

**NOTICE
SPECIAL MEETING VIA VIDEO TELECONFERENCE**

As a result of the state of emergency declared by the President of the United States, Governor of Kentucky, and Mayor of the City of Frankfort due to the global COVID-19 pandemic, and in accordance with recommended and mandated precautions related thereto and Kentucky Opinion of the Attorney General 20-05, the following Meeting Notice is issued:

I, Layne Wilkerson, hereby call a Special Meeting of the Frankfort Board of Commissioners for Monday, February 22, 2021, at 5:00 p.m., in the Frankfort/Franklin County Emergency Operations Center, 300 West Second Street. This meeting will be in lieu of the Regular Meeting scheduled for Monday, February 22, 2021. All items on the agenda will be considered and action will be taken.

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

Per KY Attorney General Opinion 20-05, **public attendance will not be permitted** at this meeting because, due to the highly contagious nature of COVID-19, it is not feasible for the City to provide a central physical location for public viewing. Public comments on **agenda items only** will still be accepted for the meeting, by emailing comments to **bhecker@frankfort.ky.gov** by Monday, February 22 at 4:00 PM.

The meeting will be broadcast via Frankfort Plant Board Cable 10 Live and Facebook Live: Frankfort, Kentucky - City Hall **www.facebook.com/CityofFrankfortKY/**.

Please see **www.frankfortema.org** for additional information.

S/Layne Wilkerson
T/Mayor

SPECIAL REGULAR MEETING
FRANKFORT BOARD OF COMMISSIONERS

February 22, 2021
5:00 P.M. (EST)

PRESENT: Commissioner Katrisha Waldrige
Commissioner Kyle Thompson
Commissioner Kelly May
Commissioner Leesa Unger
Mayor Layne Wilkerson (5)

ABSENT: None (0)

Mayor Wilkerson called the meeting to order.

Chermie Maxwell, City Clerk, read the following citizen comments:

Comments that opposed Ordinance for 452 Versailles Rd. zone change:

- Bud Dozier
- David Allen

Comments that support saving the Broadway Bridge:

- Allison Depenbrock
- John Carlton - Letter from the Franklin County Trust for Historic Preservation
- Robin Antenucci - Letter from Frankfort/Franklin County Tourist & Convention Commission
- Diane Strong
- Lynn Cruz
- Roger Barlow
- Joel Fischer
- John Unger
- Brent Sweger
- Delvin Azofeifa
- Russ Hatter
- Ford, Mariah, Porter, Paige & Hazel Childs
- Robert Kirkman
- Brittany Sams
- Mariah Childs
- Ann Wingrove & Ken Bates
- Kevin Breeck

Comment that opposed the City taking ownership of the Broadway Bridge without specific conditions in place:

- Donna Hecker

It was moved by Commissioner Waldridge, seconded by Commissioner May, to move Action Item No. 12(Broadway Bridge) prior to the Consent Calendar. The motion was adopted by voice vote.

Note: The citizen comments are on file in the City Clerk's office.

Broadway Bridge Discussion

The Board of Commissioners held a discussion regarding the Broadway Bridge and how staff should proceed. City staff will begin working on a plan which will include maintenance estimates and pedestrian traffic. This item will be added to the March 8, 2021 Special Work Session agenda.

Consent Calendar

The following miscellaneous and personnel items were presented:

- 1. Minutes - January 11, 2021 Special Work Session; January 25, 2021 Special Regular Meeting**

2. Rear Loading Garbage Truck Purchase - Solid Waste/Public Works

Authorized the Division of Solid Waste to purchase a new 25-yard rear loading garbage truck to replace some of the trucks in the fleet that have exceeded their service life and authorized the Mayor to sign all related documents. Div. of Solid Waste can purchase a 2021 Peterbilt 348 with a 25-yard New Way Cobra Magnum rear loading body for the cost of \$198,980 from Municipal Equipment under the Sourcwell Contract #091219-NWY. With purchasing the truck with a onetime payment, the City would save up to \$20,625 in interest and finance charges compared to making monthly or annual payments for five years. The truck will be available soon and could be delivered as soon as May 2021, if the department must order a truck it could take up to a year for delivery. A budget amendment would be required for the Solid Waste Equipment account number 100-65-56550.

