

NOTICE

Per KRS 61.826 the Board of Commissioners Regular Meeting being held on March 27, 2023, 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 Board of Commissioners Council Chamber, 315 West Second Street.



AGENDA

REGULAR MEETING
BOARD OF COMMISSIONERS
315 WEST SECOND STREET
FRANKFORT, KY 40601
502/875-8500
www.frankfort.ky.gov
www.facebook.com/CityofFrankfortKY

March 27, 2023
5:00 PM

INVOCATION

Reverend Tom Corum – First United Methodist

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL & RECOGNITION

Mayor Wilkerson will present a proclamation to Police Officer Duncan and retiring K-9 Officer Agent

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, February 13, 2023; Special Meeting, February 20, 2023; Regular Meeting, February 27, 2023**
2. **USDA Farmers Market and Local Food Promotion Program Consultant Recommendation – Grants**

Staff requests authorization to award a contract to Keeton Communications as consultant to aid staff in completing the City's USDA Farmers Market and Local Food Promotion Program. Staff has been working with a Steering Committee which includes members representing the Farmer's Market, KSU, and local schools throughout the consultant selection process. An RFQ was released in January 2023 and resulted in one proposal from Keeton Communications which was within our grant budget. Keeton Communications will be coordinating with other vendors on a feasibility study, site plan and community engagement including the Kentucky Center for Agriculture and Rural Development. A \$23,161.00 in-kind match can be met with City staff time. Staff recommends authorization to award the Growing Frankfort's Food Economy with a Community Kitchen contract to Keeton Communications, LLC.

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

3. **2023-2024 Compost Grant Application – Grants/Solid Waste**

The Division of Solid Waste requests the Board of Commissioners to consider authorizing the submission of a 2023-2024 Kentucky Pride Fund Composting Grant from the Kentucky Division of Waste Management. The Division of Solid Waste offers seasonal curbside yard waste collection and curbside leaf collection in the fall to the residents of Frankfort and the participation is growing each year. The state has a Composting Grant program that can aid in the cost of the yard waste and leaf collection program. The Solid Waste Division would like to apply for funds for the advertising of the yard waste program. The advertising costs would not exceed \$3,000.00 The City is required to have a 25% match for the grant, however the match can be in kind and personnel costs are eligible. Personnel costs for yard waste collection exceeds \$121,000.00 which more than meets the required 25% match. Personnel costs exceed the 25% match requirement for the Compost grant, there would be no additional cash match required. Staff recommends that the Board of Commissioners approve the 2023 - 2024 Kentucky Pride Fund Composting Grant application and the Mayor sign all related documents including the grant agreement if the City is awarded the grant.

Attachments: Memo, Composting Grant Application
Suggested Disposition: Receive and File; Approve

4. 2023-2024 Recycling Grant Application – Grants/Solid Waste

The Division of Solid Waste requests the Board of Commissioners to consider authorizing the submission of a 2023 - 2024 Kentucky Pride Fund Recycling Grant from the Kentucky Division of Waste Management. The Division of Solid Waste offers curbside recycling services to the residents of Frankfort, as well as a recycling item drop off center that is open to the public. The state has a Recycling Grant Program that can aid in the costs of running a recycling program. Solid Waste Division would like to apply for the grant for the funding of a Skidsteer bucket, advertising funds and the yearly cost for the Frankwaste app which total costs will not exceed \$16,000.00 The City is required to have a 25% match for the grant, however the match can be in kind and personnel costs are eligible. Personnel costs for Recycling exceeds \$144,000.00 which more than meets the required 25% match. Personnel costs exceed the 25% match requirement for the grant, there would be no additional cash match required. Staff recommends that the Board of Commissioners approve the 2023-2024 Kentucky Pride Fund Recycling Grant application and the Mayor sign all related documents including the grant agreement if the City is awarded the grant.

