

City of Frankfort
Capital of Kentucky

Mayor
William I. May, Jr.

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

8-21-20

**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, August 24, 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, August 24, 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, August 24 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**

**August 24, 2020
5:00 PM**

ROLL CALL

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 – July 13, 2020 Special Work Session; July 27, 2020 Special Regular Meeting**
- 2. Sidewalks UPC Contract Extensions – Public Works**

The purpose of this agenda item is to seek Commission approval to extend the contracts awarded to ADE Contracting, Inc. and AEP Enterprises, LLC (formerly Rush Paving) for one year and to authorize the Mayor to sign all related documents. The 2019 bid documents for bid # 219001-535 give the city the option to negotiate an extension of the contract for an additional year with up to a 3% increase in pricing if all parties are in agreement. Both ADE Contracting and AEP Enterprises have agreed to this extension. With approval, Public Works will spend up to \$250,000 total with ADE Contracting and/or AEP Enterprises for the repair of damaged sidewalks and other concrete projects at multiple locations throughout the City of Frankfort. Unit price totals will be evaluated for each project, and the job awarded to the lowest bidder based on prices provided in the respective bids. Funds for this project, \$250,000, are available in Municipal Aid account, 535.00.51100, as listed in the recent budget approval for the City of Frankfort.

Attachments: Memo, Sidewalk UPC Bid Tab FY2021, ADE UPC Renewal FY2021, AEP UPC Renewal FY2021
Suggested Disposition: Receive and File; Approve

- 3. Purchase Order with USALCO for Aluminum Sulfate – Sewer**

To authorize a contract extension with USALCO Fairfield Plant, LLC for Aluminum Sulfate (liquid alum) for Phosphorus Removal at the Wastewater Treatment Plant (WWTP) and authorize the Mayor to sign all documents associated with the contract extension. Aluminum Sulfate binds with the phosphorus in the effluent and causes it to settle out in the clarifiers. The phosphorus is then wasted with the Department's biosolids. The Department previously evaluated the feasibility of modifying the plant for biological removal rather than chemical removal but the cost is prohibitive; however, as part of a proposed study the Department will take another look at biological removal to significantly reduce the cost of chemical treatment. Failure to purchase the Aluminum Sulfate will result in permit violations during summer months should the discharge from the wastewater treatment plant exceed the maximum discharge limits for phosphorus as allowed by permit. A purchase order in the amount of \$100,000.00 will cover the Department's estimated need for fiscal year 2020-2021. This line item is in the approved budget under chemicals.

Attachments: Memo, Price Proposal, Liquid Alum Contract Renewal Letter 2020, USALCO Signed Contract, CPI – December 2019
Suggested Disposition: Receive and File; Approve

4. Contract Extension with Enviro Tech Chemical Services, Inc. for Peracetic Acid – Sewer

The purpose of this memo is to recommend the authorization of a contract extension with Enviro Tech Chemical Services, Inc. to provide peracetic acid for disinfection of the plant effluent and to authorize the Mayor to sign any related documents. The Contract Extension is for a period of one year with no renewals remaining, subject to mutual agreement between both parties. It is estimated that the Sewer Department could use up to 16,000 gallons of PAA during the coming year for a total cost of \$100,000 at \$6.16 per gallon; however, the amount of PAA used is directly dependent upon the amount of wastewater treated at the plant and an extremely wet year or extremely dry year will also significantly impact the amount of PAA used. The plant uses PAA to disinfect the effluent flow. The weekly permit limit is 240 colonies/100ml and the monthly permit limit 130 colonies/100ml. The annual budget for PAA is \$100,000.00. This will provide secondary disinfection for the effluent flow for the entire year.

Attachments: Memo, Enviro Tech Contract, Contract Extension Letter
Suggested Disposition: Receive and File; Approve

5. USGS Joint Funding Agreement 2020-2021 – Sewer

The purpose of this memorandum is to request approval from the City Commission for a Joint Funding Agreement with the United States Department of Interior U.S. Geological Survey (USGS) and to authorize the Mayor to sign all related documents. When the U.S. Army Corps of Engineers turned over operation of Lock 4 to the Kentucky River Authority, the USGS took over operation of the gauging station located upstream of Lock 4. This gauging station had been funded by the Corps of Engineers. The gauging station data is used extensively by the Sewer Department to monitor river flows relative to our KPDES discharge permit requirements; specifically as it relates to nutrient limits. Without the use of this gauging station, the Department would be required to install and maintain adequate monitoring equipment in the Kentucky River to meet our permit. Annual (October 1, 2020 – September 30, 2021) cost to maintain the gauging station is \$4,300 with the Sewer Department funding \$3,000; with USGS funding \$1,300. Funding is available in account 200.68.53295.

