

**NOTICE
SPECIAL 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, and in accordance with recommended and mandated precautions related thereto and Kentucky Opinion of the Attorney General 20-05, the following Meeting Notice is issued:

I, William I. May, Jr. hereby call a Special Meeting of the Frankfort Board of Commissioners for Monday, June 29, 2020, at 5:00 p.m., in the Frankfort/Franklin County Emergency Operations Center, 300 West Second Street. This meeting will be in lieu of the Regular Meeting scheduled for Monday, June 22, 2020. All items on the agenda will be considered and action will be taken.

Per KRS 61.826, this meeting is a video teleconference meeting. One or more members of the Board of Commissioners will participate via Skype or a similar video teleconferencing system. The primary location will be in the Frankfort/Franklin County Emergency Operations Center, 300 West Second Street.

Per KY Attorney General Opinion 20-05, public attendance will not be permitted at this meeting because, due to the highly contagious nature of COVID-19, it is not feasible for the City to provide a central physical location for public viewing. Public comments on agenda items only will still be accepted for the meeting, by emailing comments to bhecker@frankfort.ky.gov by Monday, June 29 at 4:00 PM.

The 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/William I. May, Jr.
T/Mayor

SPECIAL REGULAR MEETING
FRANKFORT BOARD OF COMMISSIONERS

June 29, 2020
5:00 P.M. (EDT)

PRESENT: Commissioner Katrisha Waldrige
Commissioner Scott Tippet
Commissioner Eric E. Whisman
Commissioner John R. Sower
Mayor William I. May, Jr. (5)

ABSENT: None (0)

Mayor May called the meeting to order.

Commissioner Sower requested that Consent Agenda Item No. 8 be moved to action items for further discussion.

Jim Parsons with KMK Law gave a presentation regarding TIF on parcels B/C development. A handout regarding the draft development plan and proposed TIF approval schedule has been provided to the Board of Commissioners. Presentation was on hold due to lost video reception.

Consent Calendar

The following miscellaneous and personnel items were presented:

1. Minutes – May 18, 2020 Special Regular Meeting

2. 2020-2021 Roadway Restoration Unit Price Contract Bid Award – Public Works

Authorized the award of the 2020-2021 Unit Price Contract for Roadway Restoration, Bid No. 2020211-535 and authorized the Mayor to sign all related documents. This contract will cover the final asphalt repairs of utility cuts performed in the City streets as detailed in the City of Frankfort Right-of-Way Standard. Utility companies shall reimburse the City 115% of all expenses associated with this contract for work related to excavations they perform in the City streets and roads. Payments will be made from account 535-00-51100. Once reimbursement is received from the Utility Companies account 535-00-51100 will be reimbursed 100%, the remaining 15% (administration fees) will be deposited into account 100-00-44345 for future resurfacing repairs. Based upon estimated yearly quantities, the low bidder for the Unit Price Contract for Roadway Restoration is Randle-Davies Construction Company LLC. with a bid of \$530,850.00. A large contingency amount is needed to cover unexpected work and it is recommended to authorize the contract for \$600,000.00.

3. 2020-2021 Street Resurfacing Program Contract Award – Public Works

Authorized the award of the 2020-2021 Street Resurfacing Program Contract, Bid No. 2020212-535 and authorized the Mayor to sign all related documents. Public Works received three unit price bids from Flynn Brothers Contracting Inc, H.G. Mays Corporation, and Randle-Davies Construction Company LLC:

Contractor	Milling & Texturing (per ton)	Asphalt Surface (per ton)	Asphalt Base (per ton)	Tack Coat (per gal)	10" Base Course (per sq yard)
Flynn Brothers	\$12.00	\$63.00	\$135.00	\$2.50	\$30.00
H.G. Mays	\$40.00	\$75.50	\$72.50	\$2.75	\$43.00
Randle-Davies	\$38.00	\$98.60	\$95.00	\$2.50	\$75.00

Public Works has estimated that the combined total of the street segments paved under this contract will not exceed \$650,000. Money for this item is available in the Municipal Aid account 535.00.51100. Award the unit price contract for the 2020-2021 Street Resurfacing Program UPC to Flynn Brothers Contracting Inc. and approve the Mayor to sign all related documents.

