

PRESENT:

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

ABSENT: None (0)

Following roll call Mayor Wilkerson called the meeting to order. The invocation was given by Reverend Marian Taylor of South Frankfort Presbyterian. The Pledge of Allegiance was recited.

**Ceremonial & Recognition**

Commissioner Unger stated the spring market this past Saturday was great. Congratulations to STLP in partnership with the Department of Education gave the award in 3d printing to the Frankfort Independent Schools and Franklin County High Schools. There was a recent incident on Bridge Street where someone was almost hit, the Police Chief placed a video on Facebook.

Commissioner Waldrige congratulated Brooke Fell from Bondurant for winning the KY Counselor of the Year. Parks and Recreation has been working closely with KSU and the Reforest Frankfort event at the KSU farm had a great turn out.

Mayor Wilkerson reminded everyone of the Jazz Festival at The Grand Theatre on April 28, 2023.

Commissioner May spoke about the "positivity bench" that will be celebrated at Dolly Graham Park on April 27, 2023. The ceremony will begin at 10:00 am.

Mayor Wilkerson read the "Earth Day" proclamation, which was on April 22, 2023, for Together Frankfort. Unfortunately, the Mayor was out of town and unable to attend the event.

**Citizen Comments**

Crystal Harrod representing the Franklin County Conservation District spoke about a backyard conservation program that has recently started where you can get reimbursed from their office when spending a certain amount. Call the office or visit their website for additional information.

Andy McDonald spoke about the Solarize Frankfort Program and is happy to work with residents to solarize their homes. Mr. McDonald thanked the City of Frankfort for their support and stated enrollment is open until August 11, 2023.

**Consent Calendar**

- 1. Minutes – Work Session, March 13, 2023; Special Meeting, March 27, 2023; Regular Meeting, March 27, 2023**
- 2. Professional Services Contract with Lovo Systems, Inc. – Fort Boone Pump Station Project – Sewer**

Authorized a Professional Services Contract with Lovo Systems, Inc. for design and construction of control panel, SCADA integration, and Mission system for the Fort Boone Pump Station project and for the Mayor to sign all related documents. FSD is incorporating SCADA to replace Mission as the communication methodology for our operators to know how the sanitary sewer system is operating. Lovo Systems designs and construction SCADA is currently being used to monitor equipment at the wastewater treatment plant. FSD will slowly switch from Mission to SCADA to obtain long term savings. This installation will be for the first SCADA unit in the collection system, with more to follow as capital projects are implemented. With this being the first implementation, FSD requests an additional \$5,000.00 as a contingency for unforeseen work during implementation. This project is in the Capitol Improvement Plans and will be budgeted for construction in the FY23-24 Budget. The proposal is for \$32,900.00. FSD requests approval for \$37,900.00. Staff recommends that the Mayor and Board of Commissioners approve the Professional Services with Lovo Systems, Inc. Once the Professional Services Agreement is approved and signed, the Sewer Department will issue a Purchase Requisition in the amount of \$37,900.00 for a Professional Services Agreement with Lovo Systems.

- 3. Construction Contract with Basham Construction and Rental Company, Inc for Fort Boone Pump Station Replacement Project – Sewer**

Authorized an Agreement between the City of Frankfort and Basham Construction and Rental Company, Inc (Basham) for the Fort Boone Pump Station Replacement Project and for the Mayor to sign all related documents. The Fort Boone Pump Station Replacement Project is the last of the early action plan projects from the 2007 Consent Judgement with the Kentucky Division of Water. The project will eliminate a reoccurring sanitary sewer overflow. The Fort Boone Pump Station Replacement Project will increase the pumping capacity from 150 gpm to 705 gpm to eliminate the reoccurring sanitary sewer overflow. Other improvements include 275 L.F. of 10" force main and 61 L.F. of 8" sewer. FSD advertised for bids on February 13, 2023. We received a total of one bid and Basham was determined to be the lowest qualified bidder with \$983,000. This project is in the Capitol Improvement Plans and will be budgeted for construction in the FY23-24 Budget. The lowest qualified bidder is for \$983,000.00. FSD requests approval for \$983,000.00. With the assumption of the Board of Commissioners accepting the existing 12" force main from Buffalo Trace, the City was able to realize a savings of \$165,735.00. Staff recommends the BOC approve the award of the construction contract with Basham Construction and Rental Company, Inc. in the amount of \$ 983,000.00.