3. H&A Resources Contract Renewal - Sewer

Authorized a contract renewal of the Bio-solids Disposal contract with H&A Resources and authorized the Mayor to sign all related documents. The Sewer Department must dispose of approximately 7,300 wet tons or 8,500 cubic yards of dewatered bio-solids annually from the Wastewater Treatment Plant. With the limitations and additional cost that the Benson Valley Landfill has put on the Wastewater Treatment Plant, FSD had revised the contract with H&A Resources in 2019 to provide both landfill and land-farm options. H&A Resources informed the Sewer Department in January 2020 that the cost of sludge disposal at the Benson Valley Landfill was going up in cost significantly. H&A was informed that the cost of disposal would be \$89.00 plus additional fees. This is 150% price increase on top of what the Sewer Department was already paying. Staff worked with H&A to discuss options and they were able to find alternate locations to haul the sludge to but the distance will cause additional fees to be added to the existing contract. FSD has decided to move toward producing a Class A bio-solid that can be used as fertilizer as the end product. Since this takes time to design and construct, staff expects this to take approximately 2 years. Once the project is completed there will be no need to continue with a disposal contract. Funds are available in Account No. 300.68.53295. This account has \$500,000 budgeted for FY 20/21.

4. Matheson Oxygen Contract Renewal - Sewer

Authorized a contract extension with Matheson Tri-Gas, Inc. to provide liquid oxygen for the ozone system and authorized the Mayor to sign all related documents. The Sewer Department took bids on August 13, 2019 for liquid oxygen for the purpose of generating ozone for disinfection of wastewater effluent prior to discharge into the Kentucky River. The wastewater treatment plant uses liquid oxygen to generate ozone gas to disinfect the effluent flow prior to discharge into the Kentucky River. The weekly permit limit is 240 colonies/100ml and the monthly permit limit is 130 colonies/100ml. Several vendors received the bid packages but Matheson was the only vendor to submit a bid. Matheson's bid is for .32 / per 100 cu. ft. and the Sewer Department was paying .4341 / per cu. ft. before this bid. This should result in a significant savings over the next few years. The annual budget for liquid oxygen is \$125,000.00. This will provide the majority of the disinfection for the entire year; Peracetic Acid is used as a backup disinfectant. The Sewer Department will initiate a Purchase Order Requisition to the Finance Department to generate a Purchase Order to Matheson Tri-Gas, Inc. in the amount of \$125,000.00.

5. Professional Services Contract (PSA) with HMB Engineers - Manhole Rehab - Sewer

Authorized a Professional Services Agreement with HMB to provide Engineering Design & Inspection Services related to the manhole rehab project and authorized the Mayor to sign all related documents. The Frankfort Sewer Department has been working with HMB Engineers to develop an annual project for manhole rehabilitation. This project is designed to repair manholes that have been damaged due to corrosion within the collection system. HMB shall provide design and construction administration and inspection services for the project. Approve Professional Services Agreement with HMB in the amount of \$ 50,000.00 to HMB.

6. Dolly Graham Park Architect/Engineer for Splash Pad Project - Parks

Authorized Parks to select Brandstetter Carroll, Inc. out of Lexington, KY, to perform architecture and engineering services for the splash pad aquatic facility and restroom renovation project at Dolly Graham Park and authorized the Mayor to sign all related documents. This is part of the Dolly Graham Park renovation project in conjunction with the Land and Water Conservation Grant officially awarded in Jan, 2021. With approval, the Parks Department will move forward with the architecture and engineering plans with Brandstetter Carroll. This will include, but not limited to, the necessary design plans, conceptual drawings, construction plans, stamped drawings and specifications, necessary sewer/plumbing evaluation and upgrades needed, meeting state and local codes and regulations, appropriate facility usage capacities (persons), water usage estimates, total overall cost of construction, among other design components. Also includes overseeing the construction from start to finish. Total costs of the provided services are 10% of the final cost of the project. For example, if the final cost of the overall splash pad/restroom renovation project is \$250,000, Brandstetter's fee will be \$25,000. Funds are available in the City's capital project funds and through the Land and Water Conservation Grant.

7. Leslie Morris Park (Fort Hill) Roof Bid Rejection and Re-bidding - Parks

Authorized the rejection of previously received bids for the Leslie Morris Park (Fort Hill) roof replacement project for the Sullivan House and the Gippy Graham Shelter and authorized the Mayor to sign any related documents. With approval of rejecting the 2 received bids, the Parks Department in conjunction with the City's Finance Department and Historic Preservation Officer, will move forward with rejecting the bids, tweaking the bid package, and re-submitting bids; then will bring the new bids back to the Commission for approval. We have researched other roofing companies with experience in these types of projects to attempt to increase the number of bids received. Funds are available in the City's Capital Project funds as well as the Fort Hill cell tower fund, meant for Capital Improvements at Fort Hill.

8. Certified Local Government Grant Projects - Grants

Authorized staff move forward with current and future Certified Local Government Grants based on requests from the previous City Commission, the recommendation of staff and authorized the Mayor to sign all related documents.

