

**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, July 27, 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, July 27, 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, July 27 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

July 27, 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.

Ceremonial Items

Mayor May and Police Chief Adams recognized and congratulated the following promotions in the Police Department:

- Promotion of Scott Morgan in the Police Department from Lieutenant to Captain
- Promotion of Tom Schmidt in the Police Department from Sergeant to Lieutenant
- Promotion of Shane Music in the Police Department from Patrol Officer III to Sergeant

Consent Calendar

The following miscellaneous and personnel items were presented:

- 1. Minutes – June 8, 2020 Special Work Session; June 19, 2020 Special Meeting; June 26, 2020 Special Meeting; June 29, 2020 Special Regular Meeting**
- 2. Transit Building Structural Inspection – Public Works**

Authorized a Professional Services Agreement (PSA) with Stantec in the amount of \$7,000.00 for structural inspections of the Transit building, and authorized the Mayor to sign all related documents. The Transit Division would like to bid out some renovations to their building. However, prior to getting state approval for this work, a structural analysis must be conducted to verify that the building is in acceptable condition to invest in. The Transit Division is required to conduct a structural analysis of their building in response to some items noticed on the walk through with the state. We drafted an agreement with Stantec for this work early in 2020. As a result of the pandemic, Stantec employees were not available to conduct the inspections until now. We are ready to proceed with the \$7,000.00 PSA. Funds are available in account 100-67-53295.

- 3. Final Balancing Change Order 1: Contract for ASL Excavating Inc. for Tierra Linda Storm Sewer Project – Public Works**

Authorized the Final Balancing Change Order for the construction contract to ASL Excavating Inc. for the Tierra Linda Storm Sewer Project and authorized the Mayor to sign all documents related to the project. This project was awarded to ASL Excavating Inc. in August, 2019. Once work began it was discovered that concrete for street cut repairs was not included in the original bid documents. Additionally, several feet of rock, which was not anticipated, was encountered along the entire stretch of trench on Entrada Drive. Due to these and other unforeseen field conditions, the contractor has requested a change order in the amount of \$54,322.11. Please note that because additional funds remain on the original Purchase Order, Public Works is only requesting the difference of **\$28,744.75** for the new Purchase Order.

Original PO Amount	\$118,943.21
Total ASL Invoices for Contract Work	- \$ 93,365.85
Remainder on PO	\$ 25,577.36

Requested Change Order/Overrun	\$ 54,322.11
Remainder on PO	- \$ 25,577.36
New PO Amount	\$ 28,744.75

Please note that with the change order, the total contract is still below the next lowest bid price of \$137,881.47. Funding is available in the Municipal Aid account 535.

- 4. AECOM- Amendment 5: Blanton Acres Stormwater Improvements Project – Public Works**

Authorized Amendment 5 to AECOM's Professional Services Agreement (PSA) for the Blanton Acres Stormwater Improvements project, and authorized the Mayor to sign all related documents. On December 22, 2014, the City of Frankfort entered a Professional Services Agreement with URS (now AECOM) for the Two Creeks Upper and Blanton Acres I&I Reduction Project, a Frankfort Sewer Department project. Amendment 1 & 2 followed in October, 2015 and May 2016 respectively, for additional sanitary sewer services. In July, 2017 Amendment 3 was approved which added services to the sanitary sewer project and also added Design and Bidding Services for the Stormwater Improvements portion of the project. Amendment 4 was approved in June, 2018 for bidding services for the sanitary sewer project. This project is funded by a State Revolving Fund (SRF) loan through the Kentucky Infrastructure Authority (KIA). The engineering fees can be covered by the loan. At this time, the Public Works Department would like to submit Amendment 5 for approval, to cover Construction and Inspection services for the Storm Sewer Project. The plans and specifications have been prepared and are under final staff review for bidding. The purpose of this project is to intercept the runoff from Fort Hill and discharge it downstream of the Blanton Acres neighborhood. Recommend approval of Amendment 5 for AECOM to provide Construction Administration and Inspection Services for a total not to exceed \$65,645, and for the Mayor to sign all related documents. Funds are available in the accepted KIA loan for the project and will be processed through the stormwater account 735.00.51100.

