



CAPITAL OF KENTUCKY

**Layne Wilkerson, Mayor**

Kelly May, Commissioner

Leesa Unger, Commissioner

Katrisha Waldrige, Commissioner

Anna Marie Rosen, Commissioner

## NOTICE

Per KRS 61.826 the Board of Commissioners Regular Meeting being held on October 24, 2022, is a video teleconference meeting. One Commissioner will participate via GoToMeeting or a similar video teleconferencing system. The primary location will be in the City Hall Council Chamber, 315 West Second Street.

## AGENDA

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

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October 24, 2022  
5:00 PM

## INVOCATION

## PLEDGE OF ALLEGIANCE

## ROLL CALL

## CEREMONIAL & RECOGNITION

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

## PRESENTATION

**Katie Richardson of NREL (National Renewable Energy Laboratory)**

## 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, September 12, 2022; Regular Meeting, September 26, 2022**
- 2. Municipal Separate Storm Sewer (MS4) Professional Services with Stantec – Public Works**

Public Works is seeking approval from the Board of Commissioner for Amendment #1 to a professional services agreement with Stantec and for the Mayor to sign all related documents. In 2015, the City entered into a multi year agreement with Burgess and Niple to provide the City services related to the MS4 program. In 2017, the agreement was reassigned to Tetra Tech, and then reassigned to Stantec in 2020. The intent was for this agreement to run concurrently with the MS4 permit. Since there is 1 more year before the MS4 permit is renewed, we would like to extend the Stantec agreement through this fiscal year to conclude on June 30, 2023. The Scope of work for this year is shown on the attached and includes updating the Feasibility Study for the City's Stormwater Utility program, education and outreach, stormwater manual updates, Municipal facilities plan update, Stormwater Quality Management Plan updates and our annual report. The cost is not to exceed \$32,605.00. Since we only budgeted \$20,000.00 for this line item, budget can be reallocated within the stormwater account from savings from the Hanly Ln/ Galbraith Lane project. We saved at least \$50,000.00 by completing construction in house. Funds are available in the Stormwater account 735.00.51100. Staff recommends that this amendment to the professional services agreement be approved, and for the Mayor to sign all related documents.

Attachments: Memo, 2015 Burgess & Niple Contract, Stantec Scope of Services, Amendment #1 with Stantec  
Suggested Disposition: Receive and File; Approve

### 3. Transit Dispatching Software – Public Works/Transit

Transit requests approval from the Board of Commissioners to award a three (3) year contract for the purchase of dispatching software to Trip Master dba CTS Software and to allow the Mayor to sign all related documents. Transit released an RFP and has received proposals for the procurement of replacement dispatching software with FY 22 Section 5339 grant funds. A total of five (5) proposals were received on September 2, 2022. All of the proposals met minimum specifications and all vendors were invited by Frankfort Transit to participate in a two (2) hour interview process before final selection. During the interview process, vendors were graded on the following criteria: over all costs and annual fees, ability to meet technical specifications, technical support and quality of training, responsiveness to Frankfort Transit's needs, and references. A panel of 5 staff including Jennifer Hall (Transit Superintendent), Sara Anderson (Public Works Deputy Director), Brenda Rogers (Transit Foreman), Anita Beasley (Driver), Clara Coates (Dispatcher) conducted the interviews and tallied scores independently. The scores were then averaged and recorded on one spreadsheet for final discussion.

Below is a breakdown of our findings:

Vendor	Total Score	Met Specifications Y/N	Total Cost
Qryde	58/100	Y	\$140,000 (Initial Set Up) \$22,415.25 (Annual Support/Technical)
IT Curves	55/100	Y	\$76,310 (Initial Set Up) \$21,000 (Annual Support/Technical)
Ecolane	79/100	Y	\$100,860 (Initial Set Up) \$17,165.25(Annual Support/Technical)
Tripspark	82/100	Y	\$159,342 (Initial Set Up) \$37,119.75(Annual Support/Technical)
Trip Master	86/100	Y	\$67,010 (Initial Set Up) \$21,708 (Annual Support/Technical)