9. Transit Grant CRRSAA Amendment - Grants

Authorized the acceptance of funds in the amount of \$149,326 and to amend the City of Frankfort's Public Transportation Grant Agreement by that amount due to FY21 Coronavirus Response and Relief Supplemental and Appropriations Act of 2021 (CRRSAA). The Kentucky Transportation Cabinet received additional funding for Public Transportation under the FY21 Coronavirus Response and Relief Supplemental and Appropriations Act of 2021 (CRRSAA) and has allocated \$149,326 to the City of Frankfort dba Frankfort Transit. This funding does not require a match from the City. This grant agreement does not require a match from the City. Operating expenses incurred under this grant will be reimbursed 100%.

10. The following personnel items were presented:

- Promotion of Ben Gill in the Sewer Department from Lab Tech IV to Pre-Treatment Coordinator/Chemist, effective 3/2/21 (Sewer).

It was moved by Commissioner Waldrige, seconded by Commissioner Unger, that items of the Consent Agenda be adopted. All members being present, the motion to approve the consent agenda was adopted by voice vote without objection.

Boards

1. Code Enforcement Board - Reappointment of Karen Powell, expiring 1-27-24.

It was moved by Commissioner Waldrige, seconded by Commissioner Unger to accept the reappointment. The motion was adopted by voice vote.

Action Items

1. Second Reading

"AN ORDINANCE AMENDING SECTION 37.31(E) OF THE CITY OF FRANKFORT CODE OF ORDINANCES RELATING TO PAY PLAN, CLASSIFICATION AND COMPENSATION". This ordinance had its First Reading on January 25, 2021. Summary: This ordinance amends Section 37.31(E) of the City of Frankfort Code of Ordinances relating to Pay Plan, Classification and Compensation to change the job title of Parks Curator to Museum and Historic Sites Supervisor; and to amend the pay grade to 80 for the following positions: Museum and Historic Sites Supervisor and Golf Course Superintendent.

It was moved by Commissioner Waldrige, seconded by Commissioner Unger, to adopt the ordinance. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Thompson, May, Unger and Mayor Wilkerson (5). Those voting against the motion were none (0). The ordinance was thereupon adopted (Ordinance No. 1, 2021 Series).

2. First Reading

"AN ORDINANCE REZONING PROPERTY located near the intersection of Brighton Park Blvd and Versailles Road with the address of 452 Versailles Road, more specifically described as PVA map number 085-00-00-016.01, from Limited Commercial District (CL) to General Commercial District (CG)" was presented, read and sponsored by Commissioner Waldrige. Summary: This ordinance approves a zone map amendment for the property with the address of 452 Versailles Road more specifically described as PVA map Numbers 085-00-00-016.01, from Limited Commercial District (CL) to General Commercial District (CG).

3. First Reading

"AN ORDINANCE REZONING PROPERTY located at the intersection of Martin Luther King Blvd and the East West Connector (KY 676) with the address of 101 Martin Luther King Blvd, more specifically described as PVA map number 075-00-00-004.04, from Limited Commercial District (CL) and Residential "B" District (RB) to Limited Commercial District (CL)" was presented, read and sponsored by Commissioner Unger. Summary: This ordinance approves a zone map amendment for the property with the address of 101 Martin Luther King Blvd more specifically described as PVA map Numbers 075-00-00-004.04, from Limited Commercial District (CL) and Residential "B" District (RB) to Limited Commercial District (CL).

4. First Reading

"AN ORDINANCE AMENDING SECTION 40.22(A) OF THE CITY OF FRANKFORT CODE OF ORDINANCES RELATING TO FIRE DEPARTMENT ORIGINAL APPOINTMENTS" was presented, read and sponsored by Commissioner Waldrige. Summary: This ordinance amends Section 40.22(A) of the City of Frankfort Code of Ordinances to lower the age requirement from 21 years of age to 19 years of age upon date of appointment to the Frankfort Fire Department.

5. First Reading

"AN ORDINANCE AMENDING SECTION 40.21 OF THE CITY OF FRANKFORT CODE OF ORDINANCES RELATING TO POLICE DEPARTMENT ORIGINAL APPOINTMENTS" was

presented, read and sponsored by Commissioner Thompson. Summary: This ordinance amends section 40.21(8)(1) of the City of Frankfort Code of Ordinances relating to Police Department original appointments to allow Patrol Officer interviews to occur when the Civil Service Board is convened for other interviews (i.e. Fire/Police promotional interviews or Fire original appointment interviews).