Attachments: Memo, Recycling Grant Application
Suggested Disposition: Receive and File; Approve

5. Frankfort Sewer Department to Accept 12-inch Force Main from Buffalo Trace – Sewer

The purpose of this memo is to recommend an Agreement between the City of Frankfort and Buffalo Trace Properties, LLC for the City to accept an existing 12" Force Main from Buffalo Trace and for the Mayor to sign all related documents. Buffalo Trace is completing its industrial wastewater treatment plant and no longer has a need to use its existing 12-inch force main to discharge into the Frankfort's sanitary sewer system. The Frankfort Sewer Department has designed the proposed Fort Boone pump station Improvement paralleling a portion of Buffalo Trace's 12-inch force main. Buffalo Trace has offered to transfer ownership of the 12-inch force main to the City at no cost. Buffalo Trace desires to provide this to the City to minimize disturbance to the Blanton Property which it crosses. FSD evaluated the impacts of using 729 L.F. of the existing 12" force main, in lieu of the proposed 10" force main. With a change of pump model, while maintaining the same horsepower and electrical design, FSD can increase pumping capacity from 650 gpm to 705 gpm, reduce construction costs, and minimize traffic disruption on Compton Drive.

Accepting the 12" Force Main from Buffalo Trace is at no cost to the City of Frankfort. Construction cost savings will be realized when the Construction bids are evaluated for the Fort Boone Pump Station Project. Staff recommends that the Mayor and Board of Commissioners approve the Agreement between the City of Frankfort and Buffalo Trace Properties, LLC. Once the Agreement is approved and signed, the Sewer Department will make a recommendation to accept the base bid, in lieu of Alternate 2, installing an additional 729 LF. of 10" pipe.

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

6. Mowing Contract Extension – Sewer

The purpose of this memo is to recommend the approval of a contract extension with T's Lawn Care and authorize the Mayor to sign all related documents. The Sewer Department bid advertisement was issued for mowing services on December 8, 2019, and 4 responses were received December 18, 2019. T's Lawn Care, LLC was determined to be lowest evaluated contractor and thus chosen for the contract.

The Extended Bids are as follows:

Bid Tabulation Sheet			
City of Frankfort			
Project:	Parks & Sewer Mowing		
Bid Number: 219203-81	Date: December 18, 2019		
Bidders Name:	Amount	Local	Local Price
T's Lawn Care, LLC	\$33,975.00	Yes	\$32,276.25
Stans Lawn Care	\$38,950.00	No	
Leisure Lawn & Landscaping	\$32,300.00	No	
McClains	\$37,135.00	Yes	\$35,278.25

The contract can be extended up to 3 times with a renewal each year. This would be the second extension of the contract and thus it would have a possible one more extension. The contract is based on an estimated number of mowing per year so we would request a Purchase Order for \$35,000.00 in case there is a need for a couple extra rounds of mowing. This contract will keep the pump stations and treatment plant grass cut while allowing city personnel to work on maintenance and operations. Funding for this contract was budgeted with a budget of \$35,000.00 in FY 23-24 Budget. Staff recommends that the Board of Commissioners approve the Mowing contract and authorize the Mayor to sign all related documents.

Attachments: Memo, Extension Letter, Original Documents
Suggested Disposition: Receive and File; Approve

7. Professional Service Contract with Gannett Fleming to complete a Rate Study – Sewer

This memo is to request Board of Commissioners approval of a Professional Services Agreement with Gannett Fleming to complete a Rate Study for the Sewer Department in the amount of \$22,000.00 and for the Mayor to sign all related documents. The Sewer Department has multiple upcoming projects to complete for the Consent Judgement and to provide reliable infrastructure for the customers. In order to complete the projects, FSD has had to rely on low interest loans from KIA in order to keep up with these projects. The last few for the Consent Judgement are large project with a high price tag. The Frankfort Sewer Department has not raised sewer rate for several years now even though prices have increased for all supplies and services. With the upcoming projects, FSD needs to complete this study to prepare for the needed revenue to cover the costs of the loans of the projects. The cost of this agreement is \$22,000.00. Funds are available in the FY22-23 budget for this agreement. Staff recommends approval of the Professional Services Agreement with Gannett Fleming, and for the Mayor to sign all related documents. Staff will prepare a Purchase Order Requisition in the amount of \$22,000.00 for the Rate Study with Gannett Fleming.