4. Professional Service Contract with Hazen & Sawyer for the East Frankfort Interceptor Phase III – Sewer

Authorized a Professional Services Agreement with Hazen & Sawyer P.S.C for engineering design services in the amount of \$2,078,925.00 for the East Frankfort Interceptor and Storage Facility, and for the Mayor to sign all related documents. The cost of this agreement is \$2,078,925.00. Funds are budgeted for FY19-20 and FY 20-21 for this project. The construction cost of this project will be funded in part with a KIA loan and with public funds.

5. Professional Service Contract with GRW Engineers, Inc. for the Design of the Prevention Park Pump Station – Sewer

Authorized a Professional Services Agreement with GRW Engineers, Inc. for engineering design services in the amount of \$609,096.00 for the Prevention Park Pump Station, and for the Mayor to sign all related documents. The Frankfort Sewer Department interviewed several engineering firms to provide a Preliminary Engineering Report and GRW was the selected engineer. Earlier this year GRW provided FSD with this report to provide guidance to the construction cost, site selection, routes of construction and best solutions for the entire project. Also they are working with KIA to provide funding in next year's budget to help offset the construction costs. This contract is for GRW to provide the full design engineering for the project and to provide construction bidding services once the design is completed. The cost of this agreement is \$609,096.00. Funds are budgeted for FY19-20 and FY 20-21 for this project.

6. Miami Trail Pump Station – Hazen & Sawyer P.S.C. – Sewer

Authorized a Professional Services Agreement with Hazen & Sawyer P.S.C for engineering design services in the amount of **\$148,632.00** for the Miami Trail Sanitary Sewer Project, and for the Mayor to sign all related documents. Hazen was contracted to develop a Preliminary Engineering Report (PER) to provide recommendations for the replacement or elimination of the Miami Trail Pump Station (MTPS). The MTPS is an over 40-year old prefabricated can pump station (PS) located in Frankfort's Indian Hills Neighborhood. The existing PS is reaching the end of its useful life, and in order to avoid failure or expensive emergency maintenance Frankfort Sewer Department (FSD) has initiated the MTPS Replacement Project. Although there is not a Sanitary Sewer Overflow (SSO) related to the MTPS, the age of the MTPS could cause the PS to fail, causing SSOs in the area. The conclusion of the PER was a recommendation to eliminate the MTPS by use of a new gravity sewer to take the MTPS flow directly to the Chinook PS. This project will eliminate one pump station and provide better service in that area. The cost of this agreement is **\$148,632.00**. Funds are budgeted for FY 20-21 for this project.

7. Odor Control Contract – Source Technologies – Sewer

Authorized an Odor Control contract with Source Technologies. On June 30, 2017 the City of Frankfort entered in to a contract with Source Technologies for odor control. This odor control service was publically advertised in the State Journal and on the city website. The contract was approved by the City Commission in June, 2017. The contract was for one year of odor control with the option of four (4) one year renewals. The contract includes the leasing of odor control equipment, chemicals to control the odors, and also requires Source to perform monthly tests to verify the dosages are correct. These units are installed at ten (10) pump stations in Frankfort and were specifically positioned to provide odor control for the majority of the system. As part of this contract Source Technologies, LLC. will directly respond to customer complaints. This contract is set up the same as the current odor control contracts for the east and west side of town that has led to a reduction in overtime for responding to odor complaints and also allowed more time during normal working hours to work on system maintenance and repair. Contract was advertised on May 28th and bids were opened on June 7th. Source Technologies, LLC. was the sole bidder. Evoqua Water Technologies and USP Technologies requested bid packages but did not bid. The bid is for \$268,010.00 which is a decrease from the \$333,623.00 expended on the split contracts last year. Since this amount is based on flow we request a purchase order not to exceed \$280,000.00

The other option would be to attempt to do the odor control in house. To achieve the level of service we would have to hire an additional employee to do odor testing and analysis that is included as part of this contract. With the additional personnel the cost would increase. This contract extension is only for six months to allow the Sewer Department to evaluate all of the options available to control odors in the collection system. Funding for this project is budgeted at \$350,000.00 annually.