Attachments: Memo, Transmittal Letter from USGS, Joint Funding Agreement
Suggested Disposition: Receive and File; Approve

6. Collins Lane Storm Sewer project – Public Works

The purpose of this memo is to request approval of Change Order 1, which will extend the completion date to September 15, 2020, and add an amount of \$15,429.26 to the Collins Lane Storm Sewer project with "Free Contracting, Inc.", for modifications to the work based on unforeseen field conditions, and for the Mayor to sign all related documents. In April, 2020, the City Commission approved a construction contract with Free Contracting Inc. in the amount of \$580,510.00. Once construction began, field conditions at the tie in point required extra work beyond the scope of the project as bid. This included removal of a manhole, installation of a new manhole, and stabilization of soils. The attached Change Order No.1 itemizes these changes. This brings the project's total construction cost to \$595,939.26. The contract completion date will also need to be extended 30 days to September 15, 2020. This time accounts for delays in resolving the found conditions. This project will address yard flooding in back yards along Collins Lane. It will install 1200 linear feet of pipe and 9 catch basins. Due to the location of other utilities and the depth of the storm sewer work, Collins Lane will need to be temporarily closed between Reed Drive and Bluegrass Avenue. Local access will be maintained at all times, and a detour will be in place. The notice to proceed was dated June 25th with an original completion date of August 15th. This project is funded by a State Revolving Fund (SRF) low interest loan through the Kentucky Infrastructure Authority (KIA). The Stormwater improvement project is phase 2 of the project. Phase 1 has been completed by the Sewer Department. The funds remaining on the loan amount to \$568,337.00. The balance of \$12,173.00 plus the change order amount of \$15,429.26, a total of \$27,612.26, will be paid from the Stormwater account.

Attachments: Memo, Change Order 1
Suggested Disposition: Receive and File; Approve

7. Collins Lane Storm Sewer project- Amendment #2 HMB – Public Works

The Purpose of this memo is to request approval of Amendment #2, in the amount of \$7,400 to HMB's Professional Services Agreement (PSA) for providing extended inspection and construction administration services for the Collins Lane Storm Sewer project, and approval for the Mayor to sign all related documents. HMB entered into a PSA with the City in January, 2017 to provide design, bidding, construction administration and inspection services for the Sanitary and Storm Sewer portions of the Collins Lane infrastructure improvement project. Amendment #1 was approved by the Commission in January, 2018. Amendment #2 is associated with the extended time requested by the contractor as a result of unknown field conditions. Due to the unexpected manhole found in the field, as well as the unexpected soil conditions, HMB was required to redesign a portion of the project, shortly after construction began. The attached amendment itemizes the additional cost associated with the extended scope of work. The funds are available in the Stormwater account, 735.00.51100.

Attachments: Memo, Amendment #2

Suggested Disposition: Receive and File; Approve

8. Otis Engineering Contract for Sidewalk UPC Administration – Public Works

The purpose of this agenda item is to seek Commission approval to enter into contract with Otis Engineering for the administration of and consulting/support services related to the extension of the 2019/2020 UPC for Concrete Projects and to authorize the Mayor to sign all related documents. Concurrent with this request, Public Works is pursuing a one year extension of the Sidewalk UPC (Bid# 219001-535) with both ADE Contracting and AEP Enterprises. Administration, consulting, and support services for the previous contract was provided by Otis Engineering. Public Works wishes to continue working with Otis Engineering in the coming year to administer the contract extensions. With approval, Public Works will spend up to \$30,000 with Otis Engineering for administration, consulting, and support services related to the repair of damaged sidewalks and other concrete projects at multiple locations throughout the City of Frankfort. This amount is equivalent to 12% of the anticipated actual construction costs associated with the Sidewalk UPC work. Otis Engineering will evaluate unit price totals for each project and award to the low bidder based on prices provided in the respective bids, provide pre-construction and on-site meetings with contractor and Public Works, stakeout and layout of individual projects, and contact and coordinate with adjacent properties during construction as needed. Funds for these services, \$30,000, are available in Municipal Aid account, 535.00.51100.

