

City of Frankfort
Capital of Kentucky

Mayor
William I. May, Jr.

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www.frankfort.ky.gov

Commissioners
John R. Sower
Scott Tippet
Katrisha Waldrige
Eric E. Whisman

9-25-20

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, William I. May, Jr. hereby call a Special Meeting of the Frankfort Board of Commissioners for Monday, September 28, 2020, 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, September 28, 2020. 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 teleconferencing 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, September 28 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.



Mayor

AGENDA

**SPECIAL REGULAR MEETING
BOARD OF COMMISSIONERS
300 WEST SECOND STREET
FRANKFORT, KY 40601
502/875-8500 ~ www.frankfort.ky.gov**

**September 28, 2020
5:00 PM**

ROLL CALL

Presentation:

Sherron Jackson, Chair Frankfort/Franklin County Planning Commission
Comprehensive Plan Steering Committee Request

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 – August 10, 2020 Special Work Session; August 12, 2020 Special Meeting; August 13, 2020 Special Meeting; August 24, 2020 Special Regular Meeting**
- 2. New Vehicle purchase – Police**

The purpose of this memo is to request the purchase of three (3) 2020 Ford Police Interceptor Utility patrol vehicles utilizing funds from FY 2020-2021 budget. These vehicles will be purchased from Crossroads Ford and to authorize the Mayor to sign all related documents. The Police Department works to maintain the overall quality of the fleet vehicles. Generally, 6 new patrol vehicles are budgeted and purchased each year. For the FY 2020-2021 budget, only three (3) patrol vehicles were approved. The Police Department is asking that three (3) vehicles be purchased at this time. The purchase of these vehicles is included in the FY 2020-2021 budget. Crossroads Ford secured the bid for FY 2020-2021, beating the State Contract price by \$2,817. The total cost for the three (3) vehicles will be \$100,323. The up-fit will be completed by L&W Emergency Equipment, through approved state contracting, and will be \$55,626.99. The vehicles will be purchased and up-fitted through budgeted funds from account 530.90.56551.

Attachments: Memo, Quotes

Suggested Disposition: Receive and File; Approve

- 3. ICAC MOU- Police**

To authorize the Mayor to execute a Memorandum of Understanding between the Internet Crimes Against Children Program (ICAC) and the Frankfort Police Department (FPD) for the determent, prevention, investigation, and prosecution of predators seeking to exploit or engage minors in sexual activity via electronic means and for the Mayor to sign all related documents. ICAC is a national program composed of state and regional task forces. The Kentucky State Police (KSP) is the law enforcement administrator for the ICAC program in Kentucky. KSP provides funding for training and equipment to qualifying affiliate agencies throughout the Commonwealth to enable these agencies to assist the Task Force. Currently, FPD utilizes the Office of the Attorney General (OAG) to investigate crimes involving electronic communications. This agreement would allow FPD to conduct in-house investigations for these crimes by providing training and equipment. This MOU allows FPD to join KSP and other agencies in a joint effort to deter, prevent, investigate, and prosecute predators who seek to engage minors in sexual activity via electronic means. Currently FPD utilizes OAG staff to decrypt and download electronic data due to a lack of equipment and staff expertise. With this MOU, ICAC can provide both equipment and training so that these investigations can be done in-house in a timelier manner. The financial impact associate with this MOU should be minimal, and may save in equipment and training costs.

Attachments: Memo, MOU

Suggested Disposition: Receive and File; Approve

4. Amendment 1 to HMB Engineering Services Contract – Public Works

The purpose of this agenda item is to seek Commission approval of Amendment 1, to add \$30,000 to HMB's Professional Services Agreement (PSA) for Engineering Services for various projects, and authorize the Mayor to sign all related documents. On July 21, 2020, the City of Frankfort entered a Professional Services Agreement with HMB Professional Engineers, Inc for engineering services related to various projects on an as needed basis. The agreement included \$20,000 for sewer department projects. At this time, Public Works would like to add \$30,000 for stormwater improvement projects. Public Works is utilizing in house staff for engineering of small projects, but the design requires topographical survey and easement services that we are not able to provide in house. There are some projects under consideration that HMB can begin survey work on immediately. Approve Amendment 1 for HMB to provide Engineering Services for a total not to exceed \$30,000, and for the Mayor to sign all related documents. Funds are available in the stormwater account 735.00.51100.