8. MOVED TO ACTION ITEMS - Amendment 5 to Professional Services Agreement with Palmer Engineering Company, Inc. for Fort Boone Pump Station Project – Sewer

9. Professional Services – HMB Engineers – Sewer

Authorized a Professional Services Agreement with HMB to provide Engineering Services related to various projects and authorized the Mayor to sign all related documents. The Frankfort Sewer Department has been working with HMB Engineers for many years and has developed a great working relationship. This PSA allows the Sewer Department to use HMB on small projects for the collection system and with the WWTP to speed up the process to complete small projects. Approve Professional Services Agreement with HMB in the amount of \$ 20,000.00 to HMB.

10. Professional Services - HMB Engineers - Sewer

Authorized a Professional Services Agreement with HMB to provide Engineering Services related to obtaining easements on various projects and authorized the Mayor to sign all related documents. The Frankfort Sewer Department has been working with HMB Engineers for many years and has developed a great working relationship. The Sewer Department used another local firm to perform this work and HMB has acquired that firm. Since FSD & HMB communicate very well together this agreement will streamline the process for obtaining easements for our projects. Approve Professional Services Agreement with HMB in the amount of \$ 20,000.00 to HMB.

11. Professional Service Contract with Bell Engineering for Design of Biosolids Processing to Class A - Sewer

Authorized a Professional Services Agreement with Bell Engineering for engineering design services in the amount of \$317,000.00 for the Class A Biosolids Process Facility, and for the Mayor to sign all related documents. The WWTP produces biosolids that must be disposed of according to state guidelines. Currently the plant disposes of biosolids through land application and through the landfill. The cost of landfilling the biosolids has been increasingly difficult over the past few years as fewer landfills are accepting biosolids. This year FSD had to renegotiate the contract to dispose of biosolids due to the rate increases that were put in place by many of the landfills. The plant historically budgets \$230,000.00 to dispose of biosolids but this year that cost is expected to be closed to \$500,000.00.

Due to the rising cost of biosolids disposal, Sewer staff has been investigating many alternatives to bring this cost down or move to an alternative method. After evaluating many options and considering the long term value staff has recommended to switch from a Class B biosolid to a Class A biosolid. Class A biosolids have much less regulation to dispose and the City could work with local farmers to sell or give away the biosolids as fertilizer. This would take a large public campaign to educate the public to the benefits that this has for the farmers. The cost of this agreement is \$2,078,925.00. Funds are budgeted for FY19-20 and FY 20-21 for this project. The construction cost of this project will be funded in part with a KIA loan and with public funds.

12. Medical Director Contract with Dr. Walter Lubbers – Fire

Authorized a monthly contract extension with Dr. Walter Lubbers to serve as the Medical Director of the Frankfort Fire and Emergency Medical Services, E-911 Dispatch Center, and the Franklin County Fire Department as required in the inter-local agreement between the City of Frankfort and Franklin County in the amount of \$500.00 monthly and authorized the Mayor to sign all related documents. Dr. Lubbers has provided excellent service as the Medical Director for the City of Frankfort and has made monumental changes in our service delivery that have benefited our community. Dr. Lubbers remains instrumental in our success in our TEI offerings, including our Paramedic Program. Dr. Lubbers has transitioned to his new position at the University of Cincinnati (U.C.) and is awaiting a future appointment to a new role within KBEMS. Despite his plans to accept a new state-level role in EMS, Dr. Lubbers has agreed to remain our Medical Director for all programs currently covered by renewing his current monthly, automatically renewing the contract for a period of up to one year – August 2021 – for a monthly fee of \$500.00. This contract has a budget impact of \$500.00 per month, which is budgeted annually in account 41-53265, Professional Fees.

