

Revised 2-19-16

AGENDA

FEBRUARY 22, 2016  
5:00 P.M. (EST)

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

1. INVOCATION

Rev. John Opsata – First Christian Church

PLEDGE OF ALLEGIANCE

ROLL CALL

MINUTES

January 11, 2016 Special Meeting; January 11, 2016 Work Session; January 25, 2016 Regular Meeting

2. CEREMONIAL ITEMS

3. CITIZEN COMMENTS

4. ORDINANCES

4.1 **FIRST READING:** An Ordinance amending Sections 40.21.C.1, Police Department Original Appointments, and 40.22.C.1, Fire Department Original Appointments, of the City of Frankfort Code of Ordinances.

**Purpose:** To amend Sections 40.21.C.1 and 40.22.C.1, of the Code of Ordinances to be effective upon approval.

**Background:** The Police and Fire Departments have rigorous, time intensive application processes that result in the compilation of eligibility lists which rank prospective hires. Once the eligibility list is compiled, candidates must still successfully complete medical, psychological, polygraph, drug screen, and background checks in order to be selected. Therefore, it is not unusual for a candidate to be placed on the eligibility list and then be determined not to be suitable for appointment as additional examinations continue. The City's current process limits the Police Chief and Fire Chief to selecting recruits from those with the highest 5 scores on the eligibility list. This limitation causes eligibility lists to become defunct prematurely and necessitates starting another lengthy recruiting process to develop a new list when the existing eligibility list may contain qualified, appropriate hires. The proposed ordinance amendment would allow the Police and Fire Chief to use the eligibility list more fully by excluding any candidates who have been passed over 5 or more times from the group with the highest 5 scores.

**Financial Analysis:** N/A

**Recommendation:** Approval

**Attachment:**

- Ordinance

**Contact Person:**

**Name:** Kathy Fields  
**Title:** Human Resources  
**Department:** HR/City Manager  
**Phone:** 502/875-8500  
**Email:** [Kfields@frankfort.ky.gov](mailto:Kfields@frankfort.ky.gov)

5. **ORDERS**

6. **RESOLUTIONS**

7. **CONSENT CALENDAR**

*Items on the Consent Calendar are considered to be routine 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.*

7.1 Approval of an amendment to the construction contract to ADE Contracting, Inc. for construction of approximately 500-feet of 8-inch gravity line and related manholes located at the back of properties that are on Cline Street in the Bellepoint Subdivision and to authorize the Mayor to sign all documents related to the project (Sewer Department).

**Purpose:** To consider an amendment to the construction contract with ADE Contracting, Inc. for construction of approximately 500-feet of 8-inch gravity line and related manholes located at the back of properties that are on Cline Street in the Bellepoint Subdivision and to authorize the Mayor to sign all documents related to the project.

**Background:** The Sewer Department received bids on September 1, 2015 for construction of approximately 500-feet of 8-inch gravity line and related manholes located in the back of properties that are on Cline Street in the Bellepoint Subdivision. The current line is a clay line that is in disrepair and exposed on top of the ground in several places. This project will install a new line that is constructed to current standards and will lessen the maintenance required and lessen potential health issues in the area.

**Amendment 1:** This is the balancing change order to close out the project. The change order consists of \$3800 increase due to a larger manhole being necessary in Lily Street due to an angle change discovered when the pipe was exposed. There is also a \$2000 credit for CCTV work that was not necessary.

Original Contract	\$178,200.00
Change Order 1	<u>\$ 1,800.00</u>
Total Contract	<u>\$180,000.00</u>

**Financial Analysis:** Funding for this project is available in Account No. 300.68.54390. This account has \$14,797,500 budgeted and as of December 31, \$4,111,101 has been expensed and encumbered.

**Recommendation:** Approval

**Attachments:**

- Change Order 1

**Contact Person:**

**Name:** William R. Scalf, Jr., PE  
**Title:** Director  
**Department:** Sewer  
**Phone:** 502/875-2448  
**Email:** [wscalf@frankfort.ky.gov](mailto:wscalf@frankfort.ky.gov)

7.2 **REMOVED**

**7.3** To authorize purchase of 7 replacement gate valves, 4 replacement check valves and 4 spool pieces from Hayes Pipe Supply, Inc. for \$76,099.00 for the Return Activated Sludge (RAS) pumps at the Wastewater Treatment Plant (WWTP) and authorize the Mayor to sign all documents associated with the purchase (Sewer Department).