Attachments: Memo, Proposal, Professional Services Agreement
Suggested Disposition: Receive and File; Approve

8. Evonik Invoices – Sewer

The purpose of this memo is to request approval of two invoices for Evonik Corporation in the amount of \$46,338.00 for PAA and for the Mayor to sign all related documents. The Frankfort Sewer Department has been using Evonik for supplying PAA to the WWTP since the public bid was completed in 2022. PAA is a supplement to the Ozone disinfection system. During last year, FSD has major issues with the Ozone System that has been used for disinfection of the water before it is discharged into the Kentucky River. The repairs to the Ozone system were estimated to cost more than \$500,000.00 and the system was just rebuilt in 2019. FSD reviewed all options for repairs and replacing the Ozone System. The decision was made to move away from ozone and to complete a UV Disinfection system. This meant that FSD would need to use more PAA to provide adequate disinfection to the water. During the last year FSD, used out the last of the budgeted PAA which left two invoices unpaid. This request it to obtain approval for payment of these last two invoices. This will cause the budget line item for PAA to go over but due to the Ozone system being shut down, but the cost will be made up from not utilizing all of the liquid oxygen line item. Staff recommends that the Board of Commissioners approve paying the Evonik Invoices in the amount of \$46,338.00. Once approved, the Sewer Department will request a \$46,338.00 Purchase Order for Evonik Corporation.

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

9. Payment of Yearly PVA Bill – Finance

The purpose of this agenda item is to seek Board of Commissioners approval for payment to the Franklin County Property Valuation Administrator (PVA) for providing the 2022 Property Tax Assessment Roll to the City for 2022 Tax Bills. Pursuant to KRS 132.285, the City may use the PVA assessment of Frankfort properties for the purpose of creating the City's Tax Bills. The City, per this same statute, shall appropriate and pay annually to the PVA a set amount based on total assessments, in this case \$40,000.00. With approval, the Finance Department will provide payment to the Franklin County PVA in the amount of \$40,000.00. The funds are available in account 100.50.53295. Staff recommends approval of the payment to the Franklin County PVA. Upon approval, staff will make payment to the Franklin County PVA.

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

10. Title VI Plan Update Approval – Transit

Transit requests approval of the Transit Title VI Plan as required by the Civil Rights Act of 1964 (42 U.S.C 2000d) as required by the Office of Transportation Delivery (OTD) to be in compliance to receive Transit funds and for the Mayor to sign all related documents. The City of Frankfort adopted a Title VI Plan in 2019 in order to meet requirements for the FTA grants awarded through KYTC. This plan is required to be updated and approved every three years. Transit staff has updated the plan with corrected population statistics, NEPA information and revised public forms. To consider approving a Transit Title VI Plan as required by Civil Rights Act of 1964 (42 U.S.C 2000d) as required by the Office of Transportation Delivery to be in compliance in order to review Transit funds. Title VI applies to discriminatory acts based on race, color, or national origin and specifically prohibits the exclusion of individuals or groups from participation in, or enjoying benefits of, federal programs. Approval of the Transit Title VI plan does not affect funding. Staff recommends approval and adopt the Transit Title VI Plan. Once approved a copy of the Transit Title VI Plan will be submitted to OTD by the Transit Superintendent.

Attachments: Memo, Title IV Plan Update

Suggested Disposition: Receive and File; Approve

11. Agreement between City of Frankfort and US Department of the Army – Public Works

The purpose of this memo is to request approval of an agreement between the City of Frankfort and the Department of the Army, regarding any future use or alterations to the flood protection system for the City, and for the Mayor to sign all related documents. The Department of the Army owns and regulates the flood protection infrastructure, and the City, also referred to as the Levee Sponsor, is responsible for maintaining it. In the event that any alterations or impacts are made to the levee system, the sponsor is required to submit plans for the Department of the Army to review and approve, and to cover the cost of such review. If an alteration were made, the City would pass the cost and responsibility along to the developer or contractor, however, the standard operating procedure is for the agreement to be between the Army and the Levee Sponsor to avoid confusion and excess paperwork. It came to our attention, that no such agreement was in place for the City of Frankfort, Kentucky, so this agreement was provided by the Army to the City. Staff recommends that the agreement be approved, and the Mayor approved to sign all related documents.

Attachments: Memo, Agreement

Suggested Disposition: Receive and File; Approve

12. Diversity, Equity and Inclusion Assessment – Human Resources

The purpose of this memorandum is to request approval to move forward with a diversity, equity, and inclusion assessment conducted by Millennium Learning Concepts. In February of 2022, the City of Frankfort developed a strategic plan to drive overall goals and allocation of resources. This plan includes recognition that Inclusion, Diversity, Equity, and Accessibility (IDEA) is important for all citizens and employees. One of the strategies for ensuring that the City of Frankfort is modeling these values is to conduct a DEI assessment. This assessment will review internal processes, policies, practices, communications, and work climate to identify strengths and opportunities and, ultimately, provide recommendations to ensure the City is well positioned to embrace all and meet their diverse needs. The City received two proposals to provide a DEI assessment. In reviewing the scope of work, length of time, and large cost difference between the proposals, we recommend selecting Millennium Learning Concepts to provide these services.

Millennium Learning Concepts' proposal includes 4 key components:

- Focus Group Interviews and Analysis
- Diversity, Inclusion, and Climate Survey – all employees
- Written Report and Presentation
- DEI Strategic Plan

The first three components will occur over a timeframe of approximately 3 months. The final component is a strategic action plan designed for staff to implement over a three-year period. Dr. Roger Cleveland will be primarily providing the services and is available to begin work mid to late April. Millennium Learning Concepts has been providing services for numerous schools, universities, and businesses for nearly 20 years. We are excited by the expertise Dr. Cleveland brings and look forward to the opportunity to work with and learn from him. The cost for this assessment is \$40,000.00 and funding of \$50,000.00 was previously approved under one-time projects. Staff recommends that the Board of Commissioners accept the DEI assessment proposal from Millennium Learning Concepts and authorize the Mayor to sign all related documents.

Attachments: Memo, Agreement and Attachment A – Scope of Work

Suggested Disposition: Receive and File; Approve

13. Retirement of K-9 Officer Agent – Police

The purpose of this agenda item is to seek Board of Commissioners approval to declare Frankfort K-9 Officer Agent as retired and approve his handler, Officer David Duncan, to retain Agent. K-9 Officer Agent began his service with the Frankfort Police Department in 2018. Officer David Duncan and K-9 Officer Agent completed training in that year and have worked together in patrol since. With Officer Duncan's recent announcement of resignation from law enforcement, and due to Agent's age, it would not be prudent to attempt to train him to a new handler. Officer David Duncan has agreed to accept the canine in retirement. He will sign an agreement accepting responsibility for Agent pursuant to FPD Policy and Procedure 409.09 XII. Staff recommends that K-9 Officer Agent be retired, and that ownership be transferred to Officer David Duncan. Attached is a copy of FPD Policy and Procedure 409.04 Canine Unit

Attachments: Memo, Agreement, FPD Police and Procedure 409.04 Canine Unit
Suggested Disposition: Receive and File; Approve

14. Medication Cost Savings Program – HR

The purpose of this memorandum is to request approval to begin offering RxProtect's medication distribution as a more affordable option for receipt of high-cost specialty drugs. The City of Frankfort provides medical insurance which includes coverage for prescription medications. The prescription portion of the coverage is anticipated to cost around \$700,000.00 for the year. Approximately 90% - or \$630,000.00 - of the City's pharmacy cost comes from drugs that are classified as Tier IV medications or specialty drugs. RxProtect was established in 2020 to offer self-insured employer groups another option to pay for and attain high-cost specialty medications for their employees. The company has designed a voluntary program that provides prescriptions to the employee at no cost and at a discounted cost for the employer. These discounts typically range around 30 – 40% on eligible medications. RxProtect only receives payment through the savings they generate for the employer. For example, Trulicity's price through Humana is \$1,100.00 per month. RxProtect would provide the prescription by mail order for \$438/month and retain 33% of the difference in cost. The remaining 67% (or \$443) is an expense the City has avoided on just one prescription. Currently, RxProtect has over 60 self-insured clients using their services and fills approximately 12,000+ prescriptions annually. Medications are supplied by McKesson Corporation, a Fortune 50 company, and dispensed from a singular source in Canada creating peace of mind for end users.

Specialty drugs are increasing in usage and have become the primary driver of the City's pharmacy cost. RxProtect can significantly reduce medication cost by leveraging Canadian pricing when dispensing all medications as supplied by McKesson. This pricing eliminates the middlemen in the USA who cause the same medications to be much more expensive. RxProtect requires monthly data files from Humana to identify employees with eligible prescriptions so they can inform them of a lower cost option. If all employees opted to participate in receipt of their specialty medications through RxProtect, the City could expect to see savings greater than \$200,000/year. While we hope that employees will see strong value in receiving no cost prescriptions mailed to them, we recognize that not all employees will choose to participate and will continue using their current pharmacies. Also, per IRS regulations related to health saving accounts, employees in high deductible health plans may not participate in drug discount programs. Therefore, a more realistic projection of City cost savings is \$88,000.00, as shown below.

\$630,000	Estimated annual specialty drug cost
\$220,500	Potential cost savings with 100% program participation
\$88,200	Estimated cost savings with 40% program participation

Beyond cost savings for our employees and the City, other advantages RxProtect offers are:

- No financial risk – RxProtect shares in savings only.
- Partnership with RxProtect may be ended for any reason with 90 day notice.
- The program is voluntary so employees may choose what works best for them.
- This program does not conflict with the existing pharmacy benefits so no carve out of specialty medications is necessary in order to allow for eligibility in the RxProtect program.
- Humana will apply the expense paid by RxProtect toward the City's stop loss limit of \$100,000/per year per person. This is a win for all parties because it captures cost born by the City toward the stop loss limit and it reduces the overall employee cost, thereby, lessening the likelihood of Humana paying a stop loss claim.
- Use of 5g technology to eliminate all liability associated with shipping cold medications. Not all companies in this market follow the same protocols to ensure safe international importation.

Partnering with RxProtect to deliver medications has no cost to employees or the City of Frankfort. If the City experiences strong participation with this voluntary medication distribution program, the savings in annual pharmacy cost could exceed \$100,000.00 per year. Staff recommends that the Board of Commissioners accept the RxProtect Client Agreement and authorize the Mayor to sign all related documents.

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

15. NEA Downtown Art Project Contract with JSP – Grants

Staff requests authorization for the Mayor to sign a contract with Josephine Sculpture Park to oversee artist selection, coordination and payment for the Downtown Art Project which includes a mural for the VFW Building and various temporary sculptures in the downtown area. The City applied for funding with NEA for a Downtown Art Project to include a mural and sculptures for downtown Frankfort. The application included coordination with JSP to help FrankArts select the artists for the project, coordinate various aspects of the project including site selection and preparation for sculptures and payment of artists. The contract includes a \$25,000.00 NEA Grant and \$25,000.00 in-kind match from the City, for a total contract amount of \$50,000.00. A breakdown of services that will be performed by JSP and the proposed contract is attached. A \$25,000 in-kind match is required and has been budgeted for this project. Staff recommends the Board of Commissioners authorize the Mayor to sign a contract with Josephine Sculpture Park to oversee this art project.

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

16. 2023 Fire Prevention and Safety Grant Application – Grants/Fire

The 2023 Fire Prevention and Safety Grants Program is currently accepting applications. Staff requests permission to apply for funding and for the Board of Commissioners to authorize the Mayor to sign all grant-related documents. This grant program focuses on equipment and information on fire prevention and safety for the general public. Staff wishes to lead community engagement campaigns for Carbon Monoxide Detectors, Fire Extinguishers as well as Slip and Fall Prevention. Funds requested for this project will not exceed \$50,000.00. The Fire Department currently fields several calls from elderly or disabled citizens concerning slips and falls. This program would enable the Fire Department to assess the citizen's dwelling for potential slip and fall hazards and offer solutions. The program would include a portion of funding to eliminate slip and fall hazards with the use of a contractor. The Fire Department receives fire alarms from the American Red Cross and distributes those to citizens. These fire alarms are useful to the general public; however, the department would also like to distribute Carbon Monoxide Detectors as well as fire extinguishers to citizens. The Fire Department wishes to seek funding for this equipment.

Attachments: Memo
Suggested Disposition: Receive and File; Approve

17.

Personnel Action	Employee	Department	Date	Position
Appointment	Justin Bohler	Public Works/Solid Waste	3/14/23	PW Tech Solid Waste
Appointment	Anthony Brown	Public Works/Streets	3/28/23	PW Tech Streets
Appointment	Bryan Parker	Sewer	4/11/23	Design Engineer
Resignation	Austin Reynolds	Fire & EMS	3/21/23	Firefighter
Resignation	David Duncan	Police	3/20/23	Patrol Officer Authorize payout of accrued leave
Resignation	Jason Hall	Public Works/Solid Waste	3/1/23	PW Tech Solid Waste
Resignation	Kevin Meriwether	PW/Streets	3/31/23	Sr Street Tech Authorize payout of accrued leave
Resignation	Amanda Miller	Police/E911	3/23/23	Telecommunicator II Authorize payout of accrued leave

Attachments: David Duncan letter of resignation, Kevin Meriwether letter of resignation
Suggested Disposition: Receive and File; Approve

BOARDS

1. Board of Park Commissioners -- Appointment of Jeri Katherine Howell (replacing Polly Coblin), expiring 5-1-25.

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 PROPERTY located on Wilkinson Blvd with the address of 954 Wilkinson Blvd, more specifically described as PVA map number 061-00-00-080.00, from High Density Multifamily District (RH) to General Industrial District (IG)”. This ordinance had its First Reading on March 13, 2023. Summary: This ordinance approves a zone map amendment for the property with the address of 954 Wilkinson Blvd more specifically described as PVA map Numbers 061-00-00-080.00, from High Density Multifamily District (RH) to General Industrial District (IG).

Attachments: Memo, Ordinance, Legal Description, Staff Report Reviewed by Frankfort/Franklin Co. Planning Commission, Minutes from February 9, 2023 Planning Commission Meeting
Suggested Disposition: Receive and File; Adopt Ordinance

2. Second Reading

“AN ORDINANCE AMENDING ORDINANCE NO. 9, 2022 SERIES APPROPRIATING THE REVENUE TO BE RECEIVED BY THE CITY OF FRANKFORT FOR THE FISCAL YEAR 2022-2023”. This ordinance had its First Reading on March 13, 2023. Summary: This ordinance amends Ordinance No. 9, 2022 Series, appropriating the revenue to be received by the City for the Fiscal Year 2022-2023 by adding the following expenditures and transfers as noted:

- 1) General Fund-\$687,171 (aggregate total)
- 2) Transfers from General Fund-\$95,000 to Capital Improvements (aggregate total)
- 3) Capital Improvements-\$95,000 (aggregate total)
- 4) Municipal Aid-\$353,815 (aggregate total)

And by adding the following revenue and transfers as noted above:

- 1) General Fund-\$160,552 (aggregate total)
- 2) Municipal Aid-\$353,815 (aggregate total)

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

3. Second Reading

“AN ORDINANCE AMENDING CITY OF FRANKFORT CODE OF ORDINANCES SECTION 96.02 TO ADD A DEFINITION OF NATIONAL ORIGIN WHICH INCLUDES NATURAL HAIR, TO BE KNOWN AS THE CROWN ACT”. This ordinance had its First Reading on March 13, 2023. Summary: This ordinance amends Section 96.02 of the City of Frankfort Code of Ordinances related to discrimination in housing, public accommodations and employment to: 1) Clarify that discrimination includes unwanted touching, including the touching of hair; and 2) Amend the definition of “National Origin” to include natural texture and color of hair, hairstyles and protective hairstyles.

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

4. First Reading

“AN ORDINANCE ACCEPTING A PORTION OF HARRODSBURG LANE AS A PUBLIC STREET”. Summary: This ordinance officially accepts the dedication of that portion of Harrodsburg Lane between U.S. 127 South and Harrodswood Road for public use and maintenance.

Attachments: Memo, Ordinance

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

5. FY2024 Transportation Resolution (Transit) Grants

Staff requests adoption of a resolution allowing for the submission of applications for FY2024 Operating and Capital Funds and committing the Local Share associated with the applications under the Infrastructure and Jobs Act to be filed with the Department of Transportation, United States of America and to authorize the Mayor to sign all grant documents. The City is required to pass one resolution to apply for funding and to commit the local share of the projects. This resolution must be adopted each year in order to apply for 5311 (Public Transportation) and 5339 (Capital) Grants. The grants local share is 50% for 5311 Operating Expenses and 20% for 5311 Administrative Expenses (Administrative Expenses cannot exceed 20% of the overall grant). The Local Share for 5339 (Capital) is 20% of the total grant. The Operating/ Administrative budgets include the continuation of Transit Services, and the Capital request includes (6) replacement vehicles, new trolley stop signage, personal protection equipment (PPE) for vehicles and a bus locating app for public use. This Resolution authorizes the Mayor to execute and file on behalf of the City an application with the U.S. Department of Transportation for a Section 5311 and Section 5339 Grant that provides operating and administrative to the City's Public Transit System. Requested funding is below:

Section	5311 Operating	5311 Administrative	5339 Capital	5311Capital	RTAP (Training)
Federal/State Share	\$719,965.00	\$184,910.00	\$648,000.00	\$648,000.00	\$11,300
Local Share	\$719,965.00	\$46,228.00	\$162,000.00	\$162,000.00	\$0.00
Total Request	\$1,439,930.00	\$231,380.00	\$810,000.00	\$810,000.00	\$11,300

Attachments: Memo, Opinion of Legal Counsel Letter, Resolution

Suggested Disposition: Receive and File; Adopt Resolution

6. NREL Agreement Modification

Attachments: Modification Agreement No. 1, Original Agreement 2022

Suggested Disposition: Receive and File; Approve

7. Transit Center/Parking Garage Design Option-Deck Washing System

Up until now, the Board of Commissioners has considered and taken action on numerous design options for the subject project. With the design plans reaching the 60% stage, the City needs to consider another design option, a deck washing system. Deck washing systems are generally comprised of one or more water sources along with washing equipment and materials. This particular design option involves designing and constructing two water sources on each level of the parking garage. Water pipe and valves would be located near each end of the garage to allow for connection of the necessary equipment. The City is currently investigating as to who would best be suited to conduct this annual activity, City crews or a contractor. The City's technical consultant, TRC Worldwide Engineering, recommends deck washing and that it be performed by a contractor. Washing the parking decks on an annual basis improves the garage's aesthetics, reduces safety liability, and helps extend the service life of the garage. If the City wants to annually wash the new parking garage's decks, regardless as to who conducts this activity, water sources will be necessary on each level of the garage. Messer Construction Company has provided a design option cost estimate of \$26,000.00 to construct the appropriate water sources. Staff recommends the Board of Commissioner approve this design option and its associated cost estimate of \$26,000.00 and authorize the Mayor to sign all related documents.

Attachments: Memo, Tracking Decision, FTA Grant & City Costs

Suggested Disposition: Receive and File; Approve

8. Funding for Simon House

The purpose of this memorandum is to request approval to fund the Simon House for staffing instead of a sprinkler system, as was previously approved by the Board of Commissioners in September 2022. On September 26, 2022, the Board of Commissioners approved as part of its one time expenditures a total of \$110,000.00 for the Simon House, which runs Frankfort/Franklin County's only low barrier homeless shelter. At the time of the approval, city staff had met with the Simon House who requested \$50,000.00 for staffing and funds to help with sprinkling the building, which was estimated at \$60,000.00. The City did support Simon House with \$50,000.00 for staffing but held off on the funds for the sprinklers until installation (Franklin County Fiscal Court also supported them with \$50,000.00). We have since learned that the Simon House does not have a need to sprinkle the building, since they will not be hosting more than 16 people per night (which is the maximum allowed without a sprinkler, given their square footage).

The Simon House requested in February 2023 to have the funding focused on staffing instead of sprinklers. The city has met with the Simon House twice since then to understand needs. The Simon House has experienced a series of challenges over the past year and has not been able to raise the funding needed to staff the shelter. The Board of Directors and the Interim Executive Director are committed to setting a fundraising plan, applying for additional grants, and looking for ways to cut costs. They provide a crucial service as the only low barrier shelter in our community with 16 people staying every evening and more than 25 people visiting during the day to receive case management support and help they need to get into housing. The City and County need to consistently fund annually the Simon House, at an agreed upon amount, to help them budget and fundraise better so they can continue to provide the needed feeding, case management, health and other services at the only low barrier shelter in our community. However, I have strongly suggested to the Simon House that their approach to future support should be as a contract, where the City can set milestones/benchmarks ensuring accountability and understanding clearly how the City's support is used. The City will work with the Simon House to come up with an approach for FY 24 and beyond and will present it to the BoC at a future meeting. Simon House has requested \$50,000.00 each from the City and County. This will allow them to pay for staffing through June 30, 2023. Staff recommends that the Board of Commissioners use the allotted money for a sprinkler system to support Simon House staffing instead for the amount of \$50,000.00 and authorize the Mayor to sign the agreement.

Attachments: Memo, Agreement

Suggested Disposition: Receive and File; Approve

9. New Franklin County Humane Society Lease Agreement

Attachments: Lease Agreement

Suggested Disposition: Receive and File; Approve

10. Amendment No. 1 to Professional Services Agreement between the City of Frankfort and MKSK regarding the Blanton's Landing Feasibility Study – Geotech

Attachments: Scope of Services, Contract **(To be provided)**

Suggested Disposition: Receive and File; Approve

11. "A RESOLUTION SUPPORTING AND APPROVING THE AMENDMENT TO PRIORITY 1(D) OF THE 2017 FRANKFORT/ FRANKLIN COUNTY WALK/BIKE MASTER PLAN"

Attachments: Resolution and Attachment A

Suggested Disposition: Receive and File; Adopt Resolution

OTHER BUSINESS

ADJOURNMENT