



CAPITAL OF KENTUCKY

Layne Wilkerson, Mayor

Kelly May, Commissioner

Kyle Thompson, Commissioner

Leesa Unger, Commissioner

Katrisha Waldrige, Commissioner

NOTICE

Per KRS 61.826 the Board of Commissioners Regular Meeting being held on July 26, 2021 is a video teleconference meeting. One Commissioner will participate via Skype or a similar video teleconferencing system. The primary location will be in the City Hall Commission Chamber, 315 West Second Street.

AGENDA

REGULAR MEETING
BOARD OF COMMISSIONERS
315 WEST SECOND STREET
FRANKFORT, KY 40601
502/875-8500

July 26, 2021
5:00 PM

www.frankfort.ky.gov

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INVOCATION

Dr. Marian Taylor – Pastor, South Frankfort Presbyterian Church

PLEDGE OF ALLEGIANCE

ROLL CALL

CITIZEN COMMENTS – PLEASE USE THE SIGN IN SHEET. INDIVIDUAL REMARKS ARE LIMITED TO FIVE MINUTES.

PRESENTATION

Cathy Lindsey – Frankfort Plant Board will speak about the Emergency Broadband Benefit.

CEREMONIAL ITEMS

The Board of Commissioners traditionally recognizes city employees who are retiring or are being promoted. At this meeting, the following individuals will be recognized.

Promotions – Police Department:

- ❖ Promotion of Kenneth Keith in the Police Department from Lieutenant to Captain.
- ❖ Promotion of Josh McDonnell in the Police Department from Patrol Officer II to Sergeant.

Promotions – Fire Department:

- ❖ Promotion of Shawn Flora in the Fire Department from Sergeant to Captain.
- ❖ Promotion of Jon Penfield in the Fire Department from Firefighter III to Sergeant.
- ❖ Promotion of Codie Rich in the Fire Department from Firefighter II to Sergeant.

Retirements:

- ❖ Chuck Crittenden will retire from the Fire Department following 19 years of service.
- ❖ John Lowe will retire from the Fire Department following 21 years of service.
- ❖ Michael Billings will retire from the Fire Department following 22 years of service.
- ❖ Michael Ferguson will retire from the Fire Department following 28 years of service.
- ❖ Alan Jaques will retire from the Fire Department following 19 years of service.
- ❖ Brad Kays will retire from the Fire Department following 19 years of service.
- ❖ Jason Combs will retire from the Fire Department following 17 years of service.
- ❖ John Crum will retire from the Fire Department following 18 years of service.
- ❖ Paul Wise will retire from the Police Department following 19 years of service.

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 – June 7, 2020¹ Special Meeting; June 14, 2021 Work Session; June 17, 2021 Special Meeting; June 28, 2021 Regular Meeting

2. Brighton Landmark, LLC – Public Works

The purpose of this agenda item is to seek Commission approval of a Memorandum of Understanding (MOU) between the City, Franklin County and Brighton Landmark LLC for cleaning out the existing detention basin on Brighton Landmark LLC property on Brighton Park Blvd, and for the Mayor to sign all related documents. The City and County have been in discussions with Brighton Landmark LLC regarding maintenance of the detention basin near the intersection of Brighton Park Blvd and the access road to Kroger's parking lot. The basin is overgrown with trees and brush, and soil has deposited in the basin over the years. Once cleaned out, the function of the basin could be improved, analyzed and modified if needed to help protect downstream. In order to expedite the process, the City and County will clean out the basin in accordance with the terms in the MOU. The long term maintenance will be the responsibility of Brighton Landmark. Expenses for the City's portion of labor and equipment will be approximately \$8,000.00.

Attachments: Memo, MOU

Suggested Disposition: Receive and File; Approve

3. Street Resurfacing Contract- Flynn – Public Works

The purpose of this agenda item is to seek Commission approval to accept the 2021-2022 Street Resurfacing Program Contract proposal from Flynn Brothers Contracting, Inc (Flynn Brothers) and authorize the Mayor to sign all related documents. In June, 2020 the Public Works Department awarded the Street Resurfacing Program Contract (Bid No. 2020212-535) to Flynn Brothers, the lowest of three bidders. This contract allows for a 1 year extension of services with Flynn Brothers under the same terms and conditions, subject to renegotiation of itemized prices. Flynn Brothers does wish to extend the contract for an additional year. The table below compares the unit prices approved in 2021 and the proposed unit prices for the upcoming year.