**Purpose:** Authorization to purchase 7 replacement gate valves, 4 replacement check valves and 4 spool pieces from Hayes Pipe Supply, Inc. for the Return Activated Sludge (RAS) pumps at the Wastewater Treatment Plant (WWTP) and authorize the Mayor to sign all documents associated with the purchase.

**Background:** There are 4 Return Activated Sludge (RAS) pumps and 8 associated gate valves with 4 check valves that have been in operation for over 35 years. Two of the pumps have been replaced and the other two pumps are not operational and are scheduled for replacement. The valves have been an area of concern and 1 of the 8 valves has already been replaced. These pumps run continuously and are vital to the plant operation and keeping within the limits of our permit. By replacing the valves at the same time as the pumps, it will reduce the installation costs by having to pay only one mobilization charge to the contractor replacing the pumps. The bid package includes 7 gate valves, 4 check valves and 4 spool pieces.

The bid package was advertised on Sunday February 7, 2016 and bids were received on Tuesday February 16, 2016. The low bidder was Hayes Pipe Supply with a bid of \$76,099.00.

**Financial Analysis:** This is a one-time purchase order in the amount of \$76,099.00. Funding is available in Account No. 300.68.54385. This account has \$300,000.00 budgeted and as of January 31 the account has \$37,881.00 expensed and encumbered.

**Recommendation:** Approval

**Attachments:**

- Bid Tab
- Engineers Recommendation Letter

**Contact Person:**

**Name:** William R. Scalf, Jr., PE  
**Title:** Director  
**Department:** Sewer  
**Phone:** 502/875-2448  
**Email:** [wscalf@frankfort.ky.gov](mailto:wscalf@frankfort.ky.gov)

**7.4** To obtain authorization for the Mayor to execute a contract with Oracle Development Group, and to sign all documents related to the contract (Sewer Department).

**Purpose:** Oracle Development Group is developing the former Bridgeport Elementary School building and is constructing a pump station and sanitary sewer line from the former school building to connect to the City of Frankfort's sanitary sewer line adjacent to U.S. 60. The sanitary sewer line to be constructed by Oracle is approximately 5000 feet long and will only provide sanitary sewer service to the former school building, and no other connections can be made to the line by Oracle. This contract provides that the sanitary sewer line is to be constructed in accordance with the specifications of the Kentucky Department of Transportation and the Frankfort Sewer Department, and that Oracle is responsible for the continued operation, maintenance, repair and/or replacement of its sanitary sewer line up to the connection with the City's sanitary sewer line.

**Financial Analysis:** Additional customers added by this sewer extension will increase revenue.

**Recommendation:** Approval

**Attachments:**

- Contract with Oracle

**Contact Person:**

**Name:** William R. Scalf, Jr., PE  
**Title:** Director  
**Department:** Sewer  
**Phone:** 502/875-2448  
**Email:** [wscalf@frankfort.ky.gov](mailto:wscalf@frankfort.ky.gov)

- 7.5 To authorize the Mayor to sign a renewal of a Mutual Aid agreement with Georgetown-Scott County EMS and all related documents (Fire Department).

**Purpose:** To authorize the Mayor to sign a renewal of a Mutual Aid agreement with Georgetown-Scott County EMS and all related documents.

**Background:** As a condition of ambulance license renewal, services must have Mutual Aid agreements in place. The agreements are utilized when a service is unable to keep up with the current call volume. A Mutual Aid agreement is not used to supplement daily staffing, but is meant to help a neighboring community when they are experiencing atypical run volumes. Mutual Aid can be requested for a single event for a mass causality. Neither agency is required to provide Mutual Aid to the other if it will unduly diminish the providing agencies ability to provide service to their respective jurisdiction. This agreement shall be effective to each of the participating EMS agencies as of the date of upon which this agreement is signed by a duly authorized official of each agency. The City of Frankfort and Georgetown-Scott County will benefit from this agreement.