Attachments: Memo, Amendment, HMB Professional Services Agreement, HMB Proposal for 1st project- Hanley and Galbraith, request for survey mapping
Suggested Disposition: Receive and File; Approve

5. Tree Maintenance – Woodland Tree Care – Parks

The purpose of this agenda item is to seek Commission approval for a contractual agreement with Woodland Tree Care for the maintenance of city right-of-way and park trees and approval for the Mayor to sign any related documents. Woodland Tree Care is an arborist certified, dependable tree care company. The department only uses Woodland Tree Care when the job is too large for parks staff to safely maintain. Woodland Tree Care currently has the state contract (MA 785 1700000493). The amount requested is \$40,000.00 and monies are available in account 100.86.53251.

Attachments: Memo, State contract master agreement
Suggested Disposition: Receive and File; Approve

6. 2020 Brownfield Grant Consultant Recommendation – Grants

Staff requests authorization to award a contract and enter into an agreement with Linebach-Funkhouser, Inc. (LFI) for services related to a Brownfield Assessment Grant received by the City for a Community-wide assessment. In July of 2020, Request for Qualifications were advertised for Brownfield Assessment Consultants for a Community-wide brownfield assessment. Six proposals were received and reviewed by a selection committee. The Selection Committee interviewed the three highest ranking consultants who submitted proposals. After interviews were completed, the Committee independently ranked the three firms. Rankings showed LFI as the preferred consultants for the project. A contract for services will be reviewed by Laura Ross, City Attorney. There is no match required from the City.

Attachments: Memo, score sheet, interview rankings
Suggested Disposition: Receive and File; Approve

7. Contract Extension with Laura's Cleaning Service, LLC – Sewer

The purpose of this memo is to recommend the approval of a Cleaning Service contract extension with Laura's Cleaning Service, LLC. and authorize the Mayor to sign all related documents. This extension is for \$21,600 for cleaning services for one year at the WWTP. This is for daily cleaning of the office and administrative areas of the sewer department. In the past the sewer department got help through a temp agency to do this cleaning. Approximately two years ago we started working with an actual cleaning service and the service has been more reliable and better. The Extended Bids are as follows:

Laura's Cleaning Service, LLC.	\$21,600.00
Sheila's Cleaning	\$21,600.00

This contract is for the regular cleaning of the administrative buildings at the wastewater plant. Laura's Cleaning service has been cleaning for the department for over two years and has done a very good job. With the previous experience it is the recommendation to offer the new contract to Laura's Cleaning. Funding for this project is available in Account No. 200-68-53295. This account has \$150,000 budgeted and this service is budgeted in that account.

Attachments: Memo, contract renewal letter
Suggested Disposition: Receive and File; Approve

8. Purchase Requisition for Ovivo USA, LLC – Sewer

The purpose of this memo is to authorize a P.O in the amount of \$33,912.00 to Ovivo USA, LLC, and authorize the Mayor to sign all related documents. The WWTP has four clarifiers that is used in the treatment process of the wastewater. The clarifiers receives effluent discharge from the oxidation ditches. Water enters the center box of the clarifier and the solids in the water settles to the bottom of the clarifier. The clarifier has a drive unit that has 8 lines that are attached to the unit. The drive unit moves around the clarifier in a circular motion and allows the 8 pipes to pull the settled solids off the bottom of the clarifier. Once the solids are pulled off of the pipes the solids are pumped back to the head of the pipe. The WWTP has had these drive units rebuilt about 15 years ago, and the plant has found that clarifier #4 drive unit bearings is going bad. The cost of a new unit is \$33,912.00 and this does not cover the cost to have the old unit rebuilt, or installation of the new unit. The drive unit can only be purchased from Ovivo USA, LLC. The purchase would come out of the Plant Emergency Repairs 300.69.5655 FSD 68152-21.

Attachments: Memo, purchase order form, quote, sole source form

Suggested Disposition: Receive and File; Approve

9. Purchase Requisition for Smith & Loveless – Sewer

The purpose of this memo is to authorize a P.O in the amount of \$101,209.90 to Smith & Loveless and to authorize the Mayor to sign all related documents. The WWTP has multiple steps in treating the wastewater that enters the treatment plant. One of those steps is to remove the grit out of the water. Grit in the wastewater can include sand, gravel, or other heavy solid material that are heavier than the organic biodegradable solids in the wastewater; also removes organic particles like food waste. The reason the WWTP removes the grit out of the wastewater is to protect downstream equipment, for example pumps and pipes. Also lowers the cost on maintenance issues on other equipment. These parts have to be purchased from Smith & Loveless, Inc due to Smith & Loveless being sole source provider. Parts needed to repair the grit system are one complete Pista Grit Chamber mechanical drive assembly \$23,980.00, one drive tube with grit fluidizer vanes \$14,444.00, one 4" lift weld tube assembly, and one Model 15 Smith & Loveless screw conveyor \$ 45,380.00. All parts needed total \$92,009.00. We will need to add an additional 10% to total for fuel surcharge that may be passed down from Smith & Loveless. The grand total is \$101,209.90. The purchase would come out of the Plant Emergency Repairs 300.69.5655 FSD 68152-21.

Attachments: Memo, purchase order form, quote, sole source letter from Smith & Loveless, sole source form

Suggested Disposition: Receive and File; Approve

10. 2021 Litter Abatement Grant – Grants

Staff requests authorization to obtain the Mayor's signature on the 2021 Litter Abatement Grant form. The Litter Abatement grant program is through the Kentucky Natural Resources and Environmental Protection Cabinet. The City of Frankfort will apply for a litter abatement grant through the Kentucky Natural Resources and Environmental Protection Cabinet. This funding is available to Cities and Counties throughout the Commonwealth to support litter clean up on public roadways. This program is funded through House Bill 174. HB 174 requires permitted solid waste landfills to collect an additional \$1.75/ton to pay for litter abatement programs and proper closures of abandon landfills. The funding level received is based upon public street miles within the City limits. Based on previous years and street miles, the City anticipates receiving approximately \$14,000.00 from the Kentucky Natural Resources Cabinet in 2021. There is no additional match required from the City.

Attachments: Memo, Grant agreement

Suggested Disposition: Receive and File; Approve

11. Dell Virtual Environment – IT

The City of Frankfort IT Department is seeking the Board of Commissioners approval for purchase of a new Virtual Environment to replace ALL existing stand-alone servers for application, production, and domain admin functionality. This will centralize ALL servers to one location. This approval will authorize the Mayor to sign all related documents.

The existing server environment for the City of Frankfort is spread over three separate locations from the IT server room, Public Safety Building, and Sewer Dept. This new virtual environment will consolidate all servers to the IT server room to allow for easier maintenance, quicker troubleshooting, and more reliable operation as all servers will be upgraded to a new host. The cost to purchase the Dell Virtual Environment is \$73,677.79 and funds are available in account 100-25-56551, 300-68-56551, and 100-50-56551.

Attachments: Memo, Dell quote

Suggested Disposition: Receive and File; Approve

12.

Personnel Action	Employee	Department	Date	Position
Transfer	Tim Puckett	Sewer	9/29/20	Sewer Tech IV to Maintenance Tech IV
Appointment	Johnathan Grimes	PW/Garage	9/15/20	Mechanic I
Appointment	David Semones	Sewer	9/29/20	Plant Operator I
Appointment	Amanda Livsey	Fire	9/8/20	Firefighter I
Appointment	Mark Harris	Fire	9/8/20	Firefighter I
Appointment	Cesar Mejia-Ochoa	Fire	9/8/20	Firefighter I
Appointment	Marcus Cornett	Fire	9/8/20	Firefighter I
Appointment	Anthony Poor	Fire	9/8/20	Firefighter I
Promotion	William Niederbrach	Police/E911	9/1/20	Telecommunicator I to Telecommunicator I Asst TAC
Promotion	Joel Dunmire	Police	9/29/20	Police Lieutenant to Police Captain
Retirement	Charles Washburn	Police	8/31/20	Patrol Officer III Authorize payout of accrued leave
Retirement	Robert Courtney	Police	9/30/20	Patrol Officer III Authorize payout of accrued leave
Resignation	Fanta Bayo	Sewer	9/28/20	Pre-Treatment Coordinator/Chemist Authorize payout of accrued leave

Attachments: Fanta Bayo letter of resignation
Suggested Disposition: Receive and File; Approve

ACTION ITEMS

These are items where discussion is held by the City Commission. Items such as Ordinances, Orders and Resolutions are discussed under this section of the agenda. Public comments are not allowed except as authorized by the Mayor.

1. Second Reading

“AN ORDINANCE FIXING THE RATE OF TAXATION FOR THE YEAR 2021 ON ALL MOTOR VEHICLES AND LEVYING SAID TAX FOR ALL CITY PURPOSES”. This Ordinance had its First Reading on September 14, 2020. Summary: This ordinance fixes the rate of taxation for the year 2021 at the sum of twenty-two and seven tenths cents on each one hundred dollars valuation on all motor vehicles subject to taxation in the city.

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

2. Second Reading

“AN ORDINANCE FIXING THE RATE OF TAXATION FOR THE YEAR 2020 ON ALL TAXABLE CAPITAL OF DOMESTIC LIFE INSURANCE COMPANIES SUBJECT TO TAX AND LEVYING SAID TAX FOR ALL CITY PURPOSES”. This Ordinance had its First Reading on September 14, 2020. Summary: That the 2020 City of Frankfort ad valorem tax rate is Ten and No Tenths Cents (10.0 cents) on each One Hundred Dollars (\$100) valuation on taxable capital of domestic life insurance companies.

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

3. Second Reading

“AN ORDINANCE FIXING THE RATE OF TAXATION FOR THE YEAR OF 2020 ON ALL REAL AND TANGIBLE PERSONAL PROPERTY SUBJECT TO TAX, PUBLIC SERVICE COMPANIES AND LEVYING SAID TAX FOR ALL CITY PURPOSES”. This Ordinance had its First Reading on September 14, 2020. Summary: That the 2020 City of Frankfort ad valorem tax rate is Seventeen and Four Tenths Cents (17.4 cents) on each One Hundred Dollars (\$100) valuation of all real and personal property; Seventeen and Four Tenths Cents (17.4 cents) on each One Hundred Dollars (\$100) valuation on public utilities and public service companies taxable on a franchise basis.

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

4. First Reading

“AN ORDINANCE AMENDING VARIOUS PROVISIONS OF CHAPTER 90 OF THE CITY OF FRANKFORT CODE OF ORDINANCES TO ESTABLISH A PERMANENT PROGRAM TO TRAP, NEUTER AND RELEASE COMMUNITY CATS”. Summary: This ordinance amends various sections of the City of Frankfort Code of Ordinances related to Animal Control as follows: 1) Section 90.01 is amended to add definitions of Community Cat, Community Cat Caregiver, Ear Tipping, Return to Field and Trap-Neuter-Release (TNR) and to amend the definition of abandonment to exclude community cats properly returned to their original home location; 2) Section 90.02 is amended to exclude community cats from the prohibitions against animals running at large; 3) Section 90.06 is amended to replace the term “destroy or kill” with “humanely euthanize;” 4) Section 90.20 is amended to exclude community cats from licensing and registration requirements; 5) Section 90.22 is amended to exclude community cats from the prohibitions against animals running at large; 6) Section 90.26 is to add “Franklin” to the humane society description. 7) Section 90.23 Is amended to clarify a function of the Animal Control Officer; to exclude community cats from the stray hold period required by state law, and to replace the pilot program with a permanent program for TNR of community cats to their original home locations; 8) Section 90.24 is amended to allow the Humane Society to offer individuals reclaiming animals the ability to pay a \$50.00 copay for sterilization rather than the pickup fee of \$80.00; 9) Section 90.25 is amended to exclude community cats from the state stray hold period prior to adoption; and 10) Section 90.99 is amended to replace the term “destroy” with “humanely euthanize.”

Attachments: Ordinance, FCHS information and outline

Suggested Disposition: Receive and File; Approve Ordinance for second reading

5. Declaration of 2 Handguns as Surplus & Order – Police

The purpose of this agenda item is to seek Commission approval to declare 2 city owned handguns as surplus for buy back by retired Detective Charles Washburn. As a matter of practice, the police department collects donated funds from current officers and staff to purchase a retiring officer's service handguns. By the end of the service, these weapons are heavily used and diminished in value. The total fair market value is determined through websites that specialize in firearms market value. The total fair market buy back for these weapons is determined to be \$500. This amount has already been given to the finance department to reimburse the city for the cost of the handguns. The final step in completing this transaction is Commission approval to declare the following items as surplus property.