13. Associate Medical Director Contract with Dr. Tyler Corey – Fire

Authorized a contract with Dr. Tyler Corey to serve as the Associate Medical Director of the Frankfort Fire and Emergency Medical Services Teaching Education Institute (TEI) in the amount of \$75.00 per hour and authorized the Mayor to sign all related documents. As we, the Frankfort Fire Department, wish to continue to seek Accreditation of our Paramedic Program we feel it in our best option to continue to have an Associate Medical Director to assist in the medical oversight to Frankfort Fire and EMS Teaching Education Institute (TEI). The continuation of an Associate Medical Director will allow for a continued increased presence of a licensed Emergency Room Physician in our education programs to enhance student learning. Unlike the Medical Director, the Associate Medical Director's contract is for their services in training and education only. This contract will become effective on July 1, 2020 and remain in effect through June 30, 2021. This agreement has an automatic renewal for one year each year after that unless modified or a new contract is executed before each automatic renewal, but in no event shall it be renewed for more than two (2) additional one-year terms. This contract has a budget impact of \$75.00 per hour of instruction. Funds for this contract will be taken from account 100.41.5365, Professional Services.

14. New Vista of the Bluegrass, Inc. Memorandum of Understanding (MOU) – Police

Authorized the Mayor to execute a Memorandum of Understanding between New Vista of the Bluegrass, Inc. (New Vista) and the Frankfort Police Department (FPD) for the assessment of persons needing mental health evaluations under KRS Chapter 202A through a telehealth process and for the Mayor to sign any related documents. New Vista is contracted with the Commonwealth of Kentucky to provide emergency mental health evaluations under KRS Chapter 202A. In the past when FPD encountered someone meeting the criteria described in KRS 202A, officers would take that person into custody and transport them to Eastern State Hospital for emergency evaluation by New Vista. This MOU allows the agencies to work together through a telehealth system. Currently, FPD will transport a person to Eastern State Hospital in Lexington KY for evaluation. If they were determined to not need emergency intervention, FPD would have to return and transport them back to Frankfort. With this MOU, FPD will establish a location at the Public Safety Building and coordinate a telehealth process for evaluation. If technology allows, the evaluation may actually occur in the field through mobile data terminals closer to the person's residence. The financial impact associated with this MOU should be minimal, and may save in labor cost, vehicle fuel, and maintenance.

15. The following personnel items were presented:

- Appointment of Kelly Wilson in the PW/Solid Waste Department as PW Tech I, effective 6/23/20 (PW/Solid Waste).
- Appointment of Jerry Wise in the Police Department as Patrol Officer III, effective 6/30/20 (Police).
- Appointment of Kendrick Harvey in the Sewer Department as Plant Operator I, effective 6/23/20 (Sewer).
- Promotion of Judd Ellis in the IT Department from Computer Tech II to IT Deputy Director, effective 6/23/20 (IT).
- Resignation of Andrew Durrenberg in the Fire Department as Firefighter II, effective 6/11/20 (Fire).
- Resignation of John Downs in the Parks and Rec. Department as Museum Curator and authorize payout of accrued leave, effective 7/6/20 (Parks and Rec).
- Retirement of Lewis Adams in the PW/Transit Department as Transit Driver and authorize payout of accrued leave, effective 6/19/20 (PW/Transit).

Permission to make up to six (6) conditional offers of employment and two (2) alternate 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.

It was moved by Commissioner Tippet, seconded by Commissioner Waldrige, 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.

ACTION ITEMS

1. Second Reading

“AN ORDINANCE AMENDING THE CITY OF FRANKFORT CODE OF ORDINANCES, SECTION 130.02 RELATING TO PUBLIC PROPERTY”. This ordinance had its First Reading on May 18, 2020. Summary: This ordinance amends Section 130.02 of the City of Frankfort Code to allow for recovery of costs associated with repair or replacement of public roadways, features and appurtenances from a person who deliberately, wantonly or recklessly destroys such public property.