	2021 Accepted Unit Price	2022 Proposed Unit Price
Asphalt Pavement Milling & Texturing	\$12.00 per ton	\$16.00 per ton
Bituminous Asphalt Surface	\$63.00 per ton	\$66.00 per ton
Bituminous Asphalt Base	\$135.00 per ton	\$140.00 per ton
Bituminous Tack Coat	\$2.50 per gal	\$2.50 per gal
Excavate and Replace 10" Base Course	\$30.00 per square yard	\$35.00 per square yard

The approved budget for FY2022 includes \$300,000 from Municipal Aid (535.00.51100) to fund the work performed under this contract.

Attachments: Memo, Proposal, Contract Agreement

Suggested Disposition: Receive and File; Approve

4. Sidewalk Hazard Repairs/Concrete Projects UPC 2202101-535 – Public Works

In conjunction with the recent budget approval, Public Works is seeking authorization to award the Concrete Projects UPC contract to ADE Contracting (ADE), spend up to \$250,000 with ADE for the repair of damaged sidewalks at multiple locations throughout the City of Frankfort, and authorize the Mayor to sign all related documents. Public Works recently bid out the Concrete Projects Unit Price Contract. One bid proposal was received from ADE Contracting. This proposal is attached. All potential sidewalk work will be inspected prior to taking any action. Prioritization of projects will be determined using the 2010 Sidewalk Policy. The First Priority in the 2010 Sidewalk Policy reads:

Severely damaged (hazardous) Public Sidewalk or Public Sidewalks that are non-compliant with the current ADA regulations; including Public Sidewalks with vertical offsets at joints larger than 1/2 inch, intersecting cracks in one panel subject to displacement, and settlement in Public Sidewalks larger than 4 inches in an 8 foot span.

Contractors will be paid based upon actual quantities installed as verified in the field. The approved budget for FY2022 includes \$250,000 from Municipal Aid (535.00.51100) to fund the work performed under this contract.

Attachments: Memo, ADE Bid Proposal, Contract Agreement
Suggested Disposition: Receive and File; Approve

5. Thorobred Trail Change Order #1 – Public Works

The purpose of this agenda item is to seek Commission approval of a Change Order for Colston Paving in the amount of **\$35,100.84** on the Thorobred Trail project, and for the Mayor to sign all related documents. The City of Frankfort received a grant in the amount of \$560,400.00 and the City committed a local match of \$140,100, for a total of \$700,500 for the design and construction of the Thorobred Trail. The City’s match was budgeted for in the Capital Improvements Account. Colston Paving was awarded the project for the amount of \$579,973.00 in November 2020. Strand Associates has a Professional Services Agreement in the amount of \$90,200. Therefore, a total of \$30,327 remains in the project. The City of Frankfort Parks Department is installing a handrail adjacent to the trail through a separate contract. This handrail will require a solid foundation to mount into along a portion of the trail. Since the existing conditions do not provide an acceptable foundation, a portion of the trail will be widened 2 feet and constructed as a thickened concrete slab, rather than asphalt. The cost adjustment for this change is \$35,100.84. This change order request would deplete the project funds and require an additional \$4,773.84 which is available in the budget for the handrail portion of the project. Funds from the grant as well as funding for this additional amount are available in the Capital Improvement account, number 530.90.56551.

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

6. FPB Easement Request – Legal

The purpose of this memorandum is to provide information pertaining to the City allowing the Frankfort Electric and Water Plant Board (FPB) to place a pole for an AMI base on the City’s property at 2601 Bald Knob Road. Hance Price, General Counsel for the FPB reached out to the City Solicitor to inquire about allowing FPB to place a pole on the City’s property at 2601 Bald Knob Road for installation of a base station for automated metering equipment to read its meters and transmit the meter data back to their office. For the BOC to allow the Mayor to sign the attached Easement allowing FPB to place a pole on the City’s property at 2601 Bald Knob Road for installation of a base station for automated metering equipment to read its meters and transmit the meter data back to their office.