- 4. Amendment No. 7 with Palmer Engineering for Fort Boone Pump Station Project – Sewer**

Authorized Amendment No. 7 to the Professional Services Contract with Palmer Engineering Company, Inc. (Palmer) for additional Survey, Continuation Construction Administrative Services and Resident Project Representative and for the Mayor to sign all related documents. The Fort Boone Project has bid three times with a portion of the gravity sanitary sewer work being completed during the first construction contract. The purpose of this construction contract is for the contractor to complete the remaining portion of the gravity sewer, construct a new pump station and force main to reduce sanitary sewer overflows. An additional survey was performed to successfully negotiate with Buffalo Trace to obtain an easement and the transfer of the 12" force main within the said easement. Palmer will provide a Resident Project Inspector and Construction Administration Services to support the Frankfort Sewer Department (FSD) staff to ensure the sanitary sewer construction adheres to FSD standards. This project is in the Capital Improvement Plans and will be budgeted for construction in the FY23-24 Budget.

Original Contract	\$ 60,700.00	6/22/2009	Closed
Amendment No. 1	\$ 2,000.00	11/28/2011	Closed
Amendment No. 2	\$ 49,500.00	4/23/2012	Closed
Amendment No. 3	\$ 51,350.00	7/27/2015	Closed - \$ 27,042.68 Unused

Amendment No. 4	\$ 29,882.50	3/26/2018	
Amendment No. 5	\$ 74,827.50	7/27/2020	
<u>Amendment No. 6</u>	<u>\$ 11,950.00</u>	<u>2/28/2022</u>	<u>Closed</u>
Total	\$ 280,210.00		
<u>Less Amend No.3 Closeout</u>	<u>\$ 27,042.68</u>		
Current Total	\$ 253,167.32		
<b><u>Amendment No. 7</u></b>	<b><u>\$ 52,850.00</u></b>		
Revised Total	\$ 306,017.32		

Staff recommends that the Mayor and Board of Commissioner approve the Professional Services Amendment No. 7 with Palmer Engineering.

**5. Direct Purchase of Floating Aerators – Sewer**

Authorized FSD to directly purchase floating aerators from Buffalo Trace and for the Mayor to sign all related documents. The Sewer Department has had a history of mechanical failures with the aerators associated with the oxidation ditches. FSD has explored multiple options and Aerations Industries has been one that has always stood out as a good option. Buffalo Trace has removed all of the aerators from both lagoons and offered them to the City at a discounted rate. The cost of each aerator new would be approximately \$100,000.00. Buffalo Trace has agreed to sell the City two at a cost of only \$25,000.00. This would be a great asset for the plant as they can be used on all three oxidation ditches in any emergency situation. Typically, this would be bid out due to the cost of the equipment, but at only a cost of \$25,000.00, FSD could not pass on this opportunity. There are also no local representatives that could sell this equipment to FSD either. Funds are available in account # 300.68.56555. This will come out of the emergency fund which has an annual budget line item of \$200,000.00. Staff recommends approval.

**6. Amendment No. 2 with Hazen and Sawyer – Miami Trails Sanitary Sewer Project – Sewer**

Authorized Amendment No. 2 to the Professional Services Contract with Hazen and Sawyer (Hazen) for continuation of Construction Administrative Services and Resident Project Representative and for the Mayor to sign all related documents. Hazen has provided additional services to process the Cleaner Water Grant so that the project may receive over \$782,711.00 in grant funds. Hazen is requesting \$5,360.00 for the effort expended to secure the grant funds. The Board of Commissioners awarded the construction of Miami Trail Sanitary Sewer Project on February 28, 2022 to Lagco Inc. After shop drawing review and material supply delivery, FSD issued the Notice to Proceed to the Contractor on June 13, 2022. The contractual substantial completion date of the work is April 9, 2023. The Contractor has been diligent and responsive in working on the project. Unfortunately, the rock encountered on the project is extremely hard and has required the Contractor to fall behind schedule. The current estimated time of completion, based on project cost incurred vs contract award is February 13, 2024. Hazen has provided a Resident Project Inspector and Construction Administration Services to support the Frankfort Sewer Department (FSD) staff to ensure the sanitary sewer construction adheres to FSD standards. FSD proposes to increase Hazen's fee by \$5,360.00 for effort expended to secure the grant funds. The Construction Documents allow for damages of \$1,000.00 per day for work extending beyond the date for Substantial Completion date of April 9, 2023. Beginning on April 10, 2023, FSD intends to assess Liquidated Damages of \$1,000.00 per day, as needed to cover the additional expense of Hazen provided Construction Administration Services and Resident Project Representative.

