

**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, May 18, 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, May 18, 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 by Monday, May 18 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.

S/William I. May, Jr.
T/Mayor

SPECIAL REGULAR MEETING
FRANKFORT BOARD OF COMMISSIONERS

May 18, 2020
5:00 P.M. (EDT)

PRESENT: Commissioner Katrisha Waldrige
Commissioner Scott Tippet
Commissioner Eric E. Whisman
Commissioner John R. Sower
Mayor William I. May, Jr. (5)

ABSENT: None (0)

Mayor May called the meeting to order and recognized the month of May as "Building Safety Month".

Chermie Maxwell, City Clerk, read the following citizens comment from David Hecker:

I've heard much discussion concerning lighting at the two upper adult softball fields (Legends & Williams) as well as for the Sower Soccer Complex (Sower 1 & 2), but nothing has been said about adding lighting to the Bob Fannin Field. This field is utilized primarily by the Frankfort High and Frankfort Middle softball teams. The lack of lighting at this field severely limits the amount of practice and games that can be scheduled on any given day. I'm hopeful this will be addressed in the Parks Master Plan and a partnership with the Frankfort Independent Schools can remedy this deficiency.

Mayor May stated that the Board of Commissioners will review the additional citizens comments received via email.

Consent Calendar

The following miscellaneous and personnel items were presented:

1. Minutes – April 13, 2020 Special Work Session; April 27, 2020 Special Regular Meeting

2. 2020 NEA CARES Supplemental Funding – Grants

Authorized the application for 2020 National Endowment of the Arts NEA CARES grant funds in the amount not to exceed \$50,000 for the additional needs for a Frankfort Arts Master Plan related to COVID-19 and authorized the Mayor to sign all related documents. The National Endowment for the Arts has grant funds available under the CARES Act for NEA projects that are already in progress. The additional funding will be utilized to help cover the cost of DFI staff (our non-profit partner in this project) and local artists who are willing to step up and take on additional tasks such as holding small group public meetings and conducting outreach that our consultants may be unable to complete due to COVID-19. A portion of the funding will also be directed toward our consultant if they require additional equipment or software to enable them to complete the Master Plan in the current atmosphere. There is no additional match required from the City.

3. 2020 COVID-19 Byrne Grant Supplemental Funding – Grants

Authorized the filing of a 2020 Edward Byrne Memorial COVID-19 Supplemental Grant Funding in the amount of \$45,977.00 for COVID-19 expenses and authorized the Mayor to sign all grant documents. The City has received 2020 Edward Byrne Memorial COVID-19 Supplemental Funding in the amount of \$45,977.00 for COVID-19 expenses which will cover Personal Protective Equipment, cleaning supplies, personnel and any other costs related to COVID-19 response or preparation. These CARES Act funds do not require a match from the City. There should be no impact to the budget.

4. 2020 Kentucky E911 Services Board Grant – Grants/Police

Authorized the filing of a 2020 Kentucky E911 Services Grant application for CACHE Emergency Medical Dispatch software purchase/ installation and authorized the Mayor to sign all grant documents. The City's E911 Division is preparing to purchase and install CACHE Emergency Medical Dispatch software which will cost approximately \$52,950. The system will also require an annual maintenance fee of \$6,187.50 beginning on year two of the project. In order to offset some of the initial start-up costs staff would like to apply for 2020 Kentucky E911 Services Grant funds not to exceed \$52,950 and utilize E911 Account dollars in the amount of \$6,187.50 as a City match for the project. Although the grant guidance suggests a 10% match, this 12% match should give the City a competitive edge. The 2020 Kentucky E911 Services Grant does suggest a 10% match from the City. Staff suggests a match of \$6,187.50 for the initial project and would continue to budget that amount for annual maintenance for the system.

