

*City of Frankfort*  
*Capital of Kentucky*

Mayor  
William I. May, Jr.

315 West Second Street, P.O. Box 697  
Frankfort, Kentucky 40602  
(502) 875-8500

[www.frankfort.ky.gov](http://www.frankfort.ky.gov)

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

10-23-20

**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, October 26, 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, October 26, 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 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](mailto:bhecker@frankfort.ky.gov) by Monday, October 26 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/](https://www.facebook.com/CityofFrankfortKY/).

Please see [www.frankfortema.org](http://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](http://www.frankfort.ky.gov)**

**October 26, 2020  
5:00 PM**

### ROLL CALL

### CITIZEN COMMENTS (AGENDA ITEMS ONLY)

#### 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 – September 14, 2020 Special Work Session; September 16, 2020 Special Meeting; September 28, 2020 Special Regular Meeting**
- 2. Fire Engine Bid Acceptance – Fire**

The purpose of this memo is to recommend the Board of Commissioners accept a bid by Ferrara Fire Apparatus, Inc. for the purchase of a custom built fire engine in the amount of \$618,677 and authorize the Mayor to sign all documents related to the purchase. During the planning and development of the FY 20/21 budget, the Fire Department requested and was approved the purchase of a replacement Engine in the amount of \$630,000. On August 4, 2020, the City Manager authorized the RFP and posting. The RFP was published August 24, 2020 with bid opening on September 21, 2020. Due to an unforeseen conflict, an addendum was published to change bid acceptance to September 17, 2020. The RFP publication resulted in the submittal of one (1) bid. This bid was received from Ferrara Fire Apparatus, Inc. in the amount of \$618, 677. The bid amount was over \$11K less than originally anticipated. While FY 20/21 budget contains \$630,000 in the Capital Improvement account (530.90.56551) to fund the engine replacement, it is my recommendation that we prepay 1/2 the cost, approximately \$308,000, during preconstruction. The pre-pay option allows for an additional savings of \$11,000 in discounts. With an estimated 250-300 day build time from the time of order finalization and contract signage to delivery, the second half of the payment will be made in FY 21/22.

Attachments: Memo, Contract

Suggested Disposition: Receive and File; Approve

- 3. Planned Maintenance agreement for Fire Department Emergency Generators – Fire**

The purpose of this memo is to request authorization of a Planned Maintenance agreement with Cummins Sales and Service for an annual inspection and maintenance program for emergency back-up generators at three fire stations for a term of three years and authorize the Mayor to sign all related documents. Stations two, three, and four each have an emergency back-up generator to power the fire stations during electric failure. These emergency generators operate under load each week to ensure operational readiness. While they operate weekly, these generators need annual inspection and service from experts due to their critical nature. The emergency back-up generators located at our fire stations remain a vital infrastructure to ensure response capabilities during time of unforeseen electric outages. Outages have and can occur at any time without warning. These emergency back-up generators allow for continued operations of our fire stations with little to no human factor involvement for initiation. However, to ensure their operational readiness, we must have these units regularly inspected and maintained by professionals. Total budget impact will be \$4,751.88 for three years, \$1,583.96, \$1,437.96, and \$1,729.96, respectively, beginning in FY 22.

Attachments: Memo, Planned Maintenance Agreement

Suggested Disposition: Receive and File; Approve

#### **4. Purchase of Dump Truck, Streets Division of Public Works – Public Works**

The purpose of this agenda item is to seek Commission approval to purchase one (1) new 2021 Ford F-550 ton dump truck from Paul Miller Ford and snow plow and other fittings from J. Edinger & Son for the Streets Division and authorize the Mayor to sign any related documents. The Streets Division uses these dump trucks throughout the year for hauling material such as dirt or gravel to job sites or hauling debris from a work site. During the winter months these trucks are fitted with snow plows and are used for snow removal and spreading salt. This ton dump truck will replace an existing dump truck. With approval, the Streets Division will purchase a 2021 Ford F-550 for \$51,125.00 from Paul Miller Ford. The up-fit for the vehicle will be completed by J. Edinger & Son for \$32,218.00. The up-fit will include Galion 133 USD body and hoist, Deweeze Central Hydraulic System, 9' plow, salt spreader, and electric tarp. The total for the vehicle and up-fit will be \$88,343.00 and paid for from Municipal Aid account, 535.00.51100. This was an approved line item in the final FY21 budget.