This project is in the Capital Improvement Plans and will be budgeted for construction in the FY23-24 Budget.

Original Contract	\$ 148,632.00
<u>Amendment No. 1</u>	<u>\$ 219,800.00</u>
Current Total	\$ 368,432.00
<b><u>Amendment No. 2</u></b>	<b><u>\$ 223,780.00</u></b>
Revised Total	\$ 592,212.00
<u>Less Liquidated Damages</u>	<u>\$ 218,420.00</u>
City of Frankfort Cost	\$ 373,792.00

Staff recommends that the Mayor and the Board of Commissioners approve the Professional Services Amendment No. 2 with Hazen and Sawyer.

**7. Professional Services Contract with Lovo Systems, Inc. – Paddocks Pump Station (Home Depot & Poplar Creek Pump Station Improvement Project) – Sewer**

Authorized a Professional Services Contract with Lovo Systems, Inc. for design and construction of control panel, SCADA integration, and Mission system for the Paddocks Pump Station (Home Depot and Poplar Creek Pump Station Improvements Project) and for the Mayor to sign all related documents. FSD is incorporating SCADA to replace Mission as the communication methodology for our operators to know how the sanitary sewer system is operating. Lovo Systems designs and construction SCADA is currently being used to monitor equipment at the wastewater treatment plant. FSD will slowly switch from Mission to SCADA to obtain long term savings. This installation will be for the second SCADA unit in the collection system, with more to follow as capital projects are implemented. With this being an early implementation, FSD requests an additional \$5,000 as a contingency for unforeseen work during implementation. This project is in the Capital Improvement Plans and will be budgeted for construction in the FY23-24 Budget. The proposal with the alternate is for \$58,450.00. FSD requests approval for \$63,450.00. Staff recommends that the Mayor and Board of Commissioners approve the Professional Services with Lovo Systems, Inc.

**8. Arcadis U.S., Inc – Amendment to Long Term Control Plan and Annual Report – Sewer**

Authorized a Professional Services Contract with Arcadis U.S., Inc. (Arcadis) and for the Mayor to sign all related documents. The City of Frankfort has entered into a Consent Judgement with the Commonwealth of Kentucky in 2007 to eliminate sanitary sewer overflows (SSO) and reduce combined sewer overflows (CSO). The Frankfort Sewer Department has made significant progress in reducing SSOs and CSOs in our community. FSD has exceeded the 85% percent capture rate required for CSOs. FSD has not completed all capital improvement projects associated with SSOs and CSOs by December 31, 2023. FSD is requesting professional services from Arcadis to negotiate a Long-Term Control Plan (LTCP) amendment to reduce the number of required capital projects and extend the completion time to remain in compliance with the Consent Judgement. The Consent Judgement requires documentation through an Annual Report to include the capital project progress, SSO and CSO discharges, and other operational metrics. The proposed professional services would have Arcadis assist FSD in developing the 2022-2023 Annual Report due on August 31, 2023. The Contract can be renewed a maximum of 4 years.

This project is in the Capital Improvement Plans and will be budgeted for professional services in the FY23-24 Budget.

Contract	\$ 364,831.00
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Staff recommends that the Mayor and the Board of Commissioners approve the Professional Services Contract with Arcadis.

## 9. Capitol View Park Adult Softball Memorandum of Agreement (MOA) - Parks

Authorized the Parks Department to renew the existing MOA with The Players Association (TPA) to provide adult softball tournaments at Capitol View Park and approval for the Mayor to sign any related documents. In 2020, the Parks Department and TPA entered into an MOA to offer adult softball tournaments and management of tournaments at Capitol View Park. The Parks Department strives to offer quality adult softball tournaments and leagues for the citizens of Frankfort, Franklin County and outside of the community as well as finding cost savings where possible without decreasing services offered. This MOA provides both of these objectives. The tournaments will attract outside teams, families, etc. into Frankfort, which will eat in our restaurants, stay in our hotels, buy gas, groceries, etc. With approval, Parks will renew the MOA with TPA to continue to provide the organization, implementation, operating and evaluation of the adult softball tournaments. There will be little to no expense on the city's part, outside of normal staffing and routine park and field maintenance. TPA will pay the Parks Department rental fees for the use of the facilities and the Parks Department will work in partnership with TPA on field maintenance, prep work, etc. It is estimated that with the renewed MOA, the parks department will continue to save approximately \$50,000.00 in personnel costs. If the city were to operate the tournaments in-house, that is the estimated personnel cost. This MOA does not require an expenditure of funds on behalf of the city. Staff recommends approval of the MOA and approve the Mayor to sign any related documents.