Transit requests to enter a three (3) year contract with the vendor that scored the highest, Trip Master. The initial set up cost for this purchase is \$67,010.00 (price includes annual fees) and the annual software/technical support fee is \$21,336.00 with at 3% increase each additional year after the three (3) year term. All supporting documents have been attached to this request. Funds for the purchase of the dispatching software are available in the Transportation Improvement account #530-00-51100. The grant amount approved for this purchase is \$65,000.00. The additional \$2,010.00 would be paid using excess contract revenue. The grant portion of the purchase would be 100% reimbursed with FY22 5339 grant funds provided through KYTC. In addition, the annual software and technical support fees would be 50% reimbursed with 5311 grant funds. Transit recommends approving the award of a three (3) year contract to Trip Master dba CTS Software in the amount of \$67,010.00 for the first year and initial installment and \$21,336.00 for annual software/ technical support fees for the remaining two (2) years of the contract.

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

### 4. Purchase of 2 Dump Trucks – Public Works /Streets

The Street Department is seeking Board of Commissioners approval for the purchase of two new 4500 Dodge trucks, and for the Mayor to sign all related documents. The Street Department would like to purchase two new 4500 Dodge trucks. The purchase will be made through Enterprise Fleet Management (EFM) program. This program utilizes the competitively solicited contracts through Sourcwell for purchasing. These two trucks are replacing two dump trucks that have been sold through surplus due to mechanical issues. These trucks are diesel engine cab and chassis trucks. We will be purchasing snow equipment and dump beds for each chassis once they have been delivered from the factory. These trucks will be used for salt hauling and snow plowing during snow removal in the winter for extended amounts of time. At other times through the year they will be used to haul equipment on trailers and various materials to job sites. Due to the possibility of pulling daily heavy loads and being around corrosive salt and possible extended run times for winter weather events, an Electric truck would not be a feasible option at this time. We will continue to explore the purchase of electric trucks for use in the Street Department in the future. Staff recommends that the purchase of these two trucks from Enterprise Fleet Management for a total cost of \$121,852.00 is approved; funds are approved in the budget for municipal aid 535.00.51100.

Attachments: Memo, Enterprise Fleet Management Lease Rate Quote  
Suggested Disposition: Receive and File; Approve

**5. Ambulance Remount BID Acceptance – Fire**

The purpose of this memo is to recommend the Board of Commissioners accept a bid by Atlantic Emergency Solutions for the purchase of a 2023 Type I Ambulance Remount in the amount of \$239,152.00 and authorize the Mayor to sign all related documents. During the planning and development of the FY 23 budget, the Fire Department budgeted the cost of a Type I Ambulance remount in the amount of \$250,000.00 to replace a 2011 Terra-Star International Wheeled Coach ambulance that is nearing the end of its useful life cycle and has significant engine damage that is not financially wise to repair. Bid # 22223301-41 was published in accordance with current practices by the Finance Department and received one (1) qualified bid that meets bid specifications. The new Ambulance will be a 2023 Chevy 5500HD, Diesel, 4x2. Once awarded, there is still an estimated 120-200 day build time from the time of chassis delivery and contract signage to delivery. Due to delays in chassis delivery, it is not unreasonable to expect the new unit delivery until late 2023 or even 2024. A budget impact of \$239,152.00 is associated with this bid; however, with anticipated delays, final budget impact may be delayed to FY 24. As noted, the Fire Department budgeted \$250,000.00 in capital improvement funds in the current FY 23 annual budget. Staff recommends the Board of Commissioners accept a bid by Atlantic Emergency Solutions for the purchase of a 2023 Chevy 5500hd Type I Ambulance Remount in the amount of \$239,152.00 and authorize the Mayor to sign all related documents.

Attachments: Memo, Bid Documents

Suggested Disposition: Receive and File; Approve

**6. 2023 Litter Abatement and Grant Agreement – Grants/Public Works**

Staff requests approval from the Board of Commissioners for the Mayor to sign a litter abatement agreement with the Kentucky Department for Environmental Protection's Division of Waste Management for 2023 Litter Abatement Program Grant Funding. The 2023 Litter Abatement Program request and agreement form opened in mid-September and in order to receive funds the City must enter into the agreement. The City is obligated to utilize the funding to clean litter along streets at least two times per year. The amount of litter abatement program grant funding is determined in accordance with KRS 224.43-505 and the total number of applicants applying for the grant. Frankfort's amount is typically \$14,000.00 to \$19,000.00. The Litter Abatement Program Grant Funding will help offset some costs of Public Works employees cleaning roadways and removing litter.