**Financial Analysis:** No financial impact

**Recommendation:** Approval

**Attachments:**

- Mutual Aid Agreement

**Contact Person:**

**Name:** Eddie Slone  
**Title:** Fire Chief  
**Department:** Fire  
**Phone:** 502/875-8511  
**Email:** [eslone@frankfort.ky.gov](mailto:eslone@frankfort.ky.gov)

- 7.6 To authorize the Mayor to sign a renewal of a Mutual Aid agreement with Owen County EMS and all related documents (Fire Department).

**Purpose:** To authorize the Mayor to sign a renewal of a Mutual Aid agreement with Owen County EMS and all related documents.

**Background:** As a condition of ambulance license renewal, services must have Mutual Aid agreements in place. The agreements are utilized when a service is unable to keep up with the current call volume. A Mutual Aid agreement is not used to supplement daily staffing, but is meant to help a neighboring community when they are experiencing atypical run volumes. Mutual Aid can be request for a single event for a mass causality. Neither agency is required to provide mutual aid to the other if it will unduly diminish the providing agencies ability to provide service to their respective jurisdiction. This agreement shall be effective to each of the participating EMS agencies as of the date of upon which this agreement is signed by a duly authorized official of each agency. The City of Frankfort and Owen County will benefit from this agreement.

**Financial Analysis:** No financial impact

**Recommendation:** Approval

**Attachments:**

- Mutual Aid Agreement

**Contact Person:**

**Name:** Eddie Slone  
**Title:** Fire Chief  
**Department:** Fire  
**Phone:** 502-875-8511  
**Email:** [eslone@frankfort.ky.gov](mailto:eslone@frankfort.ky.gov)

- 7.7 To authorize the Fire Department to surplus or donate 4” fire hose supply line and to authorize the Mayor to sign any related documents (Fire Department).

**Purpose:** To authorize the Fire Department to surplus or donate 6,500 feet of 4” fire hose supply line and to authorize the Mayor to sign any related documents.

**Background:** Recently, the Fire Department upgraded to 5” fire hose supply lines. The previously used 4” hose is not compatible with the new hose. The older 4” hose ranges in age from a few years old to nearly twenty (20) years old. The hose will first be given to any City departments that have a use for it and then the hose will be donated to Fire Departments that show a financial hardship as well as a need for supply hose. Any hose that is not given away will be sold through the city surplus sale. Hose that failed pressure testing will have the couplings removed before being donated or sold.

**Financial Analysis:** None

**Recommendation:** Approval

**Attachments:** None

**Contact Person:**

**Name:** Eddie Slone  
**Title:** Fire Chief  
**Department:** Fire  
**Phone:** 502-875-8511  
**Email:** [eslone@frankfort.ky.gov](mailto:eslone@frankfort.ky.gov)

- 7.8 To approve Change Order #2 for the Payne Avenue Gabion Wall project and authorize the Mayor to sign all related documents (Public Works).

**Purpose:** To approve Change Order #2 for the Payne Avenue Gabion Wall project and authorize the Mayor to sign all related documents.

**Background:** This project was to reinforce the roadbed of Payne Avenue by extending the gabion basket retaining wall along Taylor Avenue. Near the completion of the project it was decided to extend the top level of the retaining wall to better reinforce the roadbed. During that same meeting it was decided that the Contractor would saw cut the asphalt pavement so that the City’s Street Department could repave that portion of Payne Avenue. This change order reflects the additional costs.

**Financial Analysis:** The original cost of this project was \$108,750. This change order is in the amount of \$1,770. Funds for this Change Order are available in the Municipal Aid Account No. 535.00.51100

**Recommendation:** Approval

**Attachments**

- Copy of Change Order # 2

**Contact Person:**

**Name:** Tom Bradley  
**Title:** Director  
**Department:** Public Works  
**Phone:** 502/875.8500  
**Email:** [tbradley@frankfort.ky.gov](mailto:tbradley@frankfort.ky.gov)

- 7.9 To approve change orders 3, 4, and 5 of the Transit Wash Bay construction contract and to authorize the Mayor to sign all related documents (Public Works).