6. First Reading

"AN ORDINANCE AMENDING SECTION 40.23 OF THE CITY OF FRANKFORT CODE OF ORDINANCES RELATING TO POLICE DEPARTMENT PROMOTIONS" was

presented, read and sponsored by Commissioner Waldrige. Summary: This ordinance amends section 40.23(A) of the City of Frankfort Code of Ordinances relating to Police Department promotions to set the following promotional eligibility requirements a) Sergeants and higher rank must serve one year in the next lower rank; b) Officers hired as original appointments must serve a total of 48 months; c) Officers hired through the accelerated process must have completed a total of 72 months of service as a sworn officer, including time at another agency without disciplinary actions, with a minimum of 24 months of service with the Frankfort Police Department; and d) Officers hired through the retiree process are not eligible for promotion due to serving on a year to year basis under contract.

7. Police Surplus Vehicle & Order

The purpose of this memo is to request the surplus of one (1) 2003 Chevrolet Silverado 1500, and to authorize the Mayor to sign all related documents. This vehicle will be sold by electronic auction.

It was moved by Commissioner Waldrige, seconded by Commissioner Unger, to adopt the order. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Thompson, May, Unger and Mayor Wilkerson (5). Those voting against the motion were none (0). The order was thereupon adopted (Order No. 5, 2021 Series).

8. Solid Waste Surplus Trucks & Order

The Division of Solid Waste has two (2) trucks that need to be sold as surplus property and to authorize the Mayor to sign all related documents. These vehicles will be sold by electronic auction.

It was moved by Commissioner Waldrige, seconded by Commissioner May, to adopt the order. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Thompson, May, Unger and Mayor Wilkerson (5). Those voting against the motion were none (0). The order was thereupon adopted (Order No. 6, 2021 Series).

9. Street Department Surplus Items & Order

The Street Department has a list of inventory that no longer works or needs to be replaced due to age and to authorize the Mayor to sign all related documents. These items will be sold by electronic auction on Govdeals.com.

It was moved by Commissioner Waldrige, seconded by Commissioner Unger, to adopt the order. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Thompson, May, Unger and Mayor Wilkerson (5). Those voting against the motion were none (0). The order was thereupon adopted (Order No. 7, 2021 Series).

10. Renewal of Sustainable Strategies DC Contract for 2021 - Grants

Staff requests authorization to enter into a contract for 2021 with Sustainable Strategies DC for assistance with Grants and to authorize the Mayor to sign all related documents.

It was moved by Commissioner Waldrige, seconded by Commissioner May, to renew the contract. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Thompson, May, Unger and Mayor Wilkerson (5). Those voting against the motion were none (0). The motion was thereupon adopted.

11. 2020 Juniper Hill Golf Course Discounts and Refunds due to COVID-19 - Parks

The purpose of this agenda item is to seek Commission approval to provide a discount for 2021 season golf passes and issue some refunds for season golf passes and cart leases for a period of time in March through late April, early May, 2020 that the golf course at Juniper Hill Park was either closed or golf play and cart usage was limited due to the COVID-19 Pandemic. Also, to authorize the Mayor to sign all related documents.

It was moved by Commissioner Waldrige, seconded by Commissioner May, to authorize the discounts. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Thompson, May, Unger and Mayor Wilkerson (5). Those voting against the motion were none (0). The motion was thereupon adopted.

12. Moved prior to Consent Calendar- Broadway Bridge discussion

13. Thorobred Trail Update

Rebecca Hall, Community Relations/Grants Manager, stated that the contract was awarded this past December and staff met with Colston Paving in January. Tentative completed date is April 30, 2021.

Shawn Pickens, Director of Parks and Recreation, stated that sections of the trail will require fencing and railing sections due to sharp drop offs. There is currently a bid out that ends on March 4, 2021. Once the bids have been received, staff will bring them back to the Board of Commissioners for approval.

14. Discussion of Virtual Meeting Status

Commissioner Waldrige stated that there are community members concerned about the status of virtual meetings and when will the Board of Commissioners meetings return to regular meetings instead of special meetings, which will open up the agenda and allow the community to comment. Tommy Russell, Interim City Manager, said he hopes that meetings can return to normal close to June, depending on the COVID-19 numbers. Staff will work on a hybrid model for the meetings.

It was moved by Commissioner Waldrige, seconded by Commissioner Thompson, to go into Executive Session per KRS 61.810 61.810 (1)(c)Litigation - potential litigation regarding past personnel actions. The motion was adopted by voice vote. The meeting went into closed session at 6:56 p.m.

It was moved by Commissioner Waldrige, seconded by Commissioner May, that the meeting return to open session. The motion was adopted by voice vote. The meeting returned to open session at 7:09 p.m.

It was moved by Commissioner Waldrige, seconded by Commissioner Thompson, that the meeting adjourn. The motion was adopted by voice vote. The meeting adjourned at 7:10 p.m.

Mayor Wilkerson gave special thanks to the EMS/Fire, Police, Public Works, Sanitation and other city departments during the recent flood event.

Mayor

Attest:
