY WITHIN THE CITY OF FRANKFORT AND TRANSFERRING IT TO USEFUL OWNERSHIP THROUGH THE CREATION OF THE FRANKFORT NEGLECTED PROPERTY DEVELOPMENT PROGRAM”. This ordinance had its First Reading on October 24, 2022. Summary: This ordinance establishes procedures for purchasing vacant and abandoned property within the City of Frankfort and transferring it to useful ownership through the creation of the Frankfort Neglected Property Development Initiative.

Attachments: Ordinance
Suggested Disposition: Receive and File; Adopt Ordinance

3. First Reading

“AN ORDINANCE AMENDING CITY OF FRANKFORT CODE OF ORDINANCES SECTION 36.133 REGARDING THE TRANSIENT ROOM TAX”. Summary: This ordinance amends City of Frankfort Code of Ordinances Section 36.133 governing the transient room tax to a) provide a definition of “rent” that includes amounts charged by those that facilitate the rental of accommodations; b) include RV parks and campsites in the list of accommodations to which the tax applies; and c) provide that the tax does not apply to accommodations supplied for a continuous period of thirty days or more.

Attachments: Memo, Ordinance
Suggested Disposition: Receive and File; Approve for Second Reading

4. First Reading

“AN ORDINANCE AMENDING THE CITY OF FRANKFORT CODE OF ORDINANCES, SECTION 52.02(C) RELATING TO CONNECTION CHARGES”. Summary: This ordinance amends Section 52.02(C) of the City of Frankfort Code of Ordinances regarding sewer connection charges to 1) delete subsection (1) regarding single family residential tap fees; and 2) update the capacity fee schedule to include a \$1000 five-eighths inch residential meter capacity fee and to include various other meter sizes and accompanying capacity fees currently being charged.

Attachments: Ordinance
Suggested Disposition: Receive and File; Approve for Second Reading

5. Discussion & First Reading

OPTION "A"

"AN ORDINANCE AMENDING THE CITY OF FRANKFORT INSURANCE PREMIUM TAX RATE AND REQUIREMENTS". Summary: This ordinance amends Section 111.37 of the City of Frankfort Code of Ordinances related to Premium Taxes on Insurance Companies to 1) Change the amount of the license fee from 6% to 9%; 2) Require that 7% of the fee be designated as general government revenue and 1% be designated and restricted to costs associated with a new fire station and 1% be designated and restricted to costs associated with current and future capital projects outlined on the Downtown and Parks Master Plans; 3) Require that each 1% designated be removed and the total fee be reduced, as applicable after all financial obligations have been met; and 4) Update throughout to clarify and comply with the governing statutory language, including exemptions and deadlines.

Attachments: Ordinance

Suggested Disposition: Receive and File; Approve for Second Reading

OPTION "B"

"AN ORDINANCE AMENDING THE CITY OF FRANKFORT INSURANCE PREMIUM TAX RATE AND REQUIREMENTS". Summary: This ordinance amends Section 111.37 of the City of Frankfort Code of Ordinances related to Premium Taxes on Insurance Companies to 1) Change the amount of the license fee from 6% to 10%; 2) Require that 8% of the fee be designated as general government revenue and 1% be designated and restricted to costs associated with a new fire station and 1% be designated and restricted to costs associated with current and future capital projects outlined on the Downtown and Parks Master Plans; 3) Require that each 1% designated be removed and the total fee be reduced, as applicable after all financial obligations have been met; and 4) Update throughout to clarify and comply with the governing statutory language, including exemptions and deadlines.

Attachments: Ordinance

Suggested Disposition: Receive and File; Approve for Second Reading

6. Parks Surplus Order for Cove Spring House

The purpose of this agenda item is to seek approval from the Board of Commissioners for the Parks Department to surplus an employee house and approval for the Mayor to sign any related documents. Many park areas include modular homes for staff to reside for afterhours issues. The department is using more security guard staffing for safety and as staff move from employee housing the department would like to surplus the structures. One modular home is located at Cove Spring Park. The home is very dated and in need of major repair, at this point it is unlivable. Financially the best option is to surplus the structure for beautification and space in our parks. Staff recommends approval of the surplus of the modular home and the Mayor to sign any related documents.

Attachments: Memo, Order, Photos

Suggested Disposition: Receive and File; Adopt Order

7. Exum Center Memorandum of Understanding (MOU) Establishing the Exum Center Local Collaborative and "A RESOLUTION PLEDGING A COMMITMENT TO THE RENOVATION OF THE KENTUCKY STATE UNIVERSITY EXUM CENTER".

Attachments: MOU & Resolution

Suggested Disposition: Receive and File; Approve MOU & Adopt Resolution

OTHER BUSINESS

EXECUTIVE SESSION

EXECUTIVE SESSION PER KRS 61.810 (1)(F), PERSONNEL, TO DISCUSS CANDIDATES WHICH MIGHT LEAD TO AN APPOINTMENT TO THE FIRE CHIEF POSITION. ACTION MAY BE TAKEN IN OPEN SESSION.

ADJOURNMENT