**Purpose:** To approve change orders 3, 4, and 5 of the Transit Wash Bay construction contract and to authorize the Mayor to sign all related documents.

**Background:** The Transit Division of Public Works applied for and received a grant for the design and construction of a wash bay facility. The wash bay was designed by Qk4 and the construction contract was awarded to Meyer Midwest, Inc. earlier this year. The facility was designed to be used for not only the transit buses but also for other vehicles belonging to the City (provided each department reimburse the cost of the wash). In this manner, it is planned to help extend the life of all City vehicles, especially those that have a significant exposure to road salt.

Change order #3 is for an upgrade to the wash bay control system that will allow us to determine which City Departments are using the facility and for which vehicles. Each department that uses the wash bay will pay a set fee for vehicle to cover the operating costs of the facility. **CO #3 is for \$300.**

Change Order #4 is for an additional keypad to be mounted to allow for the opening of the overhead door from the vehicle. This will allow the door to stay closed in colder weather and will reduce accident potential of drivers climbing in and out of vehicles. **CO# 4 is for \$803.94**

Change Order #5 is for a wage adjustment. The plans and specifications, as prepared by our consultant, specify that Federal (Davis Bacon) prevailing wages are to be paid on this project; however, those same contract documents included Kentucky's Prevailing Wage rates. The Kentucky Transportation Cabinet Office of Transportation Delivery monitors the Contractors to insure that the appropriate wages are being paid. This discrepancy has shown up and the Contractor (and sub contractors) are required to pay the higher rate. This Consultant is seeking this Change Order in order to pay the correct amount to the employees, as required by the grant. The City of Frankfort has limited time to demonstrate to the KYTC/OTD that the Contractors are paying the required rates. At risk is the total amount of the Grant being used to construct the wash bay (\$703,000). **CO#5 is for \$21, 591.53**

**Financial Analysis:** Funds for these change orders will be taken from Account No. 100.01.22061.

**Recommendation:** Approval

**Attachments:**

- Change Order #3
- Change Order #4
- Change Order #5

**Contact Person:**

**Name:** Tom Bradley  
**Title:** Director  
**Department:** Public Works  
**Phone:** 502.875.8500  
**Email:** [tbradley@frankfort.ky.gov](mailto:tbradley@frankfort.ky.gov)

**7.10** To consider authorizing an application for Highway Safety Grant funds and authorizing the Mayor to sign all grant-related documents (Police Department).

**Purpose:** The purpose of this item is to authorize filing an application for Highway Safety Grant funding, a part of the Governor's Highway Safety Program.

**Background:** The mission of this grant is to plan and execute a comprehensive traffic safety program to reduce the number of fatalities and injuries on Kentucky's roadways, utilizing present and potential resources on the local, state and national levels. The Governor's Highway Safety Program coordinates highway safety programs focused on public outreach and education, enforcement, promotion of new safety technology, integration of public health strategies and techniques, advocacy for traffic safety issues, and collaboration with state and local governments. The City of Frankfort would like to apply for funds associated with personnel and equipment not to exceed \$162,000.00.

**Financial Analysis:** The Police Department will be reimbursed for manpower overtime and use of equipment while participating in this program. The total grant request for federal FY 2017 will not exceed \$162,000.00. There is no match requirement for this funding.

**Recommendation:** None

**Attachment:** None

**Contact Persons:**

<b>Name:</b>	Chief Jeff Abrams	Rebecca A. Hall
<b>Title:</b>	Chief of Police	Grants Manager
<b>Department:</b>	Police	City Manager
<b>Phone:</b>	502/875-8500	502/875-8500
<b>E-mail</b>	<a href="mailto:jabrams@frankfort.ky.gov">jabrams@frankfort.ky.gov</a>	<a href="mailto:rhall@frankfort.ky.gov">rhall@frankfort.ky.gov</a>

**7.11 MOVED TO OLD BUSINESS**

**7.12** To obtain authorization for the Mayor to execute a contract to sell the 3.99 acre tract of land at 122 Leonardwood Drive, Frankfort, Kentucky to Dominion Development Group, and all related documents (City Manager).