## 10. Memorandum of Agreement (MOA) – Parks for the following: Frankfort Independent Schools – Soccer; Franklin County School Board - Baseball, Softball, Tennis & Golf; The Frankfort Christian Academy – Soccer

Authorized the following Memorandums of Agreement (MOA's) and for the Mayor to sign any related documents.

- Frankfort Independent Schools (FIS) Soccer MOA
- Frankfort Christian Academy (TFCA) Soccer MOA
- Franklin County School Board (FCSB) Baseball, Softball, Tennis & Golf (MOA)

## 11. MS4 Annual Report – Public Works

Authorized the Mayor to sign the 2022 Phase II MS4 Annual Report for the City of Frankfort and Franklin County on behalf of the City. The City of Frankfort, due to its size, is considered by EPA a Phase II City with regards to municipal stormwater and, because of this designation, is required to have a program in place to perform tasks associated with preventing stormwater runoff from becoming polluted. These tasks include education of the staff and public, preventative measures, and maintenance activities. The Phase II MS4 program is administered by the Kentucky Division of Water. The City of Frankfort and Franklin County are co-permittees under Kentucky's general permit for Phase II MS4s. Every year the City of Frankfort is required to submit a report to the Kentucky Division of Water summarizing the City's Phase II program and its activities. This report is due annually by April 15th. Since Frankfort and Franklin County are co-permittees, a shared consultant assists in preparing the Annual Report each year and the report is required, by state and federal law, to be signed by the highest elected official in the governing body. The Mayor's is the required signature for the City and the Judge Executive will sign on behalf of Franklin County. Staff recommends authorization for the Mayor to sign the 2022 Phase II Annual Report for the City of Frankfort and Franklin County on behalf of the City of Frankfort.

## 12. Solid Waste Trucks Camera Purchase – Public Works

Authorized the purchase of new video camera recording systems and installation for the Division of Solid Waste route trucks and authorized the Mayor to sign all related documents. The Division of Solid Waste started using video recording systems on the route trucks in 2013. When a new truck is purchased a camera system is installed by the dealer. This has led to the department having multiple brands of systems that their software and parts do not interchange. With a new camera system per primary route truck, it should allow the department to operate safer on the routes and have proof of any accidents of who was at fault and limit the ability of residents to place blame on the City for any damage done to their property by someone else. Also, the cameras should allow the department to be more efficient with route collection and limit the number of callbacks for missed stops. The Division of Solid Waste would like to purchase and have installed 13 new camera systems from Angel Trax under Sourcewell pricing contract #020221-IVS. Angel Trax is currently the brand of cameras that Frankfort Transit uses on their buses and has not had any major issues with their products or services. **Note: A budget amendment will need to be made for the cost of \$46,119.57 as the department's line item for Automotive parts will be over the budgeted amount for the fiscal year.** Staff recommends that the Board of Commissioners approve the purchase and installation of the camera systems from Angel Trax and the Mayor sign all related documents.

## 13. 2023 DOJ Micro-Grant Application – Grants/Police

Authorized the submittal of a 2023 Department of Justice Micro-Grant in an amount not to exceed \$175,000.00 to focus on Building Trust and Legitimacy with the Community. This project will expand the Police Department's current partnerships with Yes Arts and Drug Court to include Just Say Yes and the Wanda Joyce Robinson Foundation. In 2022 the Frankfort Police Department submitted an application for a DOJ Micro-grant to bring marginalized citizens and their families in contact with FPD Officers to build trust and a sense of community. The Department is working with Yes Arts and Drug Court to set up training for officers and bring Drug Court participants together with this population to work with an Art Therapist. After updating our DOJ Program Manager of our current progress, we were encouraged to apply for additional funds to expand on this worthy project. The DOJ Micro-grant Program does not require a match from the City. Staff requests to ask for funding not to exceed \$175,000.00 and to authorize the Mayor to sign all related documents.