Attachments: Memo, Quotes

Suggested Disposition: Receive and File; Approve

#### **5. Transit Deviation Fare Decrease/ Fare Policy Review – Public Works/Transit**

Frankfort Transit requests to decrease the Deviation fare from \$1.00 to \$.50 (one way) in order to be compliant with FTA standards and to authorize the Mayor to sign all related documents. Transit has been given the option by OTD to either raise the Fixed Route fare from \$.25 per trip to \$.50 per trip or decrease the fare for deviations from \$1.00 per trip to \$.50 per trip. Transit recommends decreasing the deviation fare. Many members of our community are currently under financial hardship due to COVID-19 and related job loss. Decreasing the deviation rate would only help facilitate public transportation for more citizens.

Attachments: Memo

Suggested Disposition: Receive and File; Approve

#### **6. Request to purchase a 12 passenger Van– Public Works/Transit**

Transit Division of Public Works requests the Commission's approval to purchase one (1) 12 passenger van via KPTA Bid #8 and to authorize the Mayor to sign all related documents. Frankfort Transit was awarded \$49,000 under a FY 21 5339 Grant to purchase one (1) 12 passenger van. The twelve (12) passenger van is an expansion vehicle and would be purchased from TESCO via KPTA Bid #8. The expansion vehicle would be used to provide shuttle services to smaller groups. Often nonprofit groups such as Tourism and Leadership Frankfort request shuttle services that could be fulfilled with a more fuel efficient vehicle if it were available. In addition, Transit will be running a pilot program to provide Charter Service and Industrial Park Services in order to increase revenue. The vehicle would be used to facilitate that service. The purchase price for the 12 passenger van provided by TESCO is \$46,641. The purchase price for the vehicle will be 100% reimbursed through 5339 Grant funds. Payment for the van is 30 days upon delivery and acceptance. Funds to purchase the van would initially come from the Transportation Improvement Account (530-00-51100) and the cost would be reimbursed via Section 5339: KY-2018-021-02; C392118111; ALI Code 11.13.15.

Attachments: Memo, Bid award

Suggested Disposition: Receive and File; Approve

#### **7. Final Balancing Change Order for Free Contracting-Collins Lane project – Public Works**

The purpose of this agenda item is to seek Commission approval of the final balancing change order for the Collins Lane Storm Sewer Project, and for the Mayor to sign all related documents. On June 18, 2020, the City of Frankfort entered a contract with Free Contracting, Inc. for the Construction of the Collins Lane Storm Sewer Project, for an amount of \$580,510. Then Change Order 1 was approved in August 2020 in the amount of \$15,429.26 for a grand total of \$595,939.26. This addition was for modifications due to unforeseen field conditions. The construction is now complete and there was an overall savings to the project. This is as a result of bid quantities that came in under the estimated amount. There were materials saved as a result of realignment in the field as well as a small amount of contingency built in that was not used. The total savings is \$40,112.00 for a total contract cost of \$555,827.26. With this savings, this project was fully funded by the Kentucky Infrastructure Authority loan, with the remainder covering some of the engineering costs.

Attachments: Memo, Change Order 2

Suggested Disposition: Receive and File; Approve

## **8. Purchase of Ford F-250 Crew Cab Truck - Streets Division of Public Works**

The purpose of this agenda item is to seek Commission approval to purchase one (1) new 2021 Ford F-250 crew cab truck from Paul Miller Ford and authorize the Mayor to sign any related documents. The Streets Division uses these trucks daily throughout the year for transporting staff and equipment to job sites at various locations throughout the city. This truck will replace an existing 2006 Chevy Crew Cab. With approval, the Streets Division will purchase a 2021 Ford F-250 for \$36,213.00 from Paul Miller Ford. The total for the vehicle will be paid for from Municipal Aid account, 535.00.51100. There is an approved line item in the final FY21 budget for this purchase in the amount of \$35,000.00.

Attachments: Memo, Paul Miller Ford quote  
Suggested Disposition: Receive and File; Approve

## **9. Request to Purchase In-Vehicle Camera System – Transit Division of Public Works**

Transit Division of Public Works requests the Commission's approval to purchase In-Vehicle Cameras from Angel Trax for the amount of \$41,685.39. Frankfort Transit was awarded \$47,000 under a FY 20 5339 Grant to purchase In-Vehicle Cameras. The cameras would replace the aging cameras of the older transit vehicles. Transit bid for the camera project on July 2, 2020. Transit received six bids. However, only two were deemed responsive and met all of the specifications. Angel Trax was deemed the lowest bidder of the responsive bidders. The purchase price for the In Vehicle Camera Systems would be \$41,685.39 for 15 systems with the option to purchase up to 5 additional systems within the next 3 years. The purchase price for the cameras will be 100% reimbursed through FY 20 5339 Grant funds. Funds to purchase the cameras would initially come from the Transportation Improvement Account (530-00-51100) and the cost would be reimbursed via Section 5339: KY-2018-021-01; C392118114; ALI Code 11.42.09.