**Purpose:** The City has been working to sell the 3.99 acre tract of land at 122 Leonardwood Drive, for several years. It has received an offer from Dominion Development Group ("Dominion") to purchase said property for the amount of \$380,000.00. The City's current asking price is \$399,000.00. Dominion will pay an earnest money deposit of \$5,000, and the closing of the sale of the property will take place on or before June 30, 2016. The property is currently zoned PC and the sale of the property is contingent upon the property being re-zoned to RH.

**Financial Impact:** The sale of the subject property will result in the receipt by the City of Frankfort of the amount of \$380,000.00, minus the six percent (6%) realtor's commission.

**Attachments:**

- Contract with Dominion Development

**Contact Person:**

<b>Name:</b>	Tim Zisoff
<b>Title:</b>	City Manager
<b>Department:</b>	City Manager
<b>Phone:</b>	502/352-2074
<b>Email:</b>	<a href="mailto:tzisoff@frankfort.ky.gov">tzisoff@frankfort.ky.gov</a>

7.13	<u>Personnel</u>	<u>Employee</u>	<u>Department</u>	<u>Date</u>	<u>Other</u>
	Resignation	Mary Cardwell	Finance	2/19/16	Accounting Specialist II (authorize payment of accrued leave)
	Resignation	Ben Sullivan	Police	2/12/16	Patrol Officer I

**Attachments:**

- Benjamin Sullivan Resignation letter

**Contact Person:**

**Name:** Kathy Fields  
**Title:** H/R Director  
**Department:** City Manager  
**Phone:** 502/875-8500  
**Email:** [kfields@frankfort.ky.gov](mailto:kfields@frankfort.ky.gov)

**8. BOARD APPOINTMENTS**

**8.1 Housing Authority** – Reappointment of Tom Grissom, for a term ending 1-29-20.

**Attachments:**

- Mayor’s letter of recommendation
- Tom Grissom resume

**8.2 Nuisance Code Hearing Board** – Reappointment of Arthur McKee, for a term ending 1-27-19.

**Attachments:**

- Mayor’s letter of recommendation
- Arthur McKee resume

**8.3 Nuisance Code Hearing Board** – Reappointment of Corey Bellamy, for a term ending 1-27-19.

**Attachments:**

- Mayor’s letter of recommendation
- Corey Bellamy resume

**8.4 Nuisance Code Hearing Board** – Reappointment of Tom Midkiff, for a term ending 1-27-19.

**Attachments:**

- Mayor’s letter of recommendation
- Tom Midkiff resume

**9. OLD BUSINESS**

**9.1** To authorize the Mayor to sign a Deed conveying property located in the Carpenter Farm to the Woods and Water Land Trust, and any other related documents (City Manager).

**Purpose:** To authorize the Mayor to sign a Deed conveying property located in the Carpenter Farm to the Woods and Water Land Trust, and any other related documents.

**Background:** In 1989, the City of Frankfort purchased a tract of real property containing approximately 189 acres adjacent to US 676 in Franklin County, Kentucky that is now referred to as the “Carpenter Farm.” There are three (3) lots remaining in the Carpenter Farm: Lot 5A (2.433 acres), Lot 5D (2.5312 acres) and an approximately 67.88 acre tract. A substantial portion of the 67.88 acre tract is undevelopable due to its very rough terrain, however the remaining portion of this tract is suitable for commercial development.

The Woods and Waters Land Trust (“Trust”) has discovered the presence of Braun’s rock cress, a rare and endangered species, on the undevelopable portion of the 67.88 acre tract, and has requested the City to convey to it for long term management and care the portion of the tract that contains the Braun’s rock cress. The undevelopable portion of the 67.88 acre tract is approximately thirty (30) acres. Maintaining as undeveloped the thirty (30) acre tract containing the Braun’s rock cress will assist in selling the portion of said tract that is developable, and result in the economic development of this adjacent property. Maintaining the approximately thirty (30) acre tract as green space will also encourage economic development in the City of Frankfort. The tract to be conveyed by the City to the Trust will be connected to another tract to be obtained by the Trust from a private land-owner, creating a larger green space and additional buffer for the protection of the Braun’s rock cress. Accordingly, the deed will provide for the City to convey the approximately thirty (30) acre undevelopable portion of the 67.88 acre tract to the Trust, subject to retaining an easement for the construction of a walking/biking trail on the property, a sanitary sewer easement and a stormwater easement. Staff also recommends that the deed contain a requirement that the subject property be offered to be re-conveyed to the City for the amount of \$1.00 should the Trust seek to transfer and/or sell the subject property.