Attachments: Memo, Deed of Easement
Suggested Disposition: Receive and File; Approve

7.

Personnel Action	Employee	Department	Date	Position
Retirement	Chuck Crittenden	Fire/EMS	7/31/21	Fire Sergeant Authorize payout of accrued leave
Retirement	John Lowe	Fire/EMS	7/31/21	Firefighter III Authorize payout of accrued leave
Retirement	Michael Billings	Fire/EMS	7/31/21	Fire Captain Authorize payout of accrued leave
Retirement	Michael Ferguson	Fire/EMS	7/31/21	Fire Sergeant Authorize payout of accrued leave
Retirement	Alan Jaques	Fire/EMS	7/31/21	Fire Captain Authorize payout of accrued leave
Retirement	Brad Kays	Fire/EMS	7/31/21	Fire Captain Authorize payout of accrued leave
Retirement	Jason Combs	Fire/EMS	7/31/21	Firefighter III Authorize payout of accrued leave
Retirement	John Crum	Fire/EMS	7/31/21	Fire Sergeant Authorize payout of accrued leave
Retirement	Freddy Doss	Public Works	7/31/21	PW Tech III Authorize payout of accrued leave
Retirement	Paul Wise	Police	7/31/21	Patrol Officer III Authorize payout of accrued leave
Resignation	Cory Porter	Police	7/1/21	Patrol Officer I
Appointment	Andrew Brewer	Fire/EMS	8/3/21	Firefighter II

Appointment	Eleanor Hasken-Wagner	Parks and Recreation	8/3/21	Museum and Historic Sites Supervisor
Appointment	Shayla Durham	Police/E911	7/1/21	Telecommunicator I
Appointment	Rodney Murphy	Sewer	7/20/21	Maintenance Tech I
Appointment	Kyle Boone	Sewer	7/20/21	Maintenance Tech I
Transfer	Clarence Oliver	Sewer	7/20/21	Transit Driver to Sewer Tech III
Promotion	Shawn Flora	Fire/EMS	8/3/21	Sergeant to Captain
Promotion	Jon Penfield	Fire/EMS	8/3/21	Firefighter III to Sergeant
Promotion	Codie Rich	Fire/EMS	8/3/21	Firefighter II to Sergeant
Promotion	Kenneth Keith	Police	8/31/21	Lieutenant to Captain
Promotion	Josh McConnell	Police	8/31/21	Patrol Officer II to Sergeant
Voluntary Demotion	Daniel Fey	Sewer	7/27/21	Collection Superintendent to Field Inspector II
Voluntary Demotion	Joel Dunmire	Police	8/31/21	Captain to Lieutenant

Attachments: Chuck Crittenden letter of retirement, John Lowe letter of retirement, John Crum letter of retirement, Freddy Doss letter of retirement, Paul Wise letter of retirement, Cory Porter letter of resignation
Suggested Disposition: Receive and File; Approve

BOARDS

- 1. Frankfort-Franklin County Planning Commission** – Appointment of Brent Sweger, expiring 7-1-25.

Attachments: Letter from the Mayor, Appointee information
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 ESTABLISHING PROCEDURES FOR PERMITTING AND OPERATING COMMERCIAL QUADRICYCLE BUSINESSES WITHIN THE CITY OF FRANKFORT”. This ordinance had its First Reading on June 28, 2021. Summary: This ordinance establishes a new Chapter 121 of the City of Frankfort Code of Ordinances establishing procedures for permitting and operating commercial quadricycle businesses within the City of Frankfort, including definitions; requirements for obtaining an operating permit; requirements for denial, suspension, and revocation of permits, including appeals; travel route requirements; safety and equipment standards; hours of operation; requirements for consumption of alcohol; operating requirements; and penalties for violating the provisions of the Chapter.