Attachments: Memo, Contract

Suggested Disposition: Receive and File; Approve

9.

| Personnel Action | Employee | Department | Date | Position |
|------------------|-----------------|------------|---------|--|
| Promotion | John Varner | PW/Garage | 8/11/20 | Maintenance Tech II to Garage Foreman |
| Termination | Eric Temple | Sewer | 8/25/20 | Plant Operator |
| Termination | Ben Ritchie | Sewer | 8/25/20 | Maintenance Tech I |
| Resignation | Gary Muller | Fire | 8/14/20 | Fire Marshal Civilian Authorize payout of accrued leave |
| Resignation | Melissa Ballard | PW/Transit | 8/21/20 | Transit Driver Authorize payout of accrued leave |
| Resignation | Sarah Ripy | IT | 8/31/20 | GIS Analyst II Authorize payout of accrued leave |

Attachments: Gary Muller letter of resignation, Melissa Ballard letter of resignation, Sarah Ripy letter of resignation

Suggested Disposition: Receive and File; Approve

BOARDS

1. Architectural Review Board - Reappointment of Irma Johnson, expiring 9-12-23 (representing Board of Realtors).

Attachments: Letter from the Mayor, Resume
Suggested Disposition: Receive and File; Approve

2. Frankfort Electric & Water Plant Board – Reappointment of Stephen A. Mason, expiring 9-23-24.

Attachments: Letter from the Mayor, Resume
Suggested Disposition: Receive and File; Approve

3. Forestry Advisory Board – Reappointment of Bobby Stone, expiring 5-08-23.

Attachments: Letter from the Mayor, Resume
Suggested Disposition: Receive and File; Approve

4. Forestry Advisory Board – Reappointment of Marie Alagia Cull, expiring 5-08-23.

Attachments: Letter from the Mayor, Resume
Suggested Disposition: Receive and File; Approve

5. Forestry Advisory Board – Reappointment of Donna Baldwin-Hunt, expiring 5-08-23.

Attachments: Letter from the Mayor, Resume
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 SECTION 40.21 OF THE CITY OF FRANKFORT CODE OF ORDINANCES RELATING TO POLICE DEPARTMENT ORIGINAL APPOINTMENTS”. This Ordinance had its First Reading on July 27, 2020. Summary: This ordinance amends section 40.21 of the City of Frankfort Code of Ordinances relating to Police Department original appointments to change the examination process to operate on a quarterly basis; require oral interviews when at least eight applicants are eligible; remove unnecessary procedures for when the interview list exceeds 27 applicants; establish a revolving Patrol Officer Recruit Eligibility List consisting of individuals approved by the Civil Service Board, whose names shall stay on the List for one calendar year; require applicants to wait one calendar year before applying for a police officer position again; and amends the Accelerated Candidate Process to accommodate applicants who may not be currently employed with a law enforcement agency.

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

2. State Fallen EMS Memorial – Fire

Frankfort not only serves as the Capital of Kentucky, but it also is the home of the Kentucky Fallen Firefighters Memorial located at Juniper Hills Park. The City of Frankfort has been approached to welcome a second memorial dedicated to members of the emergency medical service (EMS) profession that have fallen in the line of duty and are requesting the City of Frankfort to dedicate a piece of land adjacent to the Firefighters Memorial. This request will have little to no budget impact as funding for the development, design, and subsequent building will be funded through the Kentucky Emergency Medical Service Memorial Foundation, Inc. It is my recommendation that the City of Frankfort dedicates a portion of land located at Juniper Hills Park, adjacent to the State Fallen Firefighters Memorial, to the Kentucky Emergency Medical Service Memorial Foundation, Inc. for the development of a permanent monument dedicated to fallen EMS personnel and to authorize the Mayor to sign any related documents regarding the Kentucky Emergency Medical Service Memorial Foundation, Inc.

Attachments: Memo, Order, License Agreement, site drawing, KY EMS Memorial Foundation brochure, 8/14/17 minutes
Suggested Disposition: Receive and File; Approve & Adopt Order

3. 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 Captain David Schroerlucke and to authorize the Mayor to sign all related documents. Frankfort Code of Ordinance 40.03 (B) allows for the purchase of service weapons by retired officers. Retired Captain David Schoerlucke has expressed interest in purchasing his city service weapons in retirement. In order to complete the transaction to permit the retired officer to purchase these weapons, the weapons must be declared surplus by the City Commission. The form mentioned in 40.03 has been completed and is on file. 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; Adopt Order

4. A Resolution to provide upgraded sanitary sewer service for industrial, institutional, commercial, and residential growth in the Frankfort, Franklin County area – Sewer

Attachments: Resolution

Suggested Disposition: Receive and File; Adopt Resolution

5. Fort Hill fencing

6. Update on Dolly Graham Park

7. Discussion on expansion of TIF Development District

8. Blue Grass Community Foundation – Frankfort-Franklin County COVID-19 Response Fund update

9. COVID-19 Emergency Timeline update

10. Discussion of acting City Manager salary

11. Upgrades at Capitol View Park including but not limited to lighting, sewer upgrades, upgrades to fields, concession building(s) and restroom facilities

ADJOURNMENT