## 14. 2023 NEH Infrastructure and Capacity Building Grant Application – Grants/ Museum

Authorized the submittal of a 2023 National Endowment of the Humanities (NEH) Infrastructure and Capacity Building Grant Application in the amount of \$150,000.00 for various repairs to the Capital City Museum including a new roof and to authorize the Mayor to sign all related documents. The National Endowment for the Humanities has grant funds available under their Infrastructure and Capacity Building Program. The Museum is in desperate need of multiple repairs that have been neglected over the years. A complete evaluation of the museum was conducted last year and it was determined that the roof urgently needs to be replaced and would help stop further damage to portions of the museum. The Infrastructure and Capacity Building Grant Program does require a 1/1 match, making the local contribution \$150,000.00. These funds are not currently in the Capital Budget and would need to be added in the FY2024 budget if funded.

## 15. The following miscellaneous and personnel items were presented

- Transfer of Daniel Kirk in the Public Works/Solid Waste Department from Sr. Public Works Tech Solid Waste to Sr. Public Works Tech Streets, effective 4/11/23 (Public Works/Solid Waste).
- Transfer of Brad Parker in the Public Works/Solid Waste Department from Sr. Public Works Tech Solid Waste to Sr. Public Works Tech Streets, effective 4/11/23 (Public Works/Solid Waste).
- Voluntary Demotion of Clay Troxell in the Planning Department from Neighborhood Inspector to Sr. Public Works Tech Streets, effective 4/11/23 (Planning).
- Appointment of Jerry McGuire to the Public Works/Transit Department as Transit Driver, effective 4/25/23 (Public Works/Transit).
- Appointment of Patrick Talley to the Public Works/Transit Department as Transit Driver, effective 5/9/23 (Public Works/Transit).
- Appointment of Timmy Bishop in the Public Works/Streets Department as Public Works Tech Streets, effective 4/25/23 (Public Works/Streets).
- Resignation of McKenna Wilson in the Police/E911 Department as Telecommunicator I and to authorize payout of accrued leave, effective 3/30/23 (Police/E911).
- Resignation of Matthew Belcher in the Fire & EMS Department as Firefighter II, effective 4/20/23 (Fire/EMS).
- Resignation of Tanner Harrod in the Sewer Department as Sewer Tech, effective 4/20/23 (Sewer).
- Resignation of Alicia Barnes in the Police Department as Patrol Officer and to authorize payout of accrued leave, effective 4/24/23 (Police).

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

## Boards

### 1. Board of Park Commissioners -- Appointment of Morgan Gilbert (filling vacancy), expiring 5-1-25.

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

### 2. Civil Service Board of Police & Fire -- Reappointment of Tonya Monsanto, expiring 2-28-26.

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

## Action Items

### 1. Second Reading

**"AN ORDINANCE ACCEPTING A PORTION OF HARRODSBURG LANE AS A PUBLIC STREET"**. This ordinance had its First Reading on March 27, 2023. 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.

It was moved by Commissioner May, 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 Thompson, Unger, Waldrige, May and Mayor Wilkerson (5). Those voting against the motion were none (0). The ordinance was thereupon adopted (Ordinance No. 9, 2023 Series).

### 2. Second Reading

**"AN ORDINANCE AMENDING CITY OF FRANKFORT CODE OF ORDINANCES SECTIONS 37.31 AND 37.32 RELATED TO OFFICER AND EMPLOYEE PAY STRUCTURE, CLASSIFICATION AND COMPENSATION, AND DELETING SECTION 40.57 RELATED TO AN EMERGENCY PREPAREDNESS COORDINATOR"**. This ordinance had its First Reading on April 10, 2023. Summary: This ordinance 1) amends City of Frankfort Code of Ordinances Section 37.31 and 37.32 to update "COF Salary Schedule," incorporated by reference, to include the full-time position of Emergency Management Director; and 2) Deletes Section 40.57, Emergency Preparedness Coordinator, in its entirety as this position no longer exists.

It was moved by Commissioner May, 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 Thompson, Unger, Waldrige, May and Mayor Wilkerson (5). Those voting against the motion were none (0). The ordinance was thereupon adopted (Ordinance No. 10, 2023 Series).