Attachments: Memo, Agreement

Suggested Disposition: Receive and File; Approve

**7. Authorization for the Mayor to sign a Memorandum of Understanding between the City of Frankfort and the Kentucky Office of Homeland Security (KOHS) to allow KOHS to utilize designated federal Homeland Security Grant Program funds to support the Kentucky Intelligence Fusion Center for FY2022.**

Attachments: Letter from Homeland Security, MOU

Suggested Disposition: Receive and File; Approve

**8. Frankfort Youth Football League MOA – Parks**

The purpose of this agenda item is to seek Board of Commissioners approval for the Parks Department to enter into Memorandum of Agreement (MOA) with the Frankfort Youth Football League (FYFL) for field and facility usage for youth football at Harrod Field in Capitol View Park. Also, approval for the Mayor to sign any related documents. Frankfort Parks and Recreation has a long history of partnering with the FYFL to provide one (1) football field, the Harrod athletic field, at Capitol View Park for the youth football program. The FYFL in the past has built a new press box, storage facilities and small restrooms at the field. The program has been held at Capitol View since 2001 and the FYFL is a non-profit organization. The Parks Department has been in contact and in negotiations with FYFL and agrees with the attached MOA for use of fields and facilities. With the approval of the MOA, the Parks Department will work with the FYFL to provide the fields and facilities and provide services and assistance in accordance with the MOA. Staff recommends approval of the MOA and approval of the Mayor to sign any related documents.

Attachments: Memo, MOA

Suggested Disposition: Receive and File; Approve

## 9. Capital Expo Festival 2023 MOU – Special Projects

To request authorization for the City of Frankfort to enter into a Memorandum of Understanding (MOU) agreement with the Capital Expo Festival for the 2023 Capital Expo Festival event and to authorize the Mayor to sign all related documents. Capital Expo Festival was established in 1973 by the Commonwealth of Kentucky. The festival showcased artists, musicians, and festival foods from throughout the Commonwealth of Kentucky. In 1974, the festival was incorporated (May 9, 1974) encompassing a fully independent board as a 501(c)(3) not-for-profit entity ran by volunteers without compensation. The festival is self-sustaining, and proceeds are rolled over into the next year's festival.

The Capital Expo Festival offers a weekend of activities to attract visitors from across the state and Frankfort residents to the downtown area. These activities include:

- Free Kids Festival (sponsored by National Guard and Dare, Franklin County Sheriff, State Police Trooper Island)
- Fireworks
- Free Frankfort Idol Competition
- Funnel Cake 5K
- Duck Drop/Race
- Harley Davidson Bike and Car Show (fully sponsored by Harley Davidson of Lexington)
- Carnival Rides/Games
- Free concerts by musicians and bands from local to throughout the Commonwealth of Kentucky.
- Juried Artist Vendors (approximately 35-40)
- Food Vendors
- Non-Food Vendors

Historically, the Capital Expo Festival was held on the Capital Plaza grounds, the current site of Parcels B and C. Due to the demolition of the plaza and the COVID-19 pandemic, the Festival has not been able to be held since 2016. The board of directors is planning a return of the festival for June 1-3, 2023.

Due to the demolition of the Capital Plaza, the original home of the Capital Expo Festival, the board is proposing a new footprint for the event in 2023 utilizing a significant portion of downtown Frankfort, including city property and public right of way. The downtown area from State Stadium all the way to Riverview Park may be utilized, which will present a unique opportunity to showcase all the Capital Expo Festival has to offer alongside highlighting Frankfort's downtown. In order to ensure success of this event in a new location, it is recommended the City partner with the Event to be involved in all logistics. The Capital Expo Festival presents another way to bring tourists into Frankfort, and the Capital Expo Festival is committed to partnering with the City and its businesses in all possible ways. The Event will forgo the individual sale of alcoholic beverages and will utilize the City's MIX District for the event. The Event will also highlight and promote local businesses in the immediate event area as well as businesses throughout the city that visitors can take advantage of.