5. MKSK Professional Services Agreement- Blanton's Landing Feasibility Study – Public Works

Authorized a Professional Services Agreement (PSA) with MKSK, for the Blanton's Landing Feasibility study, and authorized the Mayor to sign all related documents. The "Blanton's Landing" property was identified in the Downtown Master Plan as a potential location for connecting downtown Frankfort to the riverfront. The construction of a floating community boardwalk/dock along the south riverfront would increase access, tourism and economic development. A previous RFP for Waterfront Revitalization Project resulted in ideas for expansion of the existing floating public dock, parking lot improvements and boardwalk which would energize the Blanton's landing Riverfront area. The feasibility study is the next step in the process. An RFQ went out in May and the City received 5 responses. After evaluation by a panel including the City Manager, DFI Director, Planning and Community Development Director, Parks Director and Public Works Director, three teams were chosen for interviews. After interviews, the panel evaluated the teams again and chose MKSK as the most qualified consultant. After negotiations for the scope and fee, a Professional Services Agreement has been drafted and is attached for review and approval. The recommendation is for approval of the PSA with MKSK in the amount of \$99,960.00 for the feasibility study, and for the Mayor to sign all related documents. Funding is available in the Capital Improvements account.

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

Authorized Amendment 5 to a Professional Agreement with Palmer Engineering Company, Inc. in the amount of \$74,827.50 for the completion of design and construction services for the Fort Boone pump station project and authorized the Mayor to sign all related documents. The project was initially designed to attach to the force main from Buffalo Trace Distillery. Buffalo Trace has increased their flow so much that it is no longer feasible to connect. This amendment is to design the new force main so that the project can be completed. The cost of this amendment is \$74,827.50. This item is in the FY 20-21 budget for completion.

7. Contract Extension with Coyle & Associates – Sewer

Authorized a contract extension of a Professional Services Agreement with Coyle & Associates for assistance with department projects in place of the Deputy Director of Engineering position and authorized the Mayor to sign any related documents. The plant has many projects that are either in construction, design or planning phase. FSD has hired a Design Engineer and I recommend that we continue with the services from Coyle & Associates in place of hiring another engineer at this time. Elizabeth Coyle has an extensive knowledge of the City and its policies and she will be able to help keep these projects to stay on schedule. She has worked with most of the engineering firms and contractors that are on these projects which will allow her to continue to work with everyone. Some of the projects were in the planning phase when she was still working for the City so her knowledge of these projects will help keep time at a minimum. We are requesting assistance in the form of 20 – 25 hours per week for a period of one year. This will also allow time for Elizabeth to assist with the transition of the Design Engineer. The budget impact will be minimal as the Department has not been paying the salary for a Deputy Director, this should result in a net zero cost to the City. Recommend that the Mayor and City Commission approve the Professional Services Agreement with Coyle & Associates. Once the Contract Extension is approved and signed, the Sewer Department will issue a Purchase Requisition in the amount of \$120,000 for a Professional Services Agreement with Coyle & Associates.

8. Professional Services Agreement with AECOM for the West Frankfort Interceptor – Sewer

Authorized a Professional Services Agreement with AECOM for the West Frankfort Interceptor in the amount of \$155,000.00 and authorized the Mayor to sign all related documents. The West Frankfort Interceptor is a 30" gravity line that is extremely close to the cliff that has already collapsed once at the old rock quarry site. This line is showing signs of deterioration and a couple of sections upstream have collapsed in the past. The biggest concern for this line is to move it away from the side of the cliff so that the hazard for employees and collapse is minimized. AECOM was selected for this project in 2016 and completed a Preliminary Engineering Report to determine the options for this project. This agreement will be to design the new interceptor line away from the cliff area and reroute homes from that area to the new line. This contract will take the project from design through the bidding phase of the project. Approve the Professional Services Agreement with AECOM in the amount of \$155,000.00.

9. Agreement between the City of Frankfort and Greenhill Cemetery – Legal

Authorized an agreement with the Greenhill Cemetery, LLC and authorized the Mayor to sign all related documents. The City of Frankfort previously entered into an Agreement with the Greenhill Cemetery on July 19, 1993 to provide financial assistance for the routine maintenance of the Greenhill Cemetery to allow paupers from the City of Frankfort to be buried in said Greenhill Cemetery. The contract has not been updated in many years, although under previous administrations the amount granted to the cemetery for maintenance has obviously increased. Adopting this Agreement will ensure a current contract reflecting the accurate costs of maintenance (currently \$10,000 annually) and allow for automatic renewal if funds are adequately appropriated.

10. Frankfort Fire Department RMS Portal Upgrade Contract – Fire/ IT

Authorized an I.T. Services Agreement with SITEK Inc. to rewrite the current FFD internal Records Management Portal for \$9,999.00 and authorized the Mayor to sign any related documents. Around 2012, the Fire Department made a switch from a commercialized Records Management System (RMS) to an internally hosted system that was developed by staff. This switch saved the City of Frankfort roughly 4-6K in annual payments. Over the last 7-8 years, this RMS system has been the backbone of success in managing the Fire Department's complex scheduling, daily rosters, certification documentation, etc. Over the last 2-3 years, the current application has become outdated. I.T. Director Bobby Ripy, Assistant Fire Chief Caldwell, and I have spent numerous hours researching and meeting with various professional programmers to identify cost-efficient alternatives to replace this RMS system. We met with several programmers as well as commercial options, and SITEK Inc. has provided the best, most cost-efficient option available. Original cost estimates ranged in 45 -50K. SITEK Inc. has agreed to complete the project to our expectations and standards while discounting the cost by 35K by applying a new and preferred client discount. Also, by changing to a Microsoft technology-based system, future changes, annual maintenance, and overall server stability are greatly enhanced and user friendly. This I.T. Services Agreement has a budget impact of \$9,999.00 which is budgeted in the FY21 budget.

11. Edward Byrne Memorial Justice Assistance Grant MOA – Grants

Authorized a Memorandum of Agreement with the Franklin County Fiscal Court regarding the filing of a 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$12,238.00 for Community Policing and authorized the Mayor to sign all grant documents including an MOA with the County. The City and County have received JAG allocations for the past several years. Both entities have alternated the utilization of the funds every other year. The 2020 allocation of \$12,238.00 is scheduled to be utilized by the Franklin County Sheriff's Department for Community Policing. The City must enter into a Memorandum of Agreement with the County in order for them to move forward with the grant application. There is no additional match required from the City.

12. The following personnel items were presented:

- Promotion of Scott Morgan in the Police Department from Lieutenant to Captain, effective 7/28/20 (Police).
- Promotion of Tom Schmidt in the Police Department from Sergeant to Lieutenant, effective 7/28/20 (Police).
- Promotion of Shane Music in the Police Department from Patrol Officer III to Sergeant, effective 7/28/20 (Police).
- Promotion of Johnny Carpenter in Fire/EMS from Sergeant to Captain, effective 8/4/20 (Fire/EMS).
- Promotion of Jonathan Mitchell in Fire/EMS from Sergeant to Captain, effective 8/4/20 (Fire/EMS).
- Promotion of Alan Jaques in Fire/EMS from Sergeant to Captain, effective 8/4/20 (Fire/EMS).
- Promotion of Gary Wilkerson in Fire/EMS from Firefighter II to Sergeant, effective 8/4/20 (Fire/EMS).
- Promotion of Dale Southworth in Fire/EMS from Firefighter III to Sergeant, effective 8/4/20 (Fire/EMS).
- Promotion of Thomas Rankin in Fire/EMS from Firefighter II to Sergeant, effective 8/4/20 (Fire/EMS).
- Promotion of Max Davis in Fire/EMS from Firefighter II to Sergeant, effective 8/4/20 (Fire/EMS).
- Retirement of David Schroerlucke in the Police Department as Police Captain and authorize payout of accrued leave, effective 7/31/20 (Police).
- Retirement of John Redfern in the Fire Department as Fire Captain and authorize payout of accrued leave, effective 7/31/20 (Fire).
- Retirement of Kehl Hilbert in the Fire Department as Fire Sergeant and authorize payout of accrued leave, effective 7/31/20 (Fire).
- Retirement of William True in the Fire Department as Fire Captain and authorize payout of accrued leave, effective 7/31/20 (Fire).
- Retirement of Ed Gilchrist in the Fire Department as Fire Captain and authorize payout of accrued leave, effective 7/31/20 (Fire).
- Termination of Josh Sutton in the PW/Garage as Mechanic II, effective 7/27/20 (PW/Garage).

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.

BOARDS

1. **Tourist and Convention Commission** - Appointment of Dan Liebman, expiring 6-30-23 (representing City/County Restaurant)
2. **Tourist and Convention Commission** - Appointment of Melissa Parker, expiring 6-30-23 (representing City/County Hotel/Motel)

It was moved by Commissioner Waldrige, seconded by Commissioner Whisman, to approve all of the Mayors board appointments. 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.

ACTION ITEMS

1. First Reading

“AN ORDINANCE AMENDING SECTION 40.21 OF THE CITY OF FRANKFORT CODE OF ORDINANCES RELATING TO POLICE DEPARTMENT ORIGINAL APPOINTMENTS” was presented and read. Summary: This ordinance amends section 40.21 of the City of Frankfort Code of Ordinances relating to Police Department original appointments to change the examination process to operate on a quarterly basis; require oral interviews when at least eight applicants are eligible; remove unnecessary procedures for when the interview list exceeds 27 applicants; establish a revolving Patrol Officer Recruit Eligibility List consisting of individuals approved by the Civil Service Board, whose names shall stay on the List for one calendar year; require applicants to wait one calendar year before applying for a police officer position again; and amends the Accelerated Candidate Process to accommodate applicants who may not be currently employed with a law enforcement agency.

2. Resolution for Coronavirus Relief Fund

“A RESOLUTION OF THE FRANKFORT CITY COMMISSION (CITY) AUTHORIZING THE FILING OF A CORONAVIRUS RELIEF FUND (“CRF”) APPLICATION FOR REIMBURSEMENT OF INCURRED EXPENSES IN CRF FUNDS WITH THE DEPARTMENT FOR LOCAL GOVERNMENT (“DLG”); AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ANY DOCUMENTS WHICH ARE DEEMED NECESSARY BY DLG TO REIMBURSE THE CITY; AND AUTHORIZING THE MAYOR TO ACT AS THE AUTHORIZED CORRESPONDENT FOR REIMBURSEMENT”.

It was moved by Commissioner Whisman, seconded by Commissioner Tippet, to 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. 11, 2020 Series).

3. Second Street TIGER Project - City/FEWPB Reimbursement Agreement Amendment No. 1 and Resolution

Board of Commissioners approval for the Second Street TIGER Project City/FEWPB Reimbursement Agreement Amendment No. 1 and Resolution

It was moved by Commissioner Whisman, seconded by Commissioner Tippet, to approve the agreement 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. 12, 2020 Series).

4. Bourbon on the Banks (BOB) Memorandum of Understanding (MOU) – Special Projects

The Bourbon on the Banks Festival Board of Directors seeks to enter into a Memorandum of Understanding with the City of Frankfort for the 2020 festival event and to authorize the Mayor to sign all related documents. This MOU outlines the duties and responsibilities of each party and seeks to ensure that all event aspects are coordinated between the festival and the City of Frankfort. The Bourbon on the Banks Festival is a significant event for Frankfort in terms of tourism and the local economy. The festival also provides monetary contributions to community organizations. Because of the nature and location of the event, the City of Frankfort’s assistance is key to ensuring a safe and efficient event. This year’s MOU request is for in-kind contributions only, through Community Engagement, Special Projects, and Emergency Management staff. This MOU serves as an agreement for the festival pending special event approval. At this time, community events are on hold due to COVID-19 and all community events will have to be approved with COVID-19 safety plans. It is staff’s goal to offer community events in the fall, pending any changes from the governor, health department, or other local guidance. This MOU is for staff time only, for Community Engagement, Special Projects, and Emergency Management staff.