### 3. "A RESOLUTION PERMITTING REIMBURSEMENT OF ONE PERCENT (1%) OCCUPATIONAL TAX LICENSE FEE ON SALARIES ASSOCIATED WITH THE EXPANDING OPERATION OF INVESTORS HERITAGE LIFE INSURANCE COMPANY AS PART OF ITS APPLICATION FOR INCENTIVES UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM"

It was moved by Commissioner May, seconded by Commissioner Unger, to adopt the resolution. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Thompson, Unger, Waldrige, May and Mayor Wilkerson (5). Those voting against the motion were none (0). The resolution was thereupon adopted (Resolution No. 7, 2023 Series).

### 4. Public Works Garage Surplus Order

The purpose of this memo is to request the Board of Commissioners approval of an order to surplus shop equipment that is no longer used, and for the Mayor to sign all related documents. The Public Works Department Maintenance Garage has equipment that is no longer in use due to age and condition. Once approved for surplus, this equipment will be sold at online auction with the proceeds returning to the General fund.

#### Surplus Equipment

COF0000885 – Rotary Vehicle lift

COF0000886 – Wheeltronic Vehicle Lift

COF0000887 – Ammco Brake Lathe

Staff recommends that the equipment surplus order is approved, and the Mayor sign all related documents.

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 Thompson, Unger, Waldrige, May and Mayor Wilkerson (5). Those voting against the motion were none (0). The order was thereupon adopted (Order No. 5, 2023 Series).

### 5. KYTC Road Verification Project Resolution

The Public Works Department worked with the Bluegrass Area Development District (BGADD) on this road verification project. The City is seeking approval for authorization for the Mayor to sign the attached resolutions listing roads in (and excluded from) the city's system. BGADD, on behalf of the KY Transportation Cabinet (KYTC), works with municipalities to verify roads that are maintained by the city (name and length). The Public Works Department went through the attached list and agreed with the route names, local road names, and lengths of road in both Appendix A and B. Authorize for the Mayor to sign resolution listing roads within the city's system on behalf of the City of Frankfort.

It was moved by Commissioner Waldrige, seconded by Commissioner May, to adopt the resolution. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Thompson, Unger, Waldrige, May and Mayor Wilkerson (5). Those voting against the motion were none (0). The resolution was thereupon adopted (Resolution No. 8, 2023 Series).

### 6. Kentucky League of Cities Investment Pool

The purpose of this agenda item is to seek Board of Commissioners approval to invest \$2M in the Kentucky League of Cities (KLC) Investment Pool and have the Mayor sign all related documents. On July 25, 2022, the Board of Commissioners (BOC) adopted Order 14, 2022 Series "An Order establishing the City of Frankfort Unrestricted Fund Balance Policy". On October 24, 2022, the BOC adopted Order No. 19, 2022 Series "An Order adopting the City of Frankfort Investment Policy and Repealing Order No. 13, 1994 Series". On December 19, 2022, the BOC adopted Resolution No. 37, 2022 Series "A Resolution Authorizing Participation in the Kentucky League of Cities Investment Pool Plus Program". On February 23, 2023, the City of Frankfort Finance Committee conducted a regularly scheduled meeting and part of that discussion concerned an amount to invest in the KLC program. The Committee agreed to recommend a \$2M investment from the General Fund. As is evident in the

background information above, the BOC has taken important steps to improve, to the greatest extent possible, the financial condition of the City in the wake of a potential budget shortfall for FY24 and to limit the severity of the shortfall on the General Fund. This has culminated in approval to participate in the KLC investment program. On January 9, 2023, representatives from KLC and their Investment partner PNC presented to the BOC on the benefits of the program including inception to date growth which was 11% for the S&P 500 Fund and 9% for the Dividend Focus Fund. The Money Market Fund was yielding 3.68% as of November 30, 2022. Updated information (as of March 31, 2023) from KLC is attached to this letter. The \$2M investment, and any growth, will be included as part of the Unrestricted (minimum) Fund Balance of the General Fund. That amount, when using the parameters established in Order 14, 2022 Series is three months and operating expenditures is roughly \$12M. This amount is subject to change based on actual operating expenditure from year to year. The intent is to make this a long-term investment that will grow over time and not need to be used by the City. Staff recommends approval to investment \$2M in the program and to authorize the Mayor to sign all related documents.