5. CT Mitchell Contract – City Manager/Legal

Authorized the Mayor to sign a one-year extension with CT Mitchell to perform the City audit. This extension is requested due to the need for consistency during the transition period in the Finance Department. The contract can be extended rather than bid because it qualifies as a professional service which is exempt from bidding requirements. The cost of this contract will be \$37,000.00 to audit fiscal year end 2020.

6. Memorandum of Understanding (MOU) with the Legislative Research Commission (LRC) – Fire

Authorized the continuation of the Memorandum of Understanding (MOU) with the Legislative Research Commission (LRC) and authorized the Mayor to sign all related documents. The Fire Department has provided a first responder during the Kentucky legislature regular session for the last eight years. During the convening of the Kentucky Legislature it is not uncommon to see significant increases in both staff and visitors. All benefits and wages are covered by the City of Frankfort, however, the City will be reimbursed by the Legislative Research Commission at a rate of \$47.00 per hour and will be working under the authority and direction of the City of Frankfort. The responder will be required to be in Fire Department uniform, be equipped with Fire Department response equipment, and will operate under the authority and direction of the City of Frankfort. During assignment, personnel are not to engage in any lobbying activities or attempt in any way to influence the passage or defeat of legislation during any Session of the Kentucky General Assembly. The Fire Department shall provide biweekly billing statements to LRC itemizing the number of paramedic or EMT hours provided for reimbursement at the rate of \$47.00 per hour. The rate reimbursement remains sufficient to cover all salary and pension without negatively impacting the overall budget. The Agreement does include a cancellation clause that allows either party to withdraw from the Agreement after thirty (30) days notice or sooner with mutual agreement. 2019 impacts were \$20,266 expense with \$22,454 in revenue for a net revenue of \$2,187. Wages and benefits will be paid by the City from both the Fire and EMS personnel services budgets with a reimbursed rate of \$47.00 per hour by the Legislative Research Commission. The rate of \$47 per hour is sufficient to cover the overtime and benefits of the employees working any stand-by shift(s) and should result in a very minimal, if any, budget impact.

7. 2019 Phase II MS4 Annual Report – Public Works

Authorized the Mayor to sign the 2019 Phase II MS4 Annual Report for the City of Frankfort and Franklin County on behalf of the City. 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. Due to the Corona virus, the Kentucky Division of Water has approved an extension until May 15th for the City of Frankfort and Franklin County to submit the Annual Report. 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.

8. Franklin County Humane Society Contract Extension – City Manager/ Legal

Authorized the extension the Franklin County Humane Society contract for one year and authorized the Mayor to sign all related documents. The Franklin County Humane Society has requested a one year extension to the existing contract that expires on June 30, 2020.

9. MOVED TO ACTION ITEMS - Emergency P.O. for RAS Pump – Sewer

It was moved by Commissioner Whisman, seconded by Commissioner Sower, that items 1-8 of the Consent Agenda be adopted. All members being present, the motion to approve the consent agenda was adopted by voice vote without objection.

Action Items

1. Second Reading

“AN ORDINANCE AMENDING SECTIONS 91.15, AND 91.16 OF THE CITY OF FRANKFORT CODE OF ORDINANCES RELATING TO CHAPTER 91, STREETS AND SIDEWALKS”. This ordinance had its First Reading on April 27, 2020. Summary: This ordinance amends Section 91.15 of the City of Frankfort Code of Ordinances to incorporate by reference the 2020 version of the Right-of-Way Standard; delete unnecessary permits and fees; increase permit fees for street/sidewalk closure, driveway, sidewalk, storage pod, dumpster, temporary parking and general permits from \$20 to \$25 each; and add a \$150 refundable deposit for Lighted Barricade Rental. The ordinance further amends Section 91.16 to increase the fee for damaging or excavating pavement to the pavement repair estimate plus 15% (increased from 10%). This Ordinance shall take effect on May 24, 2020.

It was moved by Commissioner Whisman, seconded by Commissioner Tippet, to adopt the Ordinance. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Tippet, Whisman, Sower and Mayor May (5). Those voting against the motion were none (0). The Ordinance was thereupon adopted (Ordinance No. 10, 2020 Series).