It was moved by Commissioner Tippet, seconded by Commissioner Sower, to approve the MOU. 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.

5. Surplus Vehicles Order – Sewer

The purpose of this memo is to recommend the surplus of two vehicles, one (1) 2008 Ford F-150 and one (1) 2010 International Model 4300 SBA 4X2, and to authorize the Mayor to sign all related documents. The Sewer Department evaluates the use of City vehicles continuously and found two vehicles that need to go to surplus. One is the old plant truck which is in the process of being replaced. The other is a truck that is not used and has only been driven very minimal since it was purchased. The vehicles that have been identified are one pickup truck and one service truck. Recommend that the Commission declare the above listed equipment as surplus and allow the Finance Department to sell the items.

It was moved by Commissioner Tippet, seconded by Commissioner Sower, to adopt the order. 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 Order was thereupon adopted (Order No. 11, 2020 Series).

6. Upgrades at Capitol View Park including but not limited to lighting, sewer upgrades, upgrades to fields, concession building(s) and restroom facilities

Commissioner Sower requested an update on the lights of Sower Fields 1 and 2. Keith Parker, City Manager, stated that MUSCO and Arts Electric will be starting this week or the next on parts of the order. Upgrades will begin on Sower Field 1, then during the season switch and work on Sower Field 2.

Kenny Hogsten, Sewer Director, said he has the final quotes on the pump stations and the approval from Department of Water (DOW) and we are about 4 weeks out.

Commissioner Waldrige asked about the status of the State and Capitol View Park lease. Keith Parker, City Manager, stated that nothing has changed. The State previously said no to deeding the property over to the City, but will ask again.

7. US Conference of Mayors Social Justice update

The US Conference of Mayors annual meeting was cancelled for June. Virtual meetings took place and the Mayor stated there was a resolution of support of policing and racial justice issued where the goal was to establish police reform and racial justice. Mayor May is awaiting further guidance on the Justice and Policing Act of 2020. Commissioner Waldrige requested an overview from the Mayor at the next meeting.

8. Wan' Dale Robinson sign update

Katie Beard, Director of Public Works, stated that both signs are ready and she will coordinate with the family to plan an unveiling. Hopefully this can be hosted on the Old Capitol Lawn.

9. Discussion regarding Fort Hill including but not limited to filing a request from University of Kentucky's Office of State Archaeology for digital copies, request of appropriate fencing around all archaeological sites at Fort Hill (except Military Road), consult with Kentucky Heritage Council on developing a policy about the mowing and aesthetic maintenance of the archaeological sites and the removal of the discarded railing at the base of Military Road.

Commissioner Sower said thank you for the railing being removed and the City Manager took care of the Urban Woods signage.

The Kentucky Heritage Council Policy is in motion with Shawn Pickens, Director of Parks and Recreation. The fencing request is in progress; however, boundaries are needed for the 3 ft. fencing. There is an amount in a special account for Fort Hill, over \$77,000.00 that has come from the Crown Castle lease (cell tower) from 1991. The Open Records Requests have been filed with the UK Archaeological Office for digital copies.

It was moved by Commissioner Sower, seconded by Commissioner Tippet, to accept the actions deemed for Action Item No. 9 for Fort Hill. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Tippet, Whisman, Sower and Mayor May (4). Voting against the motion was Commissioner Waldrige (1). The motion was thereupon adopted.

Following the vote, Keith Parker, City Manager, requested that the Board of Commissioners allow Shawn Pickens, Director of Parks and Recreation, to work up a proposal for the account and allow him to bring back a plan. The Board of Commissioners agreed without objection.

Commissioner Waldrige stated she would like a breakdown of numbers regarding Fort Hill.

It was moved by Commissioner Whisman, seconded by Commissioner Tippet, that the meeting adjourn. The motion was adopted by voice vote. The meeting adjourned at 6:02 p.m.

Mayor

Attest:

City Clerk