The Trust has also requested the City to consider conveying to it additional acreage adjacent to the approximately thirty (30) acre tract containing the Braun’s Rock Cress. This additional acreage is currently used by the Public Works Department for an area to place debris. The Public Works Department also has obtained needed fill dirt from this area, and plans to do so in the future as well. Based on the current use of this additional acreage by the Public Works Department and the potential for the City’s further use of this property in the future, City staff does not recommend the conveyance of this additional requested acreage to the Trust.

**Financial Analysis:** The City’s conveyance of the subject tract to the Woods and Waters Land Trust will not have an immediate financial impact to the City. However, maintaining this property as undeveloped green space will have a positive economic impact on the remaining property in the Carpenter Farm, as well as throughout the City.

**Recommendation:** That the Mayor be granted the authorization to execute the deed and all related documents conveying the approximately thirty (30) acre tract to the Trust, subject to retaining necessary easements, including an easement for the construction of a walking/biking trail on the property, a sanitary sewer easement and a stormwater easement. Staff also recommends that the deed contain a requirement that the subject property be offered to be re-conveyed to the City for the amount of \$1.00 should the Trust seek to transfer and/or sell the subject property.

**Attachments:**

- Correspondence from Rob Moore to Tim Zisoff dated February 5, 2016 - The deed conveying the property will be prepared upon receipt of the survey information from the Trust.
- Options from Charlie Jones

**Contact Person:**

**Name:** Robert Moore  
**Title:** City Attorney  
**Phone:** 502/223-3477  
**Email:** [rmoore@stites.com](mailto:rmoore@stites.com)

**10. NEW BUSINESS**

**10.1** To consider approving a Sewer Extension Contract with Tierney Storage, LLC for a proposed sewer extension to serve Lot 7 of Industrial Park 3 in Franklin County, Kentucky and to authorize the Mayor to sign all documents related to the contract (Sewer Department).

**Purpose:** To approve a contract with Tierney Storage, LLC for a proposed sewer extension to serve Lot 7 of Industrial Park 3 in Franklin County, Kentucky and to authorize the Mayor to sign all documents related to the contract.

**Background:** Anyone intending to extend sewers that connect to the City Sewer system must enter into a contract with the City that spells out certain commitments that the Developer must comply with. Some of these commitments include:

- All sewers must be designed and installed in accordance with both the Kentucky Division of Water and the City of Frankfort Sewer Department standards;
- Upon completion of the project as-built drawings, signed and sealed by the engineer, must be submitted to the Sewer Department prior to final inspection and testing;
- The Developer retains ownership and is responsible for all maintenance for a period of one year from completion of construction;
- The City has the right to make connections to the system installed to make additions or further extensions of the sewer without obligation to the Developer.

The Developer intends to extend the existing sanitary sewer system to this piece of property for future development speculation.

Sanitary sewer plans and specifications have been prepared and submitted to the Department for review and approval. The Division of Water will review the sanitary sewer plans and specifications after City Commission approval. Final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed and satisfactorily passing all tests.

**Financial Analysis:** Additional customers added by this sewer extension will increase revenue.

**Recommendation:** Approval

**Attachments:**

- Sewer Extension Contract (Under City Attorney Review)

**Contact Person:**

**Name:** William R. Scalf, Jr., P.E.  
**Title:** Director  
**Department:** Sewer  
**Phone:** 502/875-2448  
**Email:** [wscalf@frankfort.ky.gov](mailto:wscalf@frankfort.ky.gov)

**11. ADJOURNMENT**