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

#### **7. Telecommunications Tax and Old Tourism Building Rental Income**

The purpose of this agenda item is to seek Board of Commissioners approval to close the old tourism rent bank account and utilize those funds for one-time events budgeted in the General Fund the City typically assists with and to close the telecommunications tax and instead put those funds into the restricted E911 fund. Both actions will occur as part of the FY24 Budget. The City has approximately \$16,700.00 in the Tourism account and expects to have \$16,740.00 as of the end of June. The only activity in this account is earned interest. Examples of one-time events to fund for FY24 include the Jazz Festival, Commonfest, Bourbon on the Banks, etc. The City receives approximately \$32,000.00 in yearly revenues from telecommunications tax and currently has \$148,180.00. The City expects to have approximately \$159,310.00 as of the end of June. Per KRS 136.648 the City can use the telecommunications tax for several types of services, one of which is Public Protection. Since the City currently has a restricted E911 fund and part of the restriction for telecommunication tax is that it cannot be spent on the administration of local government it is my belief and recommendation we use it towards E911. The City has not spent any funds from the Telecommunications Tax account since 2019. Staff recommends the Board of Commissioners (BOC) approve both these requests for the FY24 Budget. Upon approval, staff will include both these actions in the FY24 Budget that will be approved through first and second readings by the BOC in June.

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

#### **8. Broadway Bridge Memorandum of Understanding (MOU)**

In late 2022, the BOC passed a resolution to invest in the redevelopment of a pedestrian crossing at the Broadway Bridge. Reopening the Kentucky River crossing at Broadway Bridge to pedestrian traffic has long been a strategy identified in a number of different master development plans for Frankfort to improve access to the Kentucky River (2009 Kentucky Riverfront Development Plan as a link to the community and to our trail system; 2018 Downtown Master Plan as an anchor at the west end of Broadway Street and an important feature in connecting the west riverfront with downtown, the 2020 Parks and Recreation Assessment Study; July 2021, Frankfort Parks, Recreation, and Historic Sites Master Plan). The attached Memorandum of Understanding with the Bridges current owner, the Kentucky Transportation Cabinet, details the redevelopment plan. The City has been actively working with the Kentucky Transportation Cabinet to explore a solution that would create a new crossing at Broadway Bridge on new piers and would also incorporate the historic, one truss span of the existing truss structure. The Biennial Highway Construction Plan, FY 2022-2024 (HB 242) was signed by the Governor on 4/11/2022 and provided \$3.5 million for the construction of the new crossing. The BOC agreed in November 2022 to allocate up to \$2 million for this work and other Riverview Park area Improvements.

The Kentucky Transportation Cabinet is the agency in charge of this project. After completion of the new crossing, the Cabinet will transfer ownership of the crossing to the City of Frankfort and will then be responsible for maintaining the bridge. Insurance for this asset can be obtained for approximately \$10,000.00. For maintenance, we expect annual costs of \$13,000.00 per year with costs going up over time depending on age and including biannual bridge inspections. Staff recommends creating a restricted maintenance fund for the bridge that the city contributes to annually to save for future larger maintenance needs. The bridge redevelopment project was identified in the 2009 Kentucky Riverfront Development Plan as a link to the community to our trail system and a driver for investment in the historic Bellepoint Neighborhood, in the 2018 Downtown Master Plan as an anchor at the west end of Broadway Street and an important feature in connecting the west riverfront with downtown. The bridge is key to the expansion of our trail system. Further, a new crossing at Broadway can serve to meet needs that were identified in the 2020 Parks and Recreation Assessment Study. In that study, surveys sent to 444 residents identified walking and hiking trails as one of the most important needs. In July 2021, the Frankfort Parks, Recreation, and Historic Sites Master Plan was adopted encouraging the crossing at Broadway. This allocation activates the Strategic Plan priority 2 of Economic Development and its Strategy #4: Continue Citywide Beautification and Aesthetic Improvements, Strategy #6: Focus on Livability and Quality of Life, and Strategy #7: Develop Community Engagement Around Economic Development. Staff recommends approval of the Memorandum of Understanding and advance project.

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

#### **9. Amendment to Professional Service Agreement with Brandstetter Carroll Inc. - New Fire Station**

It was moved by Commissioner Unger, seconded by Commissioner May, to approve. The motion was rescinded due to a request for further discussion.

Following discussion with Jason Monroe, Fire Chief, it was moved by Commissioner Thompson, seconded by Commissioner Waldrige, to table this item until the May voting meeting and would like Brandstetter Carroll to attend. The question was put upon the motion and was adopted by voice vote.