2. First Reading

“AN ORDINANCE AMENDING THE CITY OF FRANKFORT CODE OF ORDINANCES, SECTION 130.02 RELATING TO PUBLIC PROPERTY” was presented and read. Summary: This ordinance amends Section 130.02 of the City of Frankfort Code to allow for recovery of costs associated with repair or replacement of public roadways, features and appurtenances from a person who deliberately, wantonly or recklessly destroys such public property.

3. Second Street TIGER Project Right-of-Way Acquisition , Parcel #5 - City of Frankfort Temporary and Permanent Easements

The Second Street TIGER Project is in the final design and right-of-way acquisition phase. As a result of the project's design, there are eight separate parcels that will require acquisition by way of a fee simple purchase, a permanent easement, and/or a temporary easement. Parcel #5 involves City of Frankfort property between the Public Safety Building at 300 West Second Street and the IT Building at 316 West Second Street. The necessity for the temporary and permanent easements on Parcel #5 is to allow construction and perpetual maintenance of buried electric and communication lines as part of the larger effort to bury overhead utility lines between Bridge Street and Capital Avenue. The total acquisition value of these two easements was established at \$7,625 by Strand Associates. In light of the fact that the Second Street TIGER project is a City of Frankfort project, it is proposed that the City provide these two easements and the rights associated with them to the project for no monetary consideration. It is recommended and requested that the relevant "Memorandum of Understanding" and the "Grant of Easement" documents be executed and authorize the Mayor to sign all related documents.

It was moved by Commissioner Tippet, seconded by Commissioner Waldrige, to authorize the Right-of-Way Acquisition. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Tippet, Whisman, Sower and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

4. 2020 Recreational Trail Program Grant Application & Resolution – Grants

Authorized the application of grant funds for a trail expansion under the 2020 Recreational Trails Grant Programs and authorized the Mayor to execute all grant documents pertaining to this application. RTP funding focuses on trail connections and recreational opportunities. Staff would like to request authorization to apply for RTP funding for the implementation of a trail connecting the Wilkinson River Walk Trail and Cove Spring Park and to authorize the Mayor to sign all related documents. Representatives from Walk/Bike Frankfort approached the City in December, 2018 to inquire about installing a trail across Lewis Ferry to connect the existing Wilkinson River Walk Trail to Cove Spring Park. At the time there were no funds available to implement this trail plan. The Department for Local Government has now opened a funding round and staff would like to apply for this project in the amount of \$233,540.00. The City is required to provide a 20% match which would be \$46,708.00. The match can be made up of cash or in-kind services.

It was moved by Commissioner Whisman, seconded by Commissioner Waldrige, to authorize the grant application and resolution. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Tippet, Whisman, Sower and Mayor May (5). Those voting against the motion were none (0). The Resolution was thereupon adopted (Resolution No. 8, 2020 Series).

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

Following a brief discussion regarding the Capitol View Park lights bid opening, it was moved by Commissioner Sower, seconded by Commissioner Tippet, to do a bid award at the next meeting. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Tippet, Whisman, Sower and Mayor May (4). Those voting against the motion were Commissioner Waldrige (1). The motion was thereupon adopted.

Kenny Hogsten, Sewer Director, gave a brief update on Capitol View Park and all items have been submitted to the Department of Water and we are waiting on their reply. Commissioner Whisman requested a memo be sent to the Board of Commissioners on this item.

6. Parks Master Plan Update and Award of contract

It was moved by Commissioner Whisman, seconded by Commissioner Tippet, to award the contract for the Parks Master Plan to Brandstetter Carroll. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Tippet, Whisman, Sower and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Sower, seconded by Commissioner Tippet, to move that one member of the Brandstetter Steering Committee be Jim Parrish, former Parks Director.