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

2. Second Reading

“AN ORDINANCE AMENDING SECTION 111.40 OF THE CITY OF FRANKFORT CODE OF ORDINANCES RELATING TO ALCOHOLIC BEVERAGE LICENSES”. This ordinance had its First Reading on June 28, 2021. Summary: This ordinance amends Section 111.40 of the City of Frankfort Code of Ordinances regarding alcoholic beverage licenses to add an authorized public consumption license with a fee of \$250.00; to change the rectifier's license from a single \$1,500 fee to a Class A fee of \$3,000 and Class B fee of \$960.00; to delete the brew on premises license which has been eliminated from state law; and to add provisions regarding fees for supplemental bar licenses (the same as the fee for the primary drink license, and no charge in excess of five).

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

3. Second Reading

“AN ORDINANCE AMENDING SECTION 37.12(A) OF THE CITY OF FRANKFORT CODE OF ORDINANCES RELATED TO HOLIDAY PAY AND HOLIDAY LEAVE”. This ordinance had its First Reading on June 28, 2021. Summary: This ordinance amends Section 37.12(A) of the City of Frankfort Code of Ordinances regarding holidays to declare the nineteenth of June (“Juneteenth”) as a City holiday during which the public offices of the City shall be closed.

Attachments: Ordinance

Suggested Disposition: Receive and File; Adopt Ordinance

4. Second Reading

“AN ORDINANCE AMENDING SECTIONS 111.15 and 111.21 OF THE CITY OF FRANKFORT CODE OF ORDINANCES RELATING TO REGULATORY LICENSES AND ITINERANT MERCHANTS”. This ordinance had its First Reading on June 28, 2021. Summary: This ordinance amends Section 111.15 of the City of Frankfort Code of Ordinances to recognize potential exceptions to the requirement that a business license fee must be paid in addition to any regulatory license fee; and amends Section 111.21 to 1) apply a one-time group itinerant merchants license fee of \$250 to any event, including any permitted special event, within the City, applicable to vendors selling goods, wares or merchandise, including food or alcohol; 2) require a separate license for each event and authorize sales only at said event; 3) require request and payment for the license to be made at least ten (10) days prior to the start of the event unless the ten (10) day period is appropriately waived by the City Manager, and expire upon conclusion of the event; and 4) include a qualified new business license fee exemption. The previous provision authorizing a \$150.00 group license fee applicable only to food and alcohol vendors at charitable fundraising or governmental civil events is repealed.

Attachments: Memo, Ordinance

Suggested Disposition: Receive and File; Adopt Ordinance

5. 2021 JAG Allocation & MOU – Grants

Staff requests the City Commission to authorize the filing of a 2021 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$12,865.00 for Community Policing and to authorize the Mayor to sign all grant documents including a Memorandum of Agreement with the Franklin County Fiscal Court. The City and County have received JAG allocations for the past several years. Both entities have alternated the utilization of the funds every other year. The 2021 allocation of \$12,865.00 is scheduled to be utilized by the City of Frankfort's Police Department for Community Policing. The City must enter into a Memorandum of Agreement with the County in order to move forward with the grant application. The JAG funds do not require a match from the City. There should be no impact to the budget. Once approval is given, the Chief of Police and Grants Manager will work together to complete the on-line application for JAG funding in the amount of \$12,865.00.

Attachments: Memo, MOA

Suggested Disposition: Receive and File; Approve

6. Frankfort Police Department Handgun Surplus Order

The purpose of this agenda items is to seek Commission approval to declare two (2) city owned handguns as surplus for buy back by retired Detective Paul Wise. Frankfort Code of Ordinances 40.03 (B) allows for the purchase of service weapons by retired officers. Retiring Detective Paul Wise has expressed interest in purchasing his city service weapons retirement. In order to complete the transaction to permit the retired officer to purchase in 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

It is recommended that the aforementioned handguns be declared as surplus property pursuant to FCO 40.03 and the Mayor be allowed to sign all related documents.

Attachments: Memo, Order

Suggested Disposition: Receive and File; Adopt Order

NEW BUSINESS

UNFINISHED BUSINESS

EXECUTIVE SESSION

EXECUTIVE SESSION PER KRS 61.810(1)(f), PERSONNEL DISCUSSION WHICH MIGHT LEAD TO THE DISCIPLINE OF AN EMPLOYEE.

ADJOURNMENT