It was moved by Commissioner Whisman, 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, Tippet, Whisman, Sower and Mayor May (5). Those voting against the motion were none (0). The Ordinance was thereupon adopted (Ordinance No. 11, 2020 Series).

2. Second Reading

“AN ORDINANCE APPROPRIATING THE REVENUE TO BE RECEIVED BY THE CITY OF FRANKFORT FOR FISCAL YEAR 2020-2021”. This ordinance had its First Reading on June 26, 2020. Summary: This ordinance appropriates revenue to be received by the City of Frankfort for Fiscal Year 2020-2021 in accordance with the budget submitted and hereby approved.

It was moved by Commissioner Tippet, 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, Tippet, Sower and Mayor May (4). Voting against the motion was Commissioner Whisman (1). The Ordinance was thereupon adopted (Ordinance No. 12, 2020 Series).

Jim Parsons with KMK Law continued his presentation regarding TIF on parcels B/C development. Questions and concerns from the Board of Commissioners were answered by Mr. Parsons.

It was moved by Commissioner Tippet, seconded by Commissioner Whisman, that the board send comments and observations to staff within a week and have a development plan ready for approval 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 Waldrige, Tippet, Whisman, Sower and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

3. Second Street TIGER Project - KYTC/City MOA Amendment No. 2 & Resolution

Board of Commissioners approval for the Second Street TIGER Project Addendum No. 2, Agreement with KYTC & Resolution

It was moved by Commissioner Whisman, seconded by Commissioner Sower, to approve Addendum No. 2 and adopt the resolution. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Tippet, Whisman, Sower and Mayor May (5). Those voting against the motion were none (0). The Resolution was thereupon adopted (Resolution No. 9, 2020 Series).

4. Capitol View Park High School Soccer Fields Lighting Project, upgrades at Capitol View Park including but not limited to lighting, sewer upgrades, upgrades to fields, concession building(s) and restroom facilities

It was moved by Commissioner Tippet, seconded by Commissioner Sower to approve the lighting contract with Musco.

It was moved by Commissioner Waldrige, seconded by Commissioner Tippet, to amend the original motion to add the additional colored lights to the field. All members being present, the amended motion was adopted by voice vote without objection.

All members being present, the main motion to approve the lighting to include the additional colored lights was adopted by voice vote without objection. *Note: Commissioner Sower abstained.*

Shawn Pickens, Director of Parks and Recreation, stated that the cost for the lights at fields 1 & 2 are \$345,000.00 and the additional add on of colored lights will be \$10,000.00.

5. Frankfort Independent Schools (FIS) Amended Interlocal Agreement & Resolution

Board of Commissioners approval for the Frankfort Independent Schools (FIS) Amended Interlocal Agreement & Resolution

It was moved by Commissioner Tippett, seconded by Commissioner Sower, to approve amended agreement and adopt the resolution. All members being present, the motion was adopted by voice vote without objection (Resolution No. 10, 2020 Series).

6. Amendment 5 to Professional Services Agreement with Palmer Engineering Company, Inc. for Fort Boone Pump Station Project – Sewer

It was moved by Commissioner Sower, seconded by Commissioner Whisman to passover this agenda item until the July meeting. All members being present, the motion to passover this agenda item was adopted by voice vote without objection.

It was moved by Commissioner Whisman, seconded by Commissioner Waldrige to go into Executive Session per KRS 61.810(1)(b), deliberations on future acquisition of real property related to downtown development, road realignment and blight elimination, where publicity would likely affect the value of the property. The motion was adopted by voice vote. The meeting went into closed session at 6:35 p.m.

It was moved by Commissioner Tippett, seconded by Commissioner Waldrige, that the meeting return to open session. The motion was adopted by voice vote. The meeting returned to open session at 7:12 p.m.

It was moved by Commissioner Waldrige, seconded by Commissioner Whisman, that the meeting adjourn. The motion was adopted by voice vote. The meeting adjourned at 7:12 p.m.

Mayor

Attest:

City Clerk