The Capital Expo Festival also strives to support the state and local community through the implementation of the event. \$7,000.00 has been donated through the Capital Expo Festival Funnel Cake 5K through its fundraiser for WeWannaPlay, Inc., to help young athletes in our Frankfort Community play high school sports. Over \$3,000 has been awarded to contestants from our community who compete in the Idol Competition. Local Boy Scouts of America provide a food booth and services for trash pickup and delivery of ice to the vendors. Expo pays for these services to benefit the program. The Capital Expo Festival will continue to support these community endeavors and will look for new ways to give back to the community through the 2023 festival. Staff time from Emergency Management, Public Works, Parks and Recreation, and Special projects will be used to plan and implement the Event. Staff recommends Approval. The approval of the MOU will allow city staff and event volunteers to begin working immediately on a plan to ensure the event's success in the downtown area.

Attachments: Memo, MOU

Suggested Disposition: Receive and File; Approve

## 10. Amendment to Candlelight Event MOU – Special Projects

City staff requests an amendment to the previously passed event Memorandum of Understanding between Downtown Frankfort, Incorporated and City of Frankfort for the Candlelight Festival event. As part of its event activities, the Candlelight Festival is requesting to utilize the Farmer's Market Pavilion for the location of a portable ice-skating rink. The ice-skating rink is an official part of the Candlelight Event activities and is sponsored by Commonwealth Credit Union. The ice-skating rink will be open for free to the public during the event hours, Thursday, November 10-Saturday, November 12.

Downtown Frankfort, Incorporated and the City of Frankfort have a MOU agreement for the Candlelight festival and share responsibilities for the execution of the event. Because the addition of the ice-skating rink came after the initial passing of the event MOU, an amendment is needed to account for the shared responsibility for executing this aspect of the event. The event amendment includes two additions for the ice-skating rink. The first is to add responsibility to the Event organizer (DFI) for permits, contractual agreements, and insurance pertaining to the use and operation of the ice-skating rink. Commonwealth Credit Union, as the official event sponsor, has procured these requirements. The second addition is for the City to coordinate logistics for the ice rink with the Commonwealth of Kentucky, as the Farmer's Market Pavilion is city-leased property through the state. This has been done and an appropriate facilities application has been submitted. No addition of city resources will be needed to implement the ice rink as part of the event. Staff recommends approval of the amendment. The ice-skating rink was a popular addition to the Candlelight Festival last year and this amendment sets appropriate responsibility for all parties involved.

Attachments: Memo, Amendment to Candlelight Festival MOU, Memorandum of Understanding for Candlelight Festival, Commonwealth Credit Union Certificate of Insurance, Contract between Sports Galaxy and Commonwealth Credit Union

Suggested Disposition: Receive and File; Approve

11.

Personnel Action	Employee	Department	Date	Position
Appointment	Jack Harrod	IT	10/26/22	Network System Administrator
Appointment	James Stepp	Police	10/4/22	Patrol Officer
Resignation	Johnathan Dean	Police	10/10/22	Patrol Officer II Authorize payout of accrued leave
Resignation	Ephraim Fields	Sewer	10/31/22	Sewer Tech Authorize payout of accrued leave

Attachments: None

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. First Reading

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

Attachments: Memo, Ordinance, Legal Description & Survey of Property, Staff Report reviewed by the Frankfort/Franklin County Planning Commission, Minutes from September 8, 2022, Planning Commission Meeting (To be provided)

Suggested Disposition: Receive and File; Approve for Second Reading

#### 2. First Reading

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

Attachments: Ordinance

Suggested Disposition: Receive and File; Approve for Second Reading

### 3. Second Reading

**“AN ORDINANCE AMENDING CITY OF FRANKFORT CODE OF ORDINANCES, SECTION 38.02, REGARDING APPLICATION OF LOCAL PREFERENCES IN PROCUREMENT”**. This ordinance had its First Reading on September 26, 2022. Summary: This ordinance amends Section 38.02 of the City of Frankfort Code of Ordinances to provide an exception to the local preference requirements upon appropriate written finding by the City Manager.