Attachments: Memo  
Suggested Disposition: Receive and File; Approve

## **10. Consultant for the Mero Pump Station Project –BRIC application – Public Works/Sewer**

The purpose of this agenda item is to seek Commission approval of the consultant to assist the City of Frankfort with the application for the FEMA Building Resilient Infrastructure and Communities (BRIC) grant, and for the Mayor to sign all related documents. The announcement of the grant application schedule in early September indicated that the application deadline to the state is December 4<sup>th</sup>. Due to the extensive application process and required Benefit Cost Analysis, the City chose to select a consultant to prepare the application. A request for qualifications was issued, and 6 proposals were received. The Sewer Department and Public Works staff are now analyzing the proposals in order to present the Commission with our recommendation by the October 26<sup>th</sup> voting meeting. The next phase of the project after the application submittal is to continue with the chosen consultant on the design phase of the project.

Attachments: Memo, Professional Services Agreement (to be provided)  
Suggested Disposition: Receive and File; Approve

## **11. KLC Liability Insurance Grant – Grants**

Staff requests authorization to apply for Kentucky League of Cities Liability Grant funds in the amount of \$3,000.00. The Kentucky League of Cities currently has grant funds available to cities to utilize to address Safety and Liability issues. Since the City of Frankfort has only liability insurance through the League of Cities, we can only apply for items that address safety of the public or liability issues. The grant requires a 50/50 match and the city can be reimbursed for up to \$3,000.00. This year the grant can only be utilized for specific items such as sidewalk repair, replacement of playground equipment/rubber surface, vehicle back-up cameras and sewer backup equipment purchased from July 1, 2020 through November 6, 2020. The grant has rotated to different departments over the years. We will determine which expenditures meet the requirements. These funds are only available to KLC members with Liability insurance through the League. The grant does require a 50/50 match however activities and equipment have already been planned for in the budget. This grant will help recoup up to \$3,000.00 for those expenses.

Attachments: Memo  
Suggested Disposition: Receive and File; Approve

## 12. African American Civil Rights Grant Consultant Recommendation – Grants

Staff requests authorization to award a contract to Joanna Hay Productions as consultant to aid staff in completing the City's African American Civil Rights Grant Project – The March on Frankfort an Oral History. Staff has been working with Doug Boyd, Ph.D, Director of the Louie B. Nunn Center for Oral History throughout the consultant selection process. In late 2018 the City applied for a National Parks Service grant to create an Oral History of Martin Luther King, Jr.'s March on Frankfort which occurred in 1964. An RFP was released in September 2020 and resulted in one proposal from Joanna Hay Productions which was within our budget of \$50,000.00. The project also includes a \$25,000 match which can be covered with in-kind services from the Louie B. Nunn Center for Oral History (transcription), the Plant Board (studio time) and City staff time. A \$25,000.00 in-kind match will be met with City staff time, Plant Board studio time and oral history transcription from the University of Kentucky.

Attachments: Memo, Proposal

Suggested Disposition: Receive and File; Approve

13.

| Personnel Action | Employee       | Department | Date     | Position   |
|------------------|----------------|------------|----------|--|
| Appointment      | Jordan Morgan  | Fire       | 10/27/20 | Firefighter I  |
| Resignation      | Guss Curtis    | Police     | 11/06/20 | Patrol Officer II<br>Authorize payout of accrued leave |
| Resignation      | Travis Bingham | Fire       | 11/03/20 | Firefighter II   |

Permission to make 4 conditional offers of employment for the position of Patrol Officer I. The request to make these conditional offers of employment is contingent upon successful completion of background, medical, psychological, polygraph, and drug screen examinations by each candidate. Four additional officers will take manpower to 63 sworn officers.