#### **10. Amended contract for Blanton's Landing Geotechnical Services - Planning**

The purpose of this memorandum is for consideration and approval of the recommended changes to the contract for geotechnical services to be provided by MKSK at Blanton's Landing. The Board of Commissioners previously approved a contract on March 27, 2023, with MKSK to perform geotechnical services at the subject property for a total project cost of \$32,500.00. In the amended contract now proposed, the "Geotechnical Exploration and Geophysical Surveying Base Scope" has increased from \$27,500.00 to \$32,300.00. Also, because of the Board's interest in the potential purchase of real estate adjacent to Blanton's Landing, geotechnical work will also be conducted at that location for a proposed cost of \$1,500.00. The total amended cost is now proposed at \$38,800. Staff recommends that the Board of Commissioners approve the amended contract.

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

## 11. DBL Law Fund Increase Request

It was moved by Commissioner Unger, seconded by Commissioner May, to approve. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Unger, Waldrige, May and Mayor Wilkerson (4). Those voting against the motion were none (0). The motion was thereupon adopted. *Note: Commissioner Thompson abstained.*

## 12. Downtown Wayfinding Sign Project Fabrication Contract – Signs, Etc. - TAP 4000-029 - Change Order #1

The purpose of this memo is to request the Board of Commissioners approval for Change Order # 1 and authorize the Mayor to sign any related documents. On January 6, 2023, bids were opened for the subject fabrication contract. The contract was awarded to Signs, Etc. of Charlotte, NC, for \$121,625. This low bid amount was 24.7% below the Engineer's Estimate. A Notice to Proceed was issued on February 14, 2023.

Since the Notice to Proceed, there have been three changes to the scope of the contract that are documented in Change Order #1. The first change involves a recently installed wayfinding sign on East Main Street as part of the Second Street TIGER project. The extreme high wind event of March 3, 2023, damaged the sign beyond repair. Taking advantage of this fabrication contract, we have requested Signs, Etc. to fabricate a replacement for the damaged sign. This replacement sign, when installed, will be mounted in a more stable fashion. The second change involves adding three parking destination signs for the Transit Center/Parking Garage facility upon its completion. Again, we are taking advantage of this fabrication contract to fabricate these parking destination signs so they may be installed around the time that the Transit Center/Parking Garage project is completed. The third change involves adding 25 decorative, clam shell pole bases to the fabrication contract. The contract calls for the fabricator to provide all signs, poles, break-away pole bases and mounting hardware. A review of the contract specifications revealed the clam shell pole bases were not specifically identified.

The cost increase associated with Change Order #1 is \$34,231.25. This will increase the contract to a total of \$155,946.25. This is still 3.4% below the Engineer's Estimate. The fabrication and installation of these 32 wayfinding signs is being funded with a federal Transportation Alternatives Program (TAP) grant of \$300,000 with a 20% City match for a total of \$375,000. Although the installation contract has not yet been advertised, the current Engineer's Estimate for sign installation is \$178,640. The total cost for fabrication, including Change Order #1, and installation is currently \$334,586.25. Staff recommends approval of Change Order # 1.

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

## Other Business

Commissioner Thompson would like to propose a moratorium of Airbnb's at the June Work Session.

Commissioner Waldrige reminded everyone to attend the budget meetings and directors should be present. A discussion followed which led to the budget being posted on the city website for the public to see. Also, the public can attend the meetings on 5/8/23 & 5/15/23 to participate in budget discussions.

Commissioner Waldrige spoke about Economic Development and the Regional Comp Plan and requested that Terri Bradshaw, Director of KCDC attend the next meeting for an update.

It was moved by Commissioner May, seconded by Commissioner Unger, to go into Executive Session pursuant to KRS 61.810(1)(b), property, deliberations on the future acquisition of real property related to the downtown master plan, when publicity would be likely to affect the value of a specific piece of property. Action may be taken in open session. The motion was adopted by voice vote. The meeting went into closed session at 6:46 p.m.

It was moved by Commissioner Thompson, 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 7:57 p.m.

Mayor Wilkerson stated that no action will be taken.

It was moved by Commissioner Thompson, seconded by Commissioner Waldrige, that the meeting adjourn. The question was put upon the motion and was adopted by voice vote. The meeting adjourned at 7:58 p.m.

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Mayor

Attest:

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City Clerk