Attachments: Memo, Ordinance

Suggested Disposition: Receive and File; Adopt Ordinance

### 4. Second Reading

**“AN ORDINANCE AMENDING VARIOUS SECTIONS OF CITY OF FRANKFORT CODE OF ORDINANCES CHAPTER 50 REGARDING GARBAGE AND SOLID WASTE”**. This ordinance had its First Reading on September 26, 2022. Summary: This ordinance amends various sections of City of Frankfort Code of Ordinances Chapter 50 related to Solid Waste and Garbage as follows: 1) Amends 50.01 to delete the obsolete term of “Responsible Tenant”; 2) Amends 50.02 to eliminate the ability of large multi-family dwellings to receive city service when it is not safe or reasonable; and not allow bulky items to be picked up without scheduling and paying for a bulk pick up; 3) Amends 50.03 to delete references to size 35 gallon carts which are generally no longer supplied, clarify that the city supplies only one trash/recycle container, and delete ambiguous language regarding container placement; 4) Amends 50.04 to delete requirements solely applicable to evictions and replace them with requirements related to all bulk pick-ups; 5) Amends 50.05 to clarify that procedures and schedules for leaf collection are set by the Public Works Director; 6) Amends 50.10 to not allow curbside recycling for apartment/ condominium buildings with more than 8 units per lot of record; 7) Amends 50.11 to clarify which rules and regulations require Board of Commissioners approval, including clarifying that approval is required for any fees or penalties established by the Public Works Director; 8) Amends throughout to delete references to outdated fee amounts and clarify that the Public Works Director will establish the fees; and 8) Amends throughout to change references from “city bags” to “city overflow bags” and “unlimited pickup days” to “Clean Up Weeks.”

Attachments: Memo, Ordinance, Summary & Explanation of Changes

Suggested Disposition: Receive and File; Adopt Ordinance

### 5. Commonwealth Alliances, LLC Contract

At the Commission meeting on Monday, August 22, it was brought up in new business about extending the contract for Commonwealth Alliances. On Friday August 26, the City Manager solicited desired goals if we were to extend the contract with Commonwealth Alliances. This memo summarizes input from the BoC about renewing the contract with Commonwealth Alliances. The City of Frankfort retained the services of Commonwealth Alliances during the 2022 General Assembly to support the city in relationship building and securing financial support for select city projects. Efforts were successful and in FY 23, the city budgeted for 4 months for a total of \$12,000.00 to cover only the months while the legislature is in session (January - April 2023). To cover the remaining part of the year (Nov, Dec 2022 and May, June 2023) would be a total of 8 months or an additional \$12,000.00 to the contract.

After discussions and receiving feedback, the goals for the contract are the following:

- Continued relationship building with the Executive and Legislative branches of government;
- Support for constructing a new conference center in Frankfort;
- Support for allowing the restaurant tax to be allowed in all cities in the Commonwealth;
- Engage with lawmakers on building a partnership among the state, KSU and the city to ensure Exum Center is renovated as a joint community and university sports and wellness facility;
- Aid the city in conversations about identifying and transferring select state owned property to the city; and
- Continue discussions on increasing the Payment in Lieu of Taxes (PILOT) to the city.

Staff recommends an additional 4 months for the Commonwealth Alliances contract so it will be effective from November 2022 – June 2023.

Attachments: Memo, Agreement

Suggested Disposition: Receive and File; Approve

## 6. **NEW Investment Policy & Order**

The purpose of this agenda item is to seek Board of Commissioners approval to update Order No. 13, 1994 Series, which is the current City of Frankfort Investment Policy. In December 1994, the City of Frankfort adopted Order No. 13, 1994 Series, which established the City's investment policy based on Kentucky Revised Statute (KRS) 66.480. At that time, the City was limited in the types of investments it could make. As a result, the City only invested in obligations of the United States and of its agencies and instrumentalities and in certificates of deposit or other interest bearing accounts. During the 2019 regular session of the General Assembly, the types of investments the City could make expanded to include the following (not all inclusive) additional types of investments: shares of mutual funds and exchange traded funds, individual equity securities, and individual high-quality corporate bonds. Attached is Order No. 13, 1994 Series and KRS 66.480 for reference.

The Kentucky League of Cities has created a sample investment policy, which conforms to KRS 66.480, as amended in 2019. The DRAFT investment policy attached is modeled after the KLC sample with minimal wording changes. The City stands to gain interest, investment, and dividend income if this policy is adopted as currently our investments are mostly tied to bank rates which are well below the market rates we could enjoy if we open our investment practices to additional types of investments as allowed by KRS 66.480. As a side note, the primary investment objectives stated in the 1994 policy will remain in the new policy: safety of principle invested, sufficient liquidity of the portfolio, and adequate return on investment.

One change from the 1994 policy, as recently approved by the Board of Commissioners, is the recent creation of a Finance Committee made up of two Board members, the Finance Director and the City Manager or a designee. Currently, the Finance Director is delegated investment authority and while the Finance Director will still have the same authority, given the myriad of choices in investments now at the City's disposal, the new Finance Committee will provide recommendations to the Finance Director about the investment program. This language has been added to the updated investment policy. Staff recommends the Board of Commissioners formally adopt the Investment Policy through an updated Order.

Attachments: Memo, **Draft** Investment Policy, **New** Investment Policy, Order, Order No. 13, 1994 Series, KRS 66.480

Suggested Disposition: Receive and File; Adopt Order

## 7. **“AN ORDER AMENDING ORDER NO. 4, 2000 SERIES, PERTAINING TO THE POLICE CAREER DEVELOPMENT PROGRAM”**

Attachments: Order

Suggested Disposition: Receive and File; Adopt Order

## 8. **Health Insurance Premiums**

Attachments: Memo

Suggested Disposition: Receive and File; Approve

## 9. **Discussion of Options for Paid Parental Leave Employee Benefit**

Attachments: Memo

Suggested Disposition: Receive and File; Approve an Option

## 10. **“A RESOLUTION OF THE CITY OF FRANKFORT BOARD OF COMMISSIONERS FORMALLY APOLOGIZING FOR ANY PART THAT AN ELECTED OR APPOINTED OFFICIAL IN THE CITY OF FRANKFORT PLAYED IN THE LYNCHINGS OF JOHN MAXEY AND MARSHALL BOSTON”**

Attachments: Resolution

Suggested Disposition: Receive and File; Adopt Resolution



## **11. Solid Waste 5-Year Plan Resolution**

The Solid Waste Division of Public Works is requesting the Board of Commissioners approval of a resolution supporting Franklin County's Five-year Solid Waste Management Plan, and for the Mayor to sign all related documents. The Kentucky Legislature requires that all Counties write and maintain a Five-year solid waste plan. Franklin County Solid Waste Coordinator Brittany Woodard oversees and updates the County's plan which does include the City of Frankfort every five years. The Kentucky Division of Waste Management is asking incorporated Cities to adopt a resolution in support of their County's five-year solid waste plan. Franklin County's Solid Waste plan was updated this year with input from the Solid Waste Plan Advisory Committee which includes members of the community along with City and County Leaders. The Solid Waste Management Plan contains a list of current solid waste facilities and then identifies the strengths and weaknesses of the current solid waste systems. The Solid Waste plan also includes goals and objectives for the Solid Waste plan area, with a timeline of action items that the Solid Waste Plan Advisory Committee would like to see achieved to better the environment in Frankfort and Franklin County. Staff recommends that the Board of Commissioners pass a resolution in support of Franklin County's five-year Solid Waste plan. The five-year plan gives the City and County goals to work toward, to help increase waste reduction and the continuing promotion of recycling and environmental stewardship.

Attachments: Memo, Resolution, 5-Year Plan

Suggested Disposition: Receive and File; Adopt Resolution

## **12. Public Works/Street Department Miscellaneous Items Surplus Order**

The Street Department is seeking approval from the Board of Commissioners for the surplus of two (2) 2006 Chevrolet 2500 pickup trucks, one (1) 2008 Ford 4 door pickup truck, an ADDCO message board, light fixtures, and for the Mayor to sign all related documents. The Streets/Floodwall Division of Public Works has several items that are ready for surplus. The vehicles, message boards and light fixtures are no longer useful due to mechanical issues and deterioration. These items can be sold on GovDeals and the revenue will go back into the general fund. Staff recommends approval of the surplus order and for the Mayor to sign all related documents.

Attachments: Memo, Order

Suggested Disposition: Receive and File; Adopt Order

## **13. Holmes Street Corridor RAISE Planning Grant - Kentucky Transportation Cabinet (KYTC) and City of Frankfort Memorandum of Agreement (MOA) Holmes Street Corridor RAISE Grant Project - KYTC/City MOA & Resolution**

On November 15, 2021, the City of Frankfort was awarded an FHWA Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant in the amount of \$616,000.00 for the Holmes Street Corridor Planning Project. The local matching funds are \$124,000.00 from the City, \$10,000.00 from the Frankfort Plant Board, and \$20,000.00 from Columbia Gas for a total of \$154,000.00. The total available funding for this project is \$770,000.00.

The Board of Commissioners approved the Federal Highway Administration (FHWA)/KYTC/City RAISE grant agreement at its September 26, 2022, meeting. KYTC has now provided the City a KYTC-City MOA which will provide for KYTC reimbursing the City for expended RAISE grant funds. Staff requests this MOA be added to the Board of Commissioners October 24th meeting agenda for approval. Once the MOA is signed by KYTC Secretary Jim Gray, we will issue a Notice to Proceed to Strand Associates. Attached are the KYTC/City MOA for the Mayor to sign and an accompanying resolution that will become Attachment B to the MOA. Also, MOA Attachment C requires the designation of a Person In Responsible Charge. Since the Person In Responsible Charge is required to be a full-time employee, staff recommends Katie Beard, Public Works Director, be designated as such.

Attachments: Memo, MOA, Resolution

Suggested Disposition: Receive and File; Adopt Resolution

## **14. Frankfort Transit - Federal Transit Administration (FTA) Grants Transit Center/Parking Garage Project on Parcel B Independent Geotechnical and Construction Materials Sampling and Testing Services City/Patriot Engineering and Environmental, Inc. Agreement & Resolution**

On August 24, 2022, the City advertised a Request for Qualifications (RFQ) to procure a consultant to conduct independent geotechnical and construction materials sampling and testing services for the subject project. The deadline for responses to the RFQ was September 16, 2022. The City received three responses to the advertisement. The City's selection committee met on September 26<sup>th</sup> to select the consultant that was determined to have the best qualifications. The committee selected Patriot Engineering and Environmental, Inc. (Patriot), based in Louisville, KY.

A scoping meeting was held on October 3rd to discuss the detailed set of activities and the level of effort that would be required of Patriot to successfully and independently sample and test the project's geotechnical and construction materials. Based on this scoping meeting, Patriot prepared and submitted a fee proposal for their work. A negotiation meeting was held on October 12<sup>th</sup> to agree on the final fee proposal amount.

Based on the final negotiated amount (\$58,946.40), a City/Patriot draft consultant agreement was presented to Patriot for their review. The City has received a signed copy of the consultant agreement from Patriot. Staff requests the Board of Commissioners approve the agreement at their October 24th meeting. Upon their approval and the Mayor signing the agreement, staff will issue a Notice to Proceed.

Attachments: Memo, Agreement, Resolution  
Suggested Disposition: Receive and File; Adopt Resolution

#### 15. Legal Fees – Kyle Thompson

The purpose of this memorandum is to request approval of an additional **\$30,000.00** for the professional services contract with Vaughn Petitt Legal Group regarding legal services in connection to Kyle Thompson's removal from the Board of Commissioners. On March 3, 2022 the City entered into a contract with Vaughn Petitt Legal Group, PLLC to represent the City pertaining to Kyle Thompson's removal hearing and litigation. City staff prepared the standard Request for Mayor to Sign Contract for under \$20,000.00. As Thompson continues to file litigation against the City and its officers, legal fees have now exceeded the \$60,000.00 amount we requested in May 2022 and the Board of Commissioners approved. With the most recent invoice, the City owes an additional \$5,028.78. It is difficult to estimate how much more time and funds will need to be allocated to this matter. The City's insurance unfortunately will not cover related costs at this time, although I intend to follow up regarding coverage as the litigation moves forward. Further, as the City Solicitor is a named party, she is unable to assist with defense to the extent she usually would. To ensure another funding request does not have to be made in the near future, staff would like to increase the amount of funds dedicated to defense of the City related to this litigation and request an accompanying budget amendment. Staff recommends that the BOC approve a contract update and associated budget amendment in the amount of **\$30,000** for legal fees to Vaughn Petitt Legal Group, PLLC, related to litigation brought against the City and its officers by Kyle Thompson.

Attachments: Memo  
Suggested Disposition: Receive and File; Approve

### NEW BUSINESS

### UNFINISHED BUSINESS

### ADJOURNMENT