Attachments: Guss Curtis letter of resignation, Travis Bingham 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 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”.** This ordinance had its First Reading on September 28, 2020. 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; Adopt Ordinance

## 2. First Reading

**“AN ORDINANCE TO AMEND ORDINANCE NO. 26, 2016 SERIES, THE CITY OF FRANKFORT’S CODE OF ORDINANCES – CHAPTER 150 – BY AMENDING THE PERMIT AND INSPECTION FEES CONTAINED IN SUBSECTIONS 150.1 BUILDING CODES AND 150.3 ELECTRICAL CODES”**. Summary: This ordinance amends the City’s Building and Electrical Code fees, Chapter 150, Sections 150.1 and 150.3 in order to provide that owners beginning construction prior to obtaining the required permit may, at the discretion of the Director of the Department of Planning and Building Codes, or his designee, be given one warning with a regular fee being assessed, rather than charging the additional fee of not less than \$500, where it is the first time that the applicant has begun work without obtaining the required permit. This amendment will be consistent with the policy of the Kentucky Department of Housing, Buildings and Construction, which waives the additional fee of not less than \$500.00 the first time an owner begins construction without first obtaining the required permit.

Attachments: Memo, Ordinance

Suggested Disposition: Receive and File; Approve for Second Reading

## 3. First Reading

**“AN ORDINANCE AMENDING ORDINANCE NO. 12, 2020 SERIES APPROPRIATING THE REVENUE TO BE RECEIVED BY THE CITY OF FRANKFORT FOR THE FISCAL YEAR 2020-2021”**.

Attachments: Ordinance 1% COLA, Ordinance 1.5% COLA, Ordinance 2.0% COLA

Suggested Disposition: Receive and File; Approve for Second Reading

## 4. An Order Proclaiming Monday, December 28, 2020 as a Holiday During Which the Public Offices of the City Shall Be Closed

Attachments: Order

Suggested Disposition: Receive and File; Adopt Order

## 5. Text Amendment to amend Article 4.412 "Special Capitol Districts" – Planning

The purpose of this memorandum is for consideration and approval of the recommendation of approval made by the Frankfort/Franklin County Planning Commission concerning a text amendment to amend the listed Conditional Uses within the Special Capitol District to include churches.

Attachments: Memo, Proposed Ordinance Changes, Staff Report reviewed by the Frankfort/Franklin County Planning Commission, Minutes from the September 10, 2020 Planning Commission Meeting

Suggested Disposition: Receive and File; Adopt Order

## 6. Declaration of 2 Handguns as Surplus & Order – Police

The purpose of this agenda items is to seek Commission approval to declare 2 city owned handguns as surplus for buy back by retired Officer Robert Courtney. Frankfort Code of Ordinance 40.03 (B) allows for the purchase of service weapons by retired officers. Retired Officer Robert Courtney has expressed interest in purchasing his city service weapons in retirement. 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

## 7. Agreement between the City of Frankfort and Franklin County Schools regarding internet access funding – Legal

Attachments: Agreement

Suggested Disposition: Receive and File; Approve

**8. Acceptance of 2019 Land and Water Conservation Funds MOA & Resolution – Parks & Grants**

Staff requests Commission authorization to accept grant funds for improvements to Dolly Graham Park in South Frankfort under the 2019 Land and Water Conservation Program and to authorize the Mayor to execute all grant documents, including the MOA, pertaining to this application. At Frankfort City Commission Work Session on April 9, 2018 former Parks, Recreation and Historic Sites Director gave an overview with renderings of a plan to renovate and upgrade Dolly Graham Park located in South Frankfort. The plans included renovations to the park facilities, equipment upgrades and the installation of a splash-pad/spray-ground. The presentation was met with approval from the Commission and citizens. The Parks Department was directed to apply for funding for the project. The Department for Local Government sent a Memorandum of Agreement to the City on October 19. The MOA requires the Commission to pass an Authorizing Resolution to accept these grant funds. The City is required to provide a 50% match which would be \$250,000.00. The match has already been budgeted in the Capital budget.

Attachments: Memo, MOA, Resolution

Suggested Disposition: Receive and File; Approve MOA and Adopt Resolution

**9. Electrical Inspector Interlocal MOU & Resolution**

Attachments: Memo, MOU, Resolution

Suggested Disposition: Receive and File; Approve MOU & Adopt Resolution

**10. YMCA Agreement update**

Attachments: DRAFT Agreement

**11. Discussion of and drafts related to establishment of a Heritage Commission, a Historic Preservation Officer, demolition of historic buildings and ARB amendments**

Attachments: DRAFT Ordinances

**12. Update on the City's Tree Planting plan**

**13. Discussion of Arborist position**

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

**15. Sidewalks & Street repairs**

**16. Halloween and Candlelight weekend discussion/update**

**17. City Diversity/Inclusion Director**

**18. Board of Commissioners agenda items and meeting times**

**EXECUTIVE SESSION**

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

**ADJOURNMENT**