1 Glock Model 22 Handgun

1 Glock Model 27 Handgun

Attachments: Memo, Order

Suggested Disposition: Receive and File; Approve and Adopt Order

6. Retirement of K-9 Officer Aron & Order – Police

The purpose of this agenda item is to seek Commission approval to declare Frankfort K-9 Officer Aron as retired (surplus) and approve his handler, Sergeant Shane Music, to retain Aron. K-9 Officer Aron began his service with the Frankfort Police Department in 2015. Shane Music and Aron completed training in that year and have worked together in patrol since. With Music's recent promotion to Sergeant, it is no longer feasible to have him handle a patrol K-9. Due to Aron's age, it would not be prudent to attempt to train him to a new handler. Sergeant Music has agreed to accept the canine in retirement. He will sign an agreement accepting responsibility for Aron pursuant to FPD Policy and Procedure 409.09 XII. It is recommended that K-9 Officer Aron be retired by declaring him as surplus property and that ownership be transferred to Sergeant Shane Music.

Attachments: Memo, Order, canine unit policy and procedures

Suggested Disposition: Receive and File; Approve and Adopt Order

7. Surplus Items for the Downtown Parks Maintenance Facility & Order – Parks

The purpose of this agenda item is to seek Commission approval for the Parks Department to surplus left over event supplies from the Days of Knights event from 2016 and old unused office furniture from the downtown parks maintenance facility on Broadway Street, and approval for the Mayor to sign any related documents.

Attachments: Memo, Order

Suggested Disposition: Receive and File; Approve & Adopt Order

8. Surplus Item Rockwood Trailer & Order – Emergency Mgmt.

Emergency Mgmt. requests permission to surplus (1) Rockwood Trailer (Mobile Command Post) and to authorize the Mayor to sign all related documents. The trailer will be sold by electronic auction (GOVDEALS.COM). EM has used this trailer as a Mobile Command Post for several years and due to increasing repairs and maintenance it is no longer needed and has been replaced by another Mobile Command Unit. EM requests to surplus the trailer due to it not being of any use to EM currently or in the future.

The Rockwood Trailer available for surplus is:

Make/Model	Year	Mileage	VIN #	Purchase Date
Rockwood	2004	N/A	4X4TRLD212D990601	06/30/04

EM requests to surplus the trailer and allocates the revenue into the EM "other equipment" account #037-56551. This revenue can be used to purchase equipment for the current Command Post.

Attachments: Memo, Order

Suggested Disposition: Receive and File; Approve & Adopt Order

9. Hold Harmless and Liability Agreement with Buffalo Trace Distillery – Legal

The purpose of this memorandum is to provide information regarding the City of Frankfort entering into a Hold Harmless and Liability Agreement with Buffalo Trace Distillery. Rob Moore, legal counsel for Buffalo Trace Distillery, requested the agreement to memorialize the requirements of Section 52.51(D) of the City Industrial Pretreatment Ordinance. The agreement mirrors the language of the ordinance and imposes no new requirements on the City of Frankfort. Chenault & Hoge has confirmed that the City's existing insurance policy provides coverage as outlined in the agreement, with no need for additional changes to the City's policy. For the City to enter into a Hold Harmless and Liability Agreement with Buffalo Trace Distillery pertaining to employees routinely performing inspection, observation, measurement, sampling and testing activities in connection with or relating to the Buffalo Trace Distillery wastewater facilities or discharges to the public sewer system and the Mayor to sign all related documents.

Attachments: Memo, Agreement

Suggested Disposition: Receive and File; Approve

10. A Resolution approving and authorizing an assistance agreement between the City of Frankfort, Kentucky and the Kentucky Infrastructure Authority to provide up to \$1,500,000 of loan funds for wastewater system improvements for the following projects: A21-031 Miami Trail Pump Station Replacement (\$1,500,000.00)

Attachments: Resolution

Suggested Disposition: Receive and File; Adopt Resolution

11. Request for funding for Franklin County Schools WIFI

Attachments: Memo, FCS letter

Suggested Disposition: Receive and File; Approve

12. Discussion on Solid Waste

13. Parks Projects Update - Dolly Graham Park, Capitol View and Fort Hill

14. Sidewalks & Street repairs

15. CLG Funding Review

16. City Investments

17. Tree Board member requirements

EXECUTIVE SESSION

EXECUTIVE SESSION PER KRS 61.810(1)(B), DELIBERATIONS ON FUTURE ACQUISITION AND SALE OF REAL PROPERTY RELATED TO ECONOMIC DEVELOPMENT, A NEW FIRE STATION AND PUBLIC INFRASTRUCTURE, WHERE PUBLICITY WOULD LIKELY AFFECT THE VALUE OF THE PROPERTY.

ADJOURNMENT