Laura Ross, City Solicitor, advised the Board of Commissioners to hold on this decision until the next meeting. Staff can discuss possible names for the Parks Selection Committee at the June Work Session.

The motion and second were withdrawn.

It was moved by Commissioner Whisman, seconded by Commissioner Sower to take a 5 minute recess. The motion was adopted by voice vote.
Note: Commissioner Waldrige voted no for the recess.

Mayor May called the meeting back to order at 6:24 p.m. with all members present.

7. Commissioner Katrisha Waldrige – Explanation of vote on Fort Hill Conservation Easement at April 27, 2020 City Commission Meeting

Commissioner Waldrige requested to rescind her vote from 4/27/20 regarding the Fort Hill Conservation Easement; however, due to Roberts Rules she could not rescind. Commissioner Waldrige stated she does not support the easement and the information received was not in detail. Commissioner Waldrige advised the Board of Commissioners her vote would have been no.

8. Recycling program

Commissioner Whisman spoke about the recycle options and challenges of the program. It was moved by Commissioner Whisman, seconded by Commissioner Sower, for staff to create a comparison analysis between Lexington and Louisville recycling centers to bring back to the Work Session for review in June. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Tippet, Whisman, Sower and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

9. Dolly Graham Park

Commissioner Tippet requested a brief update from staff regarding the Dolly Graham Park Project. Staff is currently working with DLG and the Parks Service; all documents have been turned in as of today. Once the City gets the go ahead from DLG and the Parks Service, demolition will begin.

Following the discussion, it was moved by Commissioner Sower, seconded by Commissioner Whisman, to name the playground area of Dolly Graham Park "Charlie Tippet Playground Park". The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Whisman, Sower and Mayor May (4). Those voting against the motion were none (0). The motion was thereupon adopted. Mayor May stated he would like to co-sponsor the motion. *Note: Commissioner Tippet recused himself.*

10. Discussion to determine the Board of Commissioners interest in moving forward with the Parking Services RFP

It was moved by Commissioner Whisman, seconded by Commissioner Sower to passover this agenda item. All members being present, the motion to passover this agenda item was adopted by voice vote without objection.

11. Emergency P.O. for RAS Pump – Sewer

Authorized a purchase order for the replacement of one RAS pump at the Wastewater Plant and for the Mayor to sign any related documents. The Sewer Department has had a long history of issues with the RAS pumps at the plant. The pumps would have issues and if it was not the pump then the motors are original to the plant and the cost to rebuild or replace them is more than a new style pump would cost. When the last pump went out, staff decided to look at alternatives to the current pumps. With some research and speaking with other facilities the choice was made to move away from separate pumps and motors and change to an all in one unit. The pumps that have been chosen to replace the aging pumps is a Flygt dry well submersible pump. This will allow the pump to be mounted the same as the other pumps without needing the large motor and drive shaft that is currently set up. Two alternatives were considered, replace both pump and motor or switch to combine the unit into one freestanding pump. The cost of replacing both the pump and motor would be a total of \$66,585.00 and the cost of the combined unit is \$46,638.00. The cost of this pump will come out of the emergency repairs budget for the plant which is budgeted at \$150,000.00

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

It was moved by Commissioner Whisman, seconded by Commissioner Sower, to go into Executive Session per KRS 61.810(1)(b), deliberations on future acquisition of real property related to downtown development and blight elimination, where publicity would likely affect the value of the property. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Tippett, Whisman, Sower and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted. The meeting went into closed session at 6:57 p.m.

It was moved by Commissioner Sower, seconded by Commissioner Waldrige, that the meeting return to open session. The motion was adopted by voice vote. The meeting returned to open session at 7:09 p.m.

It was moved by Commissioner Sower, seconded by Commissioner Whisman, that the meeting adjourn. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Waldrige, Tippett, Whisman, Sower and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted. The meeting adjourned at 7:10 p.m.

Mayor

